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Schuyler County, NY

Schuyler County Public Health

Offices: 910 South Decatur St. Watkins Glen, NY 14891

Clinic: 106 South Perry St. Watkins Glen, NY 14891

Phone: 607-535-8140 **Fax:** 607-535-8157

Website: schuylercounty.us/publichealth

Schuyler County Watershed Protection Agency Online Policy and Procedures

Approved by County Legislature 4/9/2007, 3/9/2009, 7/14/2025

Agency Information

Hours: Monday through Friday from 8 AM to 4 PM. Our office is closed on [county designated holidays](#).

Location: 910 South Decatur Street Watkins Glen, NY 14891.

Phone: 607-535-8140

Important Information

- For your protection, any staff person, volunteer or student from Public Health will have a Schuyler County picture identification badge. You may ask to see it at any time. You may also call the office to verify at 607-535-8140.
- We are unable to accept any form of gifts. If you wish to express your appreciation please write a letter to our Public Health Director, County Administrator and/ or the Chairman of the Legislature.
- We will explain the cost of services and collect any fees, if applicable, before providing any services.
- Complaint Process: If you have a suggestion, concern, or complaint about the services you receive, you should first discuss it with the staff person you are working with. If they cannot resolve it, you may call the Public Health Director at: 607-535-8140. If you have not received a satisfactory answer, you should send your complaint in writing to the Public Health Compliance Officer at 910 South Decatur Street Watkins Glen, NY 14891. You will receive a response within 15 days.

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Introduction

The regulatory framework for Schuyler County Public Health's Watershed Protection Agency (WPA) derives its policy wholly or in part from the following:

- Schuyler County Local Law #3 of the year 1994 – Watershed Protection Law: <https://www.schuylercounty.us/DocumentCenter/View/593/WPL-Local-Law-3-1994>
- Tyrone and Orange Wastewater Management Law: <https://www.schuylercounty.us/DocumentCenter/View/592/Lamoka-Waneta-Wastewater-Management-Law>
- Cayuta Lake Wastewater Management Law: <https://townofcatharine.com/wp-content/uploads/2018/08/Waste-Water-Management-Law-Final.pdf>
- NYS Public Health Law NYCRR Title 10: <https://regs.health.ny.gov/search-title-10>
- NYS Environmental Conservation Law: <https://dec.ny.gov/regulatory/regulations#nycrr>
- NYS Uniform Building Code: <http://www.dos.state.ny.us/code/Title19.htm>

While the Regulatory Authority of the WPA is derived from the Watershed Protection Law, the Tyrone and Orange Wastewater Management Law, and the Cayuta Lake Wastewater Management Law, the WPA adheres to and integrates the appropriate local and state regulations to better serve Schuyler County residents, protect public health, and protect water quality.

To better implement the WPA's objectives of protecting public health and protecting water quality, the Schuyler County WPA Online Policy and Procedures was developed for integration into the WPA website. The Online Policy and Procedures will be updated as needed to present the most up-to-date information available and to better serve the community. However, due to inherent inefficiency of public postings, the official policy and procedures of the WPA may not be completely reflected in the Online Policy and Procedures. Modifications to policy will be submitted for review, comment, and approval by the legislature.

For most situations, the Policy of the WPA is contained within the regulatory framework outlined above. For this reason, most of the Policy and Procedures will deal specifically with Procedures. However, where appropriate and necessary the specific Policy of the WPA has been integrated into the Online Policy and Procedures.

For quick reference and ease of use, the Schuyler County WPA Online Policy and Procedures has been divided up into several sections, each pertaining to those activities and services provided through the WPA.

Additional assistance in understanding and implementing these Policy and Procedures can be provided by contacting the WPA. Prior to contacting the WPA, we encourage you to read through the entire section to help answer any additional questions you may have.

Please note: Fees for all services must be paid in full before any work can be performed.

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New Construction

If your project is likely to use more than 1000 gallons of water per day (greater than a 9-bedroom home) or if your construction project is a New York State Department of Health (NYSDOH) regulated facility (restaurant, diner, etc.) this information does not pertain to you. You will need to hire your own design professional and submit plans for approval to the WPA, New York State Department of Environmental Conservation (NYSDEC), and/or NYSDOH. Call the WPA for further directions.

All aspects of [NYSDOH Appendix 75-A](#) must be adhered to for new construction. A waiver from the minimum requirements may only be granted by NYSDOH and only if detailed plans completed by a privately retained design professional have been submitted and approved by both the WPA and NYSDOH's Hornell District Office.

Typical Sequence for New Construction

The typical sequence listed below is only for those lots where minimum lot size and all aspects of Appendix 75-A can be met.

1. Applicant contacts WPA to schedule a Site Evaluation and to provide the necessary application information.
2. Applicant contacts [UDig NY](#) at 811 or 1-800-962-7962, **or** uses the [UDig NY online form](#) before you dig, drill or blast.
3. Site Evaluation occurs with a backhoe/excavator on hand, the applicant or a knowledgeable representative, and the WPA Watershed Inspector.
4. Percolation test is conducted, if necessary.
5. Preliminary approval is provided to the Town Code Enforcement Officer to allow the issuance of a Building Permit.
6. Based on information provided in the application and the results of the site evaluation, a preliminary design is drafted.
7. Professional Engineer Design is completed and sent for approval.
8. Once approved, a "Wastewater Treatment System Construction Permit" is issued. This permit is valid for one year.
 - a. The [Instructions for Contractors](#) procedures section should be referenced for additional information during construction.
 - b. If a new water well is required, refer to the [Development of an Individual Water Supply](#) procedures section.
9. Following final inspection, a "Certificate of Approval" is issued to the applicant and forwarded to the Town Code Enforcement Officer.
 - a. A Notice of Non-Compliance may be issued if one or more aspects of the permit were not followed.

Note: Due to the difficulty of a lot, the WPA may at any time choose to require the applicant to hire and retain their own Design Professional. Likewise, the applicant may at any to time hire and retain their own Design Professional.



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Detailed Policy and Procedure Information

The first step in constructing a new home in Schuyler County with no municipal sewer system is to call the WPA to provide the application information and to schedule a Site Evaluation. There is a need to verify that the existing or proposed lot has met the minimum lot size requirements. While Schuyler County sets minimum lot sizes for single family home development, each Town may have additional requirements. In some situations (such as subdividing a parcel into multiple smaller lots), the determination of meeting the minimum lot size will be made by the WPA following the initial Site Evaluation. If the minimum lot size cannot be met, a waiver from the WPA may be applied for by submitting plans from a design professional at the owner's expense (plan review and permitting fees still apply). The WPA reserves the right to reject any plans submitted by a design professional.

Following or in conjunction with establishing the minimum lot size requirements, a site evaluation will be conducted. A representative of the WPA will meet on site with the applicant (or a representative) and a backhoe/excavator and an operator. The backhoe will be used to dig a Deep Test Hole (DTH) to determine the lot's suitability for onsite wastewater treatment and disposal and determine any restrictive layers such as water table or bedrock. The backhoe must dig the DTH in the presence of the WPA Inspector and must be capable of excavating to a depth of at least seven feet below grade.

If the DTH reveals the possibility of installing a conventional subsurface treatment wastewater system (i.e. no clay soils, high water table, or shallow bedrock), the applicant will be asked to dig a certain number of percolation test holes to a required specific depth. The process for preparing percolation test holes may be found here. The percolation test is necessary to determine the required amount of square footage of absorption/treatment area (i.e. the size of the system, for a conventional system).

If the DTH reveals the lot to be unsuitable for a conventional subsurface treatment system (i.e. clay soils, high water table, or shallow bedrock), an alternative wastewater treatment system must be utilized for the lot. The WPA has Local Waiver Designs for three different alternative wastewater treatment designs granted by the NYSDOH. They consist of a Raised Fill System, Aerobic Treatment Unit, and a Sand Filter Treatment System.

For lots requiring an alternative system, the WPA will work with the applicant to select the best suited, least expensive system, while still meeting environmental and health standards. The most utilized alternative onsite wastewater treatment system in Schuyler County is the Sand Filter Treatment System.

Following the Site Evaluation, a preliminary design will be drafted by the WPA, based on the results of the DTH, percolation test, and the information provided in the construction application. However, prior to the issuance of the construction permit and the final Professional Engineer Design and Approval, the final permit fee must be received by the WPA. Upon receipt of all permit fees, a Wastewater Treatment System Construction Permit may be issued, typically within a two-week period. The permit is valid for one year, with extensions available upon request and payment provided.



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Complete home replacement or building conversion

Prior to obtaining a town permit to demolish an existing dwelling and install a new dwelling with equivalent or lower wastewater flows (i.e. tearing down a 2-bedroom home and constructing a new 2-bedroom home or a 4-bedroom home converted to a 3-bedroom home) or converting a building from one use to another, it is required to have a review of the Onsite Wastewater Treatment System (OWTS) by the WPA. This requirement is included in the County Watershed Protection Law.

The WPA has wastewater system records for nearly all homes in Schuyler County, therefore an initial phone call should be made to the WPA as soon as possible in the planning stage for any conversion.

The information on record will be compared to the minimum standards in NYSDOH Appendix 75 A or applicable design manual. If the existing system does not meet current design standards, modifications and improvements to the wastewater treatment system may be required prior to the conversion. For all conversions, any proposed modifications to the OWTS shall be as close to NYS design standards as the lot will allow. Best available technology and/or enhanced treatment technologies best suited for the situation shall be used when the minimum design standards and/or separation distances cannot be achieved.

Due to some properties with severe lot restrictions – and as with any project – the WPA may require a Design Professional submit plans to the WPA for review and approval.

The procedure for a conversion is highly variable depending on several factors and will be determined at the discretion of the WPA based on the realities of the land and its infrastructure (wastewater system, well(s), lot size, surface water, etc.) and the proposed changes.

A conversion, at a minimum, will require a site evaluation with the applicant, an inspection of the septic tank during a mandatory tank pumping, and requires a Compliance Certificate to be issued to the Town prior to the issuance of a Building Permit.

A majority of conversions require more modifications, anything from a tank upgrade to additional trench lines to a whole new system or even a replacement well.

If the conversion proposal includes an increase in potential wastewater flows (such as converting a dwelling from a 2-bedroom home to a 3-bedroom home), then the OWTS is required to meet all aspects of Appendix 75 A. Project proposals with increased wastewater flows where property restrictions preclude meeting current design standards will require approval by the NYSDOH. A design professional and a specific waiver from NYSDOH are required for these situations.

Contact the WPA for more information.



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Replacement of an onsite wastewater treatment system

This section is for those homes or facilities that have a failing or under-performing wastewater treatment system and require a new system to be installed. In all situations, a design conforming to all components of Appendix 75-A will be sought and, if reasonable, required. However, due to existing infrastructure, lot constraints, and financial hardship, all requirements in Appendix 75-A may not be achievable. In these cases, the WPA will attempt to issue a construction permit with an appropriate design within the existing constraints. As with new construction, the WPA may require the applicant to hire and retain their own Design Professional. Likewise, the applicant may at any time hire and retain their own Design Professional. For most replacement systems, in addition to the construction permit, the WPA will require the applicant to sign an individual waiver and release of liability form.

The cost for the permit is directly related to the need of a Design Professional.

Typical Sequence for a Replacement System

1. Contact the WPA to schedule a site evaluation and to provide the necessary application information.
2. Conduct the site evaluation. A backhoe/excavator may or may not be required to be on hand, depending on known soil conditions, past system performance, and the reason for failure.
3. Conduct percolation test, if necessary.
4. Based on information provided in the application and the results of the site evaluation, a preliminary design will be drafted.
5. Professional Engineer Design is completed and sent for approval.
6. Once approved, a "Wastewater Treatment System Construction Permit" is issued. This permit is valid for one year.
 - a. The [Instructions for Contractors](#) procedures section should be referenced for additional information during construction.
7. Following final inspection, a "Certificate of Completion" is issued to the applicant and forwarded to the Town Code Enforcement Officer.
 - a. A Notice of Non-Compliance may be issued if one or more aspects of the permit were not followed

Typically, replacement wastewater systems are neither planned nor expected financially by the owner. Additionally, the need for rapid resolution is often required for the owner as well as the public and environmental health. For these reasons, the WPA responds quickly to replacement wastewater system requests and failure complaints, and the preliminary and final design can often be issued within 2- 3 days.



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Repair of an onsite wastewater treatment system

A permit is required from the WPA prior to the repair of any component of an onsite wastewater treatment system. A repair can be defined as any replacement, removal, or modification of any and all components of an onsite wastewater treatment system. A repair does not include routine maintenance (e.g., tank pumping, effluent filter cleaning, or ATU service maintenance) but does include items such as tank replacement, distribution box replacement, house sewer line repair, additional absorption lines, or similar items.

Prior to any repair to an onsite wastewater treatment system, an initial phone consultation, followed by a field visit with the owner (or a representative of the owner) and the WPA should be conducted to evaluate and properly diagnose the nature and need for a system repair permit.

Based on the results of the consultation, a repair permit may be issued. Following the construction of the repair, all pertinent components must be inspected by the WPA prior to backfilling.

Instructions for Contractors

Prior to beginning construction of any repair, replacement, or new construction Onsite Wastewater Treatment System (OWTS), the WPA should be notified by the contractor a minimum of 24 hours beforehand, to allow better inspection services.

For those OWTS not designed by the WPA, a county construction permit is still required prior to beginning construction and shall be available on site in the case of an inspection. For recording purposes and general compliance issues, the OWTS still requires inspection by the WPA prior to backfilling system components. However, the WPA does not “approve” of the construction or authorize the backfilling of said system. Final construction approval and authorization to cover the system must be obtained by the design professional.

For those OWTS designed through the WPA, all aspects of the approved plan shall be followed, and all system components must be inspected prior to backfilling.

For sand filter systems, only approved sand filter medium may be used. An inspection of the excavated sand filter pit may be required, prior to the placement of the filter sand, at the discretion of the WPA.

For systems requiring the placement of fill material (such as a Raised Fill System, Raised Dispersal Bed, Shallow Trench System, etc.) a percolation test shall be done following the placement of the fill material, with a representative of the WPA present to verify the results.

For systems utilizing an approved Aerobic Treatment Unit or Enhanced Treatment Unit, a Service Agreement is required for the life of the system. A copy of the service agreement shall be submitted to the WPA prior to the initial service start up. The WPA shall be notified of all service activities for the entire life of the system.

Following a successful final inspection, a “Certificate of Approval” shall be provided to the applicant. In the event of non-compliance (backfilling system components prior to inspection, inadequate construction material, blatant or willful negligence/disregard of the construction permit and design components), all matters of recourse and rectification shall be at the discretion of the WPA.

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All ground disturbance activities from construction shall utilize appropriate erosion and sediment control techniques. For those construction activities that disturb one or more acres of land or for areas less than one acre but with direct hydrologic connectivity (i.e. lakefront or streamside) it is required by the NYSDEC to gain coverage under a General Permit by developing a Stormwater Pollution Prevention Plan (SWPPP) and filing a Notice of Intent with the State. A copy of the SWPPP shall be made available to the WPA upon request. Additional assistance regarding Stormwater regulations can be found by visiting <https://www.schuylerswcd.com/stormwater.html> or by calling the Schuyler County Soil and Water Conservation District at 607-535-0878.

Real Property Transfer Inspections

The WPA is charged with conducting all onsite wastewater treatment system (OWTS) real property transfer and re-financing inspections in Schuyler County. The inspections are required by law if requested or required by any interested party (buyer, seller, realtor, attorney, or lending institution) and must be conducted by the WPA.

Nearly all property transfers will require an inspection, usually as a requirement of the lending institution or the buyer. It is recommended that the current owner contact the WPA prior to – or in conjunction with – listing a home on the market because the WPA has record of most OWTS in the County.

The preferred method of contact would be to complete the Real Property Transfer or Refinancing Inspection Request Form, then call the WPA with the information on hand.

In addition to the OWTS Inspections, the WPA also provides water quality sampling services, water flow tests, and radon in air or water testing.

Typical sequence for a real estate property transfer inspection request

1. Owner (or a representative of the owner) completes the Real Property Transfer or Refinancing Inspection Request Form and contacts the WPA with all the necessary information.
2. WPA will review the available information on file and schedule an appointment with a WPA Inspector.
3. WPA conducts initial inspection of the property. The initial inspection typically consists of administering a dye test, visual inspection of all indoor plumbing fixtures, and if requested, collecting a water sample and conducting a flow test.
4. Schedule a licensed Septic Hauler to meet with a WPA inspector on site to pump the septic tank a minimum of 2 days following the initial inspection. WPA inspector must witness the tank pumping.
5. WPA inspector conducts a follow-up inspection, witnessing the septic tank pumping and further assesses the absorption component.
6. Upon completion of inspection, a "Certificate of Compliance" may be issued. Otherwise, a "Compliance Agreement" shall be established and agreed upon by all interested parties to bring the OWTS into compliance per the standards of the WPA.

Please note, the typical sequence is highly variable, and modifications may be required by the WPA for any number of situations such as the property currently being vacant, known system deficiencies, utilization of seepage pits, etc. See additional information below.

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Additional Real Property Transfer Information

For the purposes of Real Property Transfer OWTS Inspection, the WPA “Certificate of Compliance” implies that the system appears to be in sound working order at the time of the inspection. The “Certificate of Compliance” should in no way describe or imply the condition, integrity, construction or continued satisfactory use of any component(s) of the wastewater system. Any increase in wastewater generation may cause system failure.

An accurate and useful onsite wastewater treatment system inspection is only possible under normal hydraulic loading conditions. Therefore, for properties which are unoccupied at the time of inspection, it is recommended that an interest-bearing escrow account be established for an agreed upon estimated cost for a potential replacement/repair system. Following re-occupancy (at a period determined by the WPA), the inspection shall be conducted and a “Certificate of Compliance” or a “Compliance Agreement” shall be issued. Furthermore, this process may need to be implemented if the property is occupied but the OWTS is covered by a blanket of snow preventing an accurate visible inspection of the absorption/filtration area.

The septic tank must be within 250 gallons of the minimum state standards and must be structurally sound. For instance, the minimum tank size for a 3-bedroom home is 1000 gallons. If the 3-bedroom home being inspected currently has a 500-gallon tank, additional tank volume is required (by adding in sequence or installing new) and will be included in the “Compliance Agreement.” Any cracks, leaks, missing baffles, corroded steel septic tanks, or other tank integrity issues must be corrected as per the “Compliance Agreement.”

For properties which utilize a seepage pit, the seepage pit must be located, uncovered, and available for inspection by the WPA, ideally during the second inspection visit.

Sand filter systems with a direct surface discharge line shall require enhancements at the discretion of the WPA Inspector and shall be included in the “Compliance Agreement.” For these situations, the “Compliance Agreement” and associated design will incorporate existing system components when at all possible and shall attempt a design with the least amount of financial expenditure possible.

All necessary permits (as required by the “Compliance Agreement”) and permit fees shall be paid in full prior to the issuance of said permits and shall follow the same procedures and fees as all other WPA activities.

The flow test utilized by the WPA consists of establishing a constant flow of 5 gpm for an interval of 30 minutes (or an amount and duration agreed upon by the parties involved). If this flow is not achieved, the WPA will attempt to gauge that flow which can be sustained for a 30-minute interval by the existing water supply and will make the results known to the interested party. No indication of actual well yield is implied with this reporting by the WPA.



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Lamoka Waneta Lakes Wastewater Treatment Management Program and Cayuta Lake Wastewater Management Program

Background

In the summer of 2006, the Towns of Tyrone, Orange and Wayne all passed look-a-like wastewater management laws in an effort to address excess nutrient loading and underperforming OWTS on Lamoka and Waneta Lakes. These local laws established mandatory minimum standards and maintenance requirements for onsite wastewater treatment systems on properties with access or deeded lake access (i.e. those properties within the Lamoka Waneta Lakes Protection and Rehabilitation Districts). Information about the Tyrone and Orange Wastewater Management Laws can be found at:

<https://www.schuylercounty.us/DocumentCenter/View/592/Lamoka-Waneta-Wastewater-Management-Law>.

These laws are the result of a largely grassroots effort by lake front property owners, the Lamoka Waneta Lakes Association and the Schuyler County Water Quality Coordinating Committee, to require all property owners to do their part to ensure the water quality of their shared resource.

In 2018, the Town of Catharine adopted a similar law for properties on Cayuta Lake. Information about the Cayuta Lake Wastewater Management Law can be found at: <https://townofcatharine.com/wp-content/uploads/2018/08/Waste-Water-Management-Law-Final.pdf>

The WPA is charged with conducting and implementing the Lamoka Waneta Lakes Wastewater Treatment System Management Program and the Cayuta Lake Wastewater Management Program. This office handles all inspections in the Towns of Tyrone, Orange, and Catharine.

Typical sequence* for a Lake Inspection:

*The typical sequence below is provided for a general reference only. The sequence can be variable. See additional information below or contact the WPA.

1. Listed property owner receives a letter from WPA and contacts Inspector promptly (preferably within 10 working days).
2. Inspector reviews available information on file and discusses any known system history. Inspector ascertains any system deficiencies if appropriate and/or known.
3. Property owner schedules a licensed Septic Hauler/Contractor to meet with the Inspector on site to pump the septic tank during normal business hours. WPA inspector must witness the tank pumping.
4. WPA inspector conducts inspection, witnessing the septic tank pumping, and assesses absorption component. Distribution box and/or seepage pit need only be uncovered if a problem is suspected.
5. Upon completion of inspection, either a "Certificate to Operate" will be issued, or a Minor/Major Failure will have been documented. Any failure will require a "Compliance Agreement" as well as any pertinent permits.

Additional Lake Inspection Information

No fee is required for the Lamoka Waneta Lake Inspections. However, all costs associated with locating, uncovering and pumping the septic tank, as well as any system repairs, upgrades, and replacement components (including applicable permit and design fees) are the responsibility of the property owner. *For Cayuta Lake Inspections, a fee is required.*



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As per the local law, all OWTS within the regulated areas shall be inspected by the appropriate Inspector a minimum of once every five years, on a cyclical basis. Correspondence will be initiated by the WPA via a letter to the listed property owner. Upon receipt of the letter, the property owner is requested to contact the Inspector within ten working days, or as soon as possible.

Property transfer inspections shall constitute a Lake Inspection, restarting the five-year cycle. However, a recent Lake Inspection may not be adequate for a real property transfer. To minimize any confusion or misunderstanding, the conversation should begin early with the WPA if you plan to sell a Lake Inspection property.

Any routine maintenance, such as septic tank pumping, which is coordinated by a landowner will not constitute a Lake Inspection if the Inspector is not present. If a landowner plans on having their septic tank pumped for any reason, it is highly encouraged to contact the WPA to schedule their Lake Inspection at the same time as the pumping to establish a new pumping cycle.

At the point of contact with the WPA Inspector, a review of all system components on file will be conducted. Additionally, any pertinent property and system use details by the property owner should be discussed.

Following the initial contact, and if no known system deficiencies exist, the landowner shall contact a licensed DEC waste hauler to schedule an appointment with the inspector and a hauler. It is strongly encouraged that the owner or their representative be present. If requested by the Inspector, access shall be granted to view all indoor plumbing fixtures.

At the time of the inspection, the Inspector must be present to witness the tank pumping. The distribution box and/or seepage pit shall only be required to be uncovered if a problem is suspected.

Following the inspection, a "Certificate to Operate" will be issued if the wastewater treatment system appears to be in full compliance with the local wastewater management laws. In the event of either a Minor or Major Failure, a "Compliance Agreement" outlining required corrective actions will be issued.

Examples of minor failures include, but are not limited to, use of corroded metal tanks, metal pump tanks, undersized septic tanks, missing baffles, and other tank integrity issues. Additionally, for all Lake Inspections the septic tank must be within 250 gallons of the minimum state standards and must be structurally sound. For instance, the minimum tank size for a 3-bedroom home is 1000 gallons. If a 3-bedroom home being inspected currently has a 500-gallon tank, additional tank volume is required (adding in sequence or installing new) and will be included in the "Compliance Agreement." Any cracks, leaks, missing baffles, corroded steel septic tanks, or other tank integrity issues must be corrected as per the "Compliance Agreement" within the period specified.

Major failures include those situations involving the direct discharge of untreated sewage into ground or surface waters constituting a public health concern and must be corrected and/or eliminated immediately. All aspects of NYSDOH regulations, Schuyler County Watershed Protection Law, and other pertinent rules and regulations still apply.

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Enhanced Treatment Units (Aerobic Treatment Units, etc.)

The use of an Enhanced Treatment Unit, such as Aerobic Treatment Units, Microbial Inoculators, Peat and Textile Filters, etc., is permissible for use in Schuyler County provided they meet the following conditions:

- Designed and approved by a licensed design professional
- Have met NSF Class 1 (Standard 40) Certification Criteria or equivalent
- Have been approved for use in NYS by the NYSDOH
- Have and maintain a service agreement with manufacture approved representative for the life of the unit
- Has an audio and visual warning device alerting the occupants of failure or malfunction
- Has no surface discharge

A copy of the service agreement shall be submitted to the WPA prior to the initial service start up. The WPA shall be notified of all service activities for the entire life of the system, regardless of system or property ownership, and such information must be provided to the WPA upon request.

The use of an approved ETU does afford a considerable amount of treatment of the wastewater generated. However, it does not eliminate the water generated and therefore an acceptable means of ETU effluent dispersal is still required. All minimum separation distances, NYSDOH regulations, and County Watershed regulations still apply.

Holding Tank, Composting Toilet, or Sanitary Privy

The use of a holding tank is never acceptable for new construction. A holding tank may only be utilized in lieu of establishing an acceptable replacement wastewater treatment system for an existing permanent structure. The definition of an acceptable replacement wastewater treatment system shall be determined by the WPA following a site evaluation and shall consider all available information including existing and anticipated water usage, existing infrastructure (such as dwelling, roadways, water wells, etc.), environmental limitations (soil, surface, and ground water), and available financial resources.

Additionally, the installation of a holding tank is permissible for non-permanent/transient structures, such as an RV unit. For non-permanent/transient structures utilizing a holding tank, the owner must be able to show proof of NYS DMV registration on an annual basis. Proper abandonment of the holding tank requires notification to the WPA and must be filled with clean fill material within ten days.

In all situations, the installation of a holding tank requires:

- A permit from the WPA
- Must be watertight
- Must meet certain minimum volume requirements
- Must have an audio and visual high-water alarm
- Must, if possible, meet all other minimum separation distances.

Contact the WPA for more information. Additional restrictions may apply.



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Website: schuylercounty.us/publichealth

The use of a composting toilet is allowable in Schuyler County provided it meets the following conditions:

- Approval granted by WPA
- Meet the minimum standards in Appendix 75-A for composters
- Unit has met NSF Standard 41 or equivalent
- Installed according to manufacturer's recommendations
- Access is made available to the WPA for inspections upon request

Additionally, the use of a composting toilet does not eliminate the need for disposal and treatment of grey water (e.g., wash water from sinks, dishwashers, and washing machines). Grey water systems shall be designed according to Appendix 75-A and shall be designed upon a flow of 75 gpd per bedroom while meeting all other requirements of Appendix 75-A and the Schuyler County Watershed Protection Law.

The use of a sanitary privy (i.e. "outhouse") is only acceptable for structures or dwellings occasionally inhabited (such as a seasonal hunting camp) and only if the structure has no electricity and no water under pressure.

Additionally, the construction of the sanitary privy must be:

- Sighted and approved by the WPA
- Watertight (often referred to as a vault privy)
- Have an evaluation conducted with the owner and a WPA Inspector
- Issued a construction permit
- Meet all minimum separation distances as described previously.

Any sanitary privy shall be constructed with vermin and insect protection. At the point that electricity and water are made available to said structure, the sanitary privy shall be properly abandoned and a WPA approved Onsite Wastewater Treatment System shall be installed.

Development of an Individual Water Supply

The construction and development of an individual water supply is regulated through [NYS Public Health Law Appendix 5-B](#). For both new and replacement wells, approval of the location of a well from a groundwater source is required from the WPA. Approval of the location shall be made in the field with the owner (or a representative) and the WPA, utilizing the prescribed WPA Water Well Construction Form.

Failure to establish a location for a water supply that appears to meet the separation distances of Appendix 5-B shall require a waiver from the NYSDOH Hornell District Office. Additionally, those situations where the conditions of the site make it impractical to comply with the Appendix 5-B construction standards shall require a waiver from the NYSDOH Hornell District Office. In all situations, a properly constructed and 5-B compliant well shall be sought. Additional information on susceptible water supply sources may be found in the [NYSDOH Individual Water Supply - Fact Sheet #5 entitled Susceptible Water Supplies](#). Due to the inherent susceptibility to contamination, surface water supplies are greatly discouraged for residential use.



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Following the construction of the well, the Water Well Construction Form shall be signed by the Well Driller and returned to the WPA, along with a copy of the Well Drillers DEC Well Completion Report (sometimes referred to as the well log). It is recommended that the owner retain for their records a copy of the DEC Well Completion Report, as it can be a valuable tool if any future water quality or quantity issues arise.

Prior to the use of the well for consumptive purposes, it is recommended that the water be tested to verify potability as a water source. This is required if it is new construction per NYS Uniform Building Code regulations. This should be done after shock disinfection of the well and when chlorine is no longer present in the water. Sampling services are available with the WPA.

Water Quality Sampling

If you are a homeowner and would like to have your private well water tested, contact the WPA. Options can be determined based on potential environmental concerns, with options ranging from standard Biological Analysis to the Homeowner's Package. Additional information can be found in [NYSDOH Individual Water Supply Fact Sheet #3 entitled Recommended Residential Water Quality Testing](#). The WPA has complete water quality sampling and monitoring services through our contract with a NYS Certified Laboratory.

The WPA provides analytical services for a vast majority of regulated facilities within the County, as well as sampling services for most real property transfers, new well construction, and some surface water sampling. A courier service provides delivery and pick up to our office.

Water samples are typically collected by a representative of the WPA in the field. Contact the WPA to schedule a water sampling appointment.

Public Health Nuisance Complaints

The Schuyler County Watershed Protection Law (Local Law #3 1994) outlines the WPA's duty to investigate public health nuisances and complaints. The WPA will receive, track, investigate, refer, and/or abate all nuisance complaints made to Schuyler County Public Health through a uniform process.

Definitions as they pertain to these policy and procedures:

- *Nuisance Complaint* – a statement expressing discontent with regards to something illegal, offensive or harmful, as generated, created, or caused externally, either intentionally or unintentionally.
- *WPA Nuisance* – something which threatens the safety, health, comfort, and environment of a single individual or dwelling or the public overall and is appropriately handled by the WPA.
- *Referral Nuisance* – something which may be illegal, offensive or harmful, but which is not appropriately handled by the WPA. A referral nuisance is most appropriately addressed by an outside agency (e.g., Code Enforcement).

Nuisance Procedures:

1. Nuisance complaints are received by WPA by phone, email, or in person. At any time, WPA staff may require the complainant to provide their grievances in writing.
2. Complaint is assigned to the appropriate staff person in the department or referred to the appropriate outside agency.

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3. A nuisance complaint shall only be closed out when one of the following occurs:
- An appropriate referral has been made. If a referral incident is made, the incident close out date and date received will normally be the same.
 - The nuisance has been adequately abated.
 - The investigation concluded the complaint to be without merit.

Types of Nuisance Complaints

Classification Type	WPA Nuisance	Referral Nuisance	Where to Refer
Water Quality	X		
Sewage	X		
Tenant / neighbor complaints – water quality, wells, sewage, etc.	X		
Tenant / neighbor complaints – pests, mobile home parks		X	HDO
Garbage / refuse		X	Town Code Enforcement
Public Water or Public Sewer Issues		X	Village / Town
Erosion / Sediment Runoff		X	DEC
Farmer manure spreading – large farms		X	DEC
Facility sewage complaint		X	DEC

Access to Records

To request your own property record (i.e., well or septic information), reach out to WPA by phone, in person, or via the website. Once your identity is verified, the information will be shared with you.

To request property records (i.e., well or septic information) for a property you do not own or to request nuisance complaint records, complete a FOIL Request through the County Administrator’s Office using the form and procedures outlined on the County’s website: <https://schuylercounty.us/1120/File-a-Freedom-of-Information-Request>.