New York City
Department of Environmental Protection
Bureau of Water Supply

Applicant's Guide
to
Subsurface Sewage Treatment Systems

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to
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1.0 INTRODUCTION

The "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources" (Watershed Regulations)1 provide standards for the review and approval of plans for the construction, modification or remediation of subsurface sewage treatment systems (**SSTSs**).2 Generally, the New York City Department of Environmental Protection (**Department or DEP**) must review and approve all new SSTSs, as well as alterations or modifications, certain repairs, or remediation of existing SSTSs. Delegation Agreements between DEP and Putnam, Ulster and Westchester counties allow the respective County Health Department to review and approve applications for SSTSs on behalf of DEP. Residents of these counties should refer to Appendix F for further information on these Delegation Agreements. If your project is an SSTS located in one of these counties, you should submit your application to the appropriate County Health Department directly. A new system, as used in this guide, means an SSTS built for the first time after May 1, 1997 on a lot, and not a replacement of an existing system.

This guide was developed to assist applicants in preparing applications for DEP review, and to expedite the review and approval process. The guide references requirements noted in the Watershed Regulations, including the New York State Department of Health (NYSDOH) Title 10 New York Codes, Rules and Regulations (NYCRR) Part 75 and Appendix 75-A (§18-38(a)(2)), see link: Appendix 75-A Wastewater Treatment Standards - Residential Onsite Systems (ny.gov), and the New York State Department of Environmental Conservation (NYSDEC) Design Standards for Intermediate Sized Wastewater Treatment Systems, March 5, 2014 (§18-17(8)), see link: https://www.dec.ny.gov/docs/water_pdf/2014designstd.pdf. These documents have been incorporated by reference into the Watershed Regulations.

The Watershed Regulations detail the requirements for two categories of SSTSs: individual sewage treatment systems and intermediate sized sewage treatment systems. Please see the Glossary (Appendix A) for definitions of these and other terms used in this guide. Appendix B provides an application checklist. Appendix C provides the Percolation Test and Deep Test Soils Exploration Procedures, and Appendix D contains the application form to be submitted to DEP for review and approval. The Watershed Regulations are referred to throughout this guide. A copy of the Watershed Regulations may be obtained from the DEP offices listed in Section 2 of this guide, or at DEP's website: https://www1.nyc.gov/site/dep/environment/regulations.page. Where discrepancies exist between this guide and the Watershed Regulations, the Watershed Regulations will prevail. Suggestions in this guide, including the use of the words 'may' or 'should' are not regulations, but indicate a practice or measure preferred by DEP in their review of SSTS applications.

This guide describes information that must be supplied to DEP for its review of a proposed SSTS. An SSTS can only be effective when it is properly sited, designed, constructed, operated, and maintained. Since there are a variety of subsurface sewage treatment systems available, it is the responsibility of the applicant and/or the design professional to determine the adequacy of the proposed system to meet the sewage treatment needs of the project.

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1 Title 15 Rules of the City of New York (RCNY) Chapter 18 (Watershed Regulations).

2 For a definition of terms used in this document, please refer to Watershed Regulations § 18-16(a).

Note: The US Environmental Protection Agency (USEPA) classifies a septic system serving twenty (20) or more people as a Class V Injection Well. See link: https://www.epa.gov/uic/basic-information-about-class-v-injection-wells.

2.0 APPLICATION PROCESS

Applications for review and approval by DEP under the Watershed Regulations are subject to the following process. A flow chart illustrating the time frames and the application process described below is attached as Appendix E.

STEP 1 - OPTIONAL PRE-APPLICATION CONFERENCES

Prospective applicants may meet with DEP representatives before submitting applications for review and approval to discuss proposed regulated activities, regulatory requirements, and the application process. DEP believes that pre-application conferences benefit both applicants and DEP, and therefore encourages applicants to involve DEP staff early in the project planning stage. At the pre-application conference, an applicant may also request that DEP visit the applicant's site and flag any watercourses that may affect the project.

To request a pre-application conference, contact the appropriate DEP office listed below:

East of Hudson

Regulatory and Engineering Programs
DEP
465 Columbus Avenue
Valhalla, NY 10595
Phone (914) 749-5266

Kingston Region (Projects in Greene, Schoharie & Ulster Counties)
Regulatory and Engineering Programs
DEP
71 Smith Avenue
Kingston, NY 12401
Phone (845) 340-7214

Arkville Region (Projects in Delaware & Sullivan Counties)

Regulatory and Engineering Programs
DEP
County Highway 38, Suite 2
Arkville, NY 12406
(845) 771-1119

Request to Flag a Reservoir, Reservoir Stem, Controlled Lake or Watercourse(s)

Under the Watershed Regulations, property owners and applicants may request that DEP flag the presence of any watercourse, reservoir, reservoir stem, or controlled lake on the property.[3] Identification of such bodies of water is key to determining how the Watershed Regulations apply to many of the activities discussed in this guide. DEP will fulfill the request as soon as field schedules permit. Owners or applicants may also supply a surveyor's field map that includes representations of flagged watercourses, reservoirs, reservoir stems or controlled lakes. DEP will review the surveyor's map and

3 Watershed Regulations § 18-23(b)(5) and (6).

confirm it within 20 business days for SSTS applications, and as soon as practicable for other property owners. Following DEP confirmation, the survey map will be valid and binding upon DEP for five (5) years following the date of confirmation. Contact DEP at the above-listed offices to request flagging.

The Watershed Regulations include only those wetlands mapped by the New York State Department of Environmental Conservation (NYSDEC), which are delineated by NYSDEC. To determine if there are federally and/or locally designated wetlands, and if so, what restrictions may apply, Applicants would need to consult with the United States Army Corps of Engineers (ACOE) and local authorities.

STEP 2 - APPLICATION SUBMISSION

Applications for review and approval of activities governed by the Watershed Regulations may be submitted to the appropriate DEP office by mail, electronic mail, or in person, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. A checklist of all elements necessary for DEP approval is attached as Appendix B, and a copy of the application form is attached as Appendix D. One or more of the elements may not be necessary depending upon the individual circumstances. An applicant is encouraged to discuss the level of information required with DEP prior to submission. DEP does not assess any application fees.

STEP 3 - DETERMINATION OF COMPLETENESS

When the DEP receives an application, it will review the application and determine if the application contains all information necessary to be considered complete. The determination will be made within ten (10) days for a conventional individual SSTS (as described in NYSDOH Appendix 75-A.8) for a residence not in a subdivision, or twenty (20) days for all other SSTS applications. DEP will notify applicants either that the application is complete and that DEP has commenced its review, or that the application is incomplete.

If an application is incomplete, DEP will specifically request the additional information that is needed before the review can proceed. The review period shall be suspended from the date such request is made until the date on which DEP receives such revisions. If additional information is requested, DEP will notify the applicant whether or not the application, including the additional information, is complete, within ten (10) days of receiving the requested information. Once it has asked for more information, DEP will request further information only if the additional information submitted by the applicant raises new questions.[4]

If the DEP fails to notify the applicant within the specified time periods, the applicant may inform DEP of its failure to do so by writing to the appropriate DEP office identified above by certified mail, return receipt requested. In order to expedite this process, the notice should contain the applicant's name, the project name (if applicable), the location of the project, and the office where the application was filed. If DEP does not notify the applicant as to completeness within ten (10) business days of receiving the applicant's certified letter, the application will be deemed to be complete as of the eleventh

4 The Department may also request further information in the following situations: (1) false or misleading information has been submitted; (2) a change in relevant law or code has occurred; (3) changes to the project have been proposed; (4) a new applicant; or (5) the applicant has hired a new design professional.

day In cases where additional information has been requested and received, the amended application is the one that will be deemed complete, as of the eleventh day.

After determining that an application is complete, DEP will begin its technical review to determine whether the SSTS meets the standards in the Watershed Regulations.

STEP 4 - DETERMINATION: APPROVAL OR DISAPPROVAL

DEP will notify applicants in writing of its determination to approve or disapprove an application within twenty (20) days for a conventional individual SSTS, or within forty-five (45) days for all other applications following the notification that the application is complete. The twenty (20) or forty-five (45) day time periods do not begin until any additional information, if requested by the DEP during Step 3 above has been supplied, and DEP has notified the applicant that the application is complete. The time period may be extended by mutual agreement between the applicant and DEP. A determination to approve may include conditions of approval.

If DEP fails to provide notification to the applicant of its determination within the twenty (20) or forty-five (45) day periods, the applicant may inform DEP of its failure to do so by writing to the DEP office identified above, by certified mail, return receipt requested. The notice must contain:

- the applicant's name;
- the location of the proposed project;
- the project name (if applicable);
- the office in which the application was filed; and
- a statement that a decision is sought in accordance with the Watershed Regulations § 18-23(d)(6).

Any notice that does not contain the above information will not invoke this provision. If DEP fails to provide a determination to the applicant in writing within ten (10) business days of receipt of such a notice, the application will be deemed approved subject to the standard conditions for that approval.

DEP approval for SSTSs will expire unless construction is commenced within five (5) years for SSTSs approved as part of a subdivision, or within two (2) years for SSTSs not in a subdivision.[5] Prior to the expiration of the approval, a request for an extension of the approval for the project or activity may be submitted to DEP. Once an approval expires, it may be resubmitted to DEP for consideration of a new approval.

State Environmental Quality Review Act (SEQRA):

If the project is subject to review under SEQRA and the Lead Agency for the project has determined that the project may have a significant impact on the environment pursuant to the SEQRA regulations, the time periods specified above for determinations will be suspended until a Final Environmental Impact Statement has been issued by the Lead Agency and submitted to DEP. DEP will consider a project that requires SEQRA review as whole and will attempt to make determinations regarding all applications

5 Watershed Regulations § 18-38(a)(10).

relating to such a project concurrently. DEP must issue its own Findings Statement before issuing an approval for any project that was subject to an Environmental Impact Statement.

3.0 GENERAL PROCEDURES FOR REVIEW AND APPROVAL OF SUBSURFACE SEWAGE TREATMENT SYSTEMS

Except in counties that have signed delegation agreements with DEP (see details in Appendix F), DEP reviews and approves all new SSTSs, and the alteration or modification, or remediation of existing SSTSs. The following requirements apply to all SSTS projects:

- Application: The applicant must submit the appropriate DEP application forms, project plans and complete details to the appropriate DEP office listed in Section 2 (Step 1). Approval by DEP for an SSTS does not eliminate the need for other necessary approvals from DEP or approval by other agencies where required. The applicant is responsible for obtaining any such approvals.

- Soils Tests: The installation of a new SSTS and the establishment of its associated 100% reserve absorption area, will require the soils tests as outlined in Section 3.2. The replacement of a failed system that requires a new absorption field will also require soils tests unless DEP waives that requirement. The applicant should discuss this requirement with DEP before submitting the application.

- SSTS Design: The New York State Department of Education requires that the person preparing the design must be a licensed design professional, such as a Professional Engineer or Registered Architect. 6

- Financial Security: DEP may condition its approval of intermediate systems upon evidence of financial security. This may consist of a bond or equivalent guaranty deposited with DEP in the amount necessary to cover the full costs of construction, as well as a bond or equivalent guaranty to cover the costs of labor and materials. Additionally, a bond or equivalent guarantee may be required for the maintenance and operation of the SSTS for five years following the completion of construction. *See* Watershed Regulations § 18-38(a)(3)(i).

- Noncomplying Regulated Activities (NCRA): All subsurface sewage treatment systems, which are operating in accordance with their Federal, State, and local approvals, but which do not comply with the requirements for new subsurface sewage treatment systems, shall be allowed to continue to operate. *See* Watershed Regulations § 18-38(b)(1). Where a system has been discontinued for five (5) consecutive years or more, DEP may authorize re-use of the system if the applicant demonstrates that such re-use does not pose a threat to public health or water quality. *See* Watershed Regulations § 18-38(b)(4)(iii). The owner/operator bears the burden of

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6 For further information: http://www.ongov.net/health/env/documents/FACTSHEETResidentialOWTSNeedforLicensedDesignProfessionals.pdf

proof for showing that there has been no discontinuation. *See* Watershed Regulations §18-38(b)(2).

- Any approval issued by the Department to use a subsurface sewage treatment system following a discontinuation expires and is null and void unless any required enhancements are implemented and such use is commenced within one (1) year of the date of issuance or such longer period as the Department may authorize in writing. Following expiration of the approval, the plans for the subsurface sewage treatment system may be resubmitted to the Department for consideration for a new approval. *See* Watershed Regulations § 18-38(b)(6).

3.1 SSTS DESIGNS

3.1.1 General Information

The following sections contain design standards and submission requirements for both individual sewage treatment systems and intermediate sewage treatment systems. All new SSTSs and alterations or modifications of existing SSTSs must be designed by a design professional, and installed in accordance with the Watershed Regulations, and any more stringent local government standards that have been enacted. An applicant may meet with DEP representatives prior to filing an application for an alteration or modification. The following requirements apply to all SSTS designs:

- Sewage Discharge: All SSTSs must be designed, operated, and maintained to prevent the exposure of sewage to the surface, or the discharge of untreated sewage to groundwater. *See* Watershed Regulations § 18-38(c)(1).

- Percolation Rates for New Systems: Soils with percolation rates faster than 3 minutes per inch or slower than 60 minutes per inch are not acceptable, and will not be considered for SSTS installations. *See* Watershed Regulations § 18-38(c)(6).

- Reserve Absorption Fields: For all new systems, a 100% reserve absorption field must be tested and shown on the plans. A reserve absorption field is intended to be utilized when the primary absorption field has failed. *See* Watershed Regulations § 18-38(c)(3). If the reserve absorption field is used for purposes of expanding the system, a new reserve absorption field or DEP-approved alternative must be identified. *See* Watershed Regulations § 18-38(c)(8).

- System Limiting Distances: No part of any absorption field for a new system may be located within 100 feet of a watercourse or NYSDEC mapped wetland, or within 300 feet of a reservoir, reservoir stem or controlled lake. *See* Watershed Regulations § 18-38(a)(4).

- Gravity Systems: Whenever possible, gravity flow systems should be utilized for SSTSs. *See* Watershed Regulations § 18-38(c)(7).

- Design Flow: DEP will accept 110 gallons per day (gpd) per bedroom as the design rate for SSTSs, provided that water saving fixtures, including 1.6 gallons per flush toilets and 3.0 gallons per minute faucets and shower heads are installed. In delegated counties, the county health department's design rate will apply if it is more stringent.

- Pump Systems:
  The use of electrically operated pumps shall require a chamber equipped with an alarm to indicate malfunction and any other safety features required by the Department to prevent sewage overflow. An intermediate sized sewage treatment system that uses electrically operated pumps is required to have either a backup pump or a backup storage tank capable of holding two days' flow. An individual sewage treatment system that uses electrically operated pumps shall have a backup storage tank capable of holding one day's flow. Pump systems on individual sewage treatment systems must include an appropriate alarm device that indicates pump failure. See 10 NYCRR Part 75-A.7(b) In addition, DEP recommends that a back-up generator is available in the event of a power failure.

- Slopes: No part of a new SSTS for an individual residence may be installed on natural slopes greater than 15%, (see 10 NYCRR Part 75-A.4(a)(1)) and no part of a new industrial, commercial, municipal, institutional or multi-family SSTS may be installed on a natural slope greater than 20%.

- Curtain Drains: Curtain drains may be installed when and where necessary to provide useable soil depth by intercepting and diverting groundwater from the sewage treatment area, provided the applicant demonstrates that the curtain drain will not interfere with the treatment process.

- Paving over SSTS: No part of any primary or reserve absorption area may be built under pavement or other impervious surfaces; and, pavement or other impervious surfaces may not be built over either the primary or reserve absorption fields after they are installed. *See* Watershed Regulations § 18-38(c)(4).

3.1.2 Boundary Conditions

The depth of usable soil below the trench bottom to groundwater, impermeable soil or bedrock usually determines the type of system designed for the site.

- Trench systems: NYSDOH Appendix 75-A requires that there be at least 24 inches of useable soil available from the trench bottom to mottling, impermeable soil, or bedrock for an individual residential SSTS. The NYSDEC 2014 Design Standards for an intermediate SSTS also require that there be at least 24 inches of usable soil available from the trench bottom to seasonal high groundwater, but there should be at least 48 inches of useable soil from the trench bottom to impervious surface or bedrock. In delegated counties, these requirements may be more stringent.

- Shallow Absorption Trenches: NYSDOH 75-A requires that these systems be used where there is at least 24 inches but less than 48 inches of useable soil to seasonal high groundwater, impervious surface or bedrock. The separation distances indicated above for Trench Systems also apply to the Shallow Trench System. There must be a total of 42 inches of usable soil available, but the DEP recommends 48 inches for the final design, including both native soil and fill material. However, the bottom of each trench must not be above the original ground surface, and should preferably be at least six inches below original grade for

individual household systems. For intermediate SSTSs, the NYSDEC 2014 Design Standards require that trenches must extend six to twelve inches into the native soil. Soil with a percolation rate similar to the percolation rate of the native soil should be utilized as fill material. As indicated above, in delegated counties these requirements may be more stringent.

- Groundwater Disputes in the West of Hudson watershed: For groundwater disputes arising between DEP and an applicant in the West of Hudson watershed involving the design of individual residential and intermediate-sized subsurface sewage treatment systems, the Catskill Watershed Corporation (CWC) shall make determinations concerning funding of the incremental costs associated with a DEP determination of seasonally high groundwater. See CWC Program Rules at www.cwconline.org.

3.1.3 Non-Conventional Systems

- Prohibited Systems: Mound systems, galley systems (including seepage pits), evaporation-transpiration (ET), drip or low profile distribution, and evaporation-transpiration absorption (ETA) systems are prohibited from use for SSTSs installed in the watershed on or after June 30, 2003. Sand filters are prohibited from use for an individual SSTS in the watershed. *See* Watershed Regulations § 18-38(c)(2).

- Raised Systems: On undeveloped lots or parcels, not in subdivisions, or on undeveloped residential lots in subdivisions approved prior to May 1, 1997, where site conditions are not suitable for a conventional system, a raised system, as described in NYSDOH Appendix 75-A, may be installed provided that the system is located 250 feet from a watercourse or wetland, or 500 feet from any reservoir, reservoir stem or controlled lake. Raised systems which cannot met these limiting distances due to size or location of the lot, shall be located at the greatest limiting distance possible within the property lines, but in no circumstances less than 100 feet from any watercourse or wetland, or 300 feet from any reservoir, reservoir stem or controlled lake. *See* Watershed Regulations § 18-38(a)(5).

- Trench Length Reductions: Except for areas within the 60-day travel time to intake, or for systems that require a SPDES permit or for *open bottom* gravelless absorption systems, Appendix 75-A trench length reductions may be authorized for enhanced SSTSs and certain gravelless absorption systems. Due to the many design and regulatory issues associated with trench reductions, these systems will be reviewed on a case-by-case basis. *See* Watershed Regulations § 18-38(c)(2)(iv-v).

- Special Usage: In watershed counties where subdivision codes allow raised systems, and NYSDOH approved their use in that county, such raised systems are allowed in subdivisions that were approved subsequent to May 1, 1997, so long as no part of the system is located within 250 feet of a watercourse or wetland or within 500 feet of a reservoir, reservoir stem, or controlled lake. *See* Watershed Regulations § 18-38(a)(6).

- Ulster County Fill Systems: The Ulster County Fill System may be used within subdivisions in Ulster County and may be used in a county other than Ulster if the NYSDOH has approved the system for use in such other county. These systems may not be located within

100 feet of a watercourse or state wetland or within 300 feet of a reservoir, reservoir stem, or controlled lake. *See* Watershed Regulations § 18-16(a)(134).

3.2 SOILS TESTS

Percolation and Deep Hole Tests

A minimum of one percolation test and one deep hole test is required in the primary area, and one percolation test and one deep hole test is required in the reserve area for all remediated, altered or modified individual SSTSs. *See* Watershed Regulations § 18-38(c)(5).

- For new individual residential subsurface sewage treatment systems, at least two percolation tests shall be made at the site of each proposed sewage treatment system and at least one test hole at least six feet deep shall be dug within or immediately adjacent to the proposed leaching area to insure that uniform soil and site conditions prevail. See NYSDOH §§ 75-A.4.d.1 and 75-A.4.C.2. If the percolation tests results are inconsistent with observed soil conditions, additional percolation tests may be required.

- For new intermediate subsurface sewage treatment systems, at least two percolation tests for every 1,000 sq. ft. of absorption area should be performed in holes spaced uniformly throughout the site and a minimum of one deep soil pit test should be conducted in the primary area, and one deep soil pit test in the reserve area. See NYSDEC Design Standards, §§ B.4.a and B.4.b. If the percolation test results are inconsistent with the observed soil conditions, additional percolation tests may be required.

- Timing of Tests: Generally, soils tests may be conducted throughout the year, except when the ground is frozen. It is suggested that any determination outside the normal spring, wet season or high ground water period should include soil mottling/discoloration readings. Assistance from a qualified professional experienced in interpreting soil mottling may be helpful in determining depth to shallow ground water in deep soils tests.

- Notification to DEP: The applicant must notify DEP in writing at least seven days prior to the date he or she wishes to conduct the tests so that a DEP representative may witness the tests. *See* Watershed Regulations §§ 18-38(c)(5). In Counties with formal Delegation Agreements, as described above, the applicant should notify the local county health department, which will then contact DEP. If the DEP representative is not present to observe the soil tests after DEP and the applicant have mutually agreed upon a schedule, DEP will not require the tests to be rescheduled.

- Application Package: Soils tests are part of the application package and an application will not be deemed complete until all appropriate soils tests have been performed. *See* Watershed Regulations §§ 18-38(d)(1).

4.0 ROUTINE REPAIRS, FAILURES, REMEDIATIONS AND ALTERATIONS & MODIFICATIONS

The following section outlines the procedures and requirements for remediating SSTS failures and the specific guidance for SSTS alterations and modifications:

- Routine Repair and Maintenance: The routine repair and maintenance of an SSTS component, including but not limited to, repairing a broken lateral, removing a blockage, leveling a distribution box, pumping out a septic tank or replacing a septic tank whether in kind or with a larger tank of an appropriate size for the subsurface sewage treatment system, does not require DEP review and approval. See Watershed Regulations § 18-38(b)(5)(iii).

- Failed Systems and Remediations: Plans for the remediation of failed SSTSs must be reviewed and approved by DEP. Once remediation plans are approved by DEP, the construction must be completed as soon as possible in accordance with a schedule approved by DEP. *See* Watershed Regulations § 18-38(b)(5)(i). The NYS Department of Health requires that a design professional be used for any repair or replacement work when relocating or extending an absorption area to a location not previously approved, when designing an alternative system (raised system), or when designing a remediation based on an innovative system or technology . A failed SSTS must be remediated in accordance with the design standards set forth in the Watershed Regulations to the extent possible. If any remediation cannot comply with the Watershed Regulations, the remediation must comply to the extent possible, and the applicant shall cooperate with DEP to determine the most suitable location and design for the system on the specific site. DEP may require the owner to agree to a regular schedule for the pump-out of the septic tank of any failed SSTS. *See* Watershed Regulations § 18-38(b)(5)(ii).

- Alterations or Modifications: Alteration or modification means any change in the physical configuration, intensity of use, location, plans, design, site, capacity, treatment standard or method or other change in a regulated activity or in a noncomplying regulated activity. This term shall not include routine repairs or maintenance of structures or equipment. *See* Watershed Regulations § 18-16(a)(7). Pursuant to State regulations, plans for the alteration or modification of SSTS's must be prepared by a Design Professional. The Plans must be reviewed and approved by DEP. *See* Watershed Regulations § 18-38(b)(3). Examples of an SSTS alteration or modification may include, but are not limited to, the addition of a bedroom to a house or a change in use of the facility served by the SSTS. Generally, alterations or modifications may be designed in accordance with current standards for a new system. *See* Watershed Regulations § 18-38(b)(4)(i). If an alteration or modification of an SSTS cannot meet these standards due to site restraints, it must meet the requirements for a new SSTS to the extent possible, provided the applicant demonstrates that the alterations or modifications do not present a threat to public health or water quality as determined by DEP. *See* Watershed Regulations § 18-38(b)(4)(ii-iii).

- Generally, DEP review and approval of such plans is not required if:

    - DEP has previously approved a system sized to accommodate an anticipated expansion of the facility served, and the system has been installed in accordance with the approved plan. The expansion of such a facility shall not be considered an alteration or modification by DEP, and will not require a new approval, as long as the waste flow and composition comply with the original design criteria.

    - The volume, character, or strength of the flow to an SSTS is reduced and this reduction does not cause any increase in the existing discharge or any increase in

the potential for contamination of the water supply, with some provisos. *See* Watershed Regulations § 18-38(b)(3)(i)

- The intermediate-sized SSTS has a SPDES permit and the alteration or modification does not deviate from the engineering design and site plan approved by the NYSDEC. *See* Watershed Regulations § 18-38(b)(3)(ii).

- The proposal involves an ancillary, non-residential use of a residence served by an individual SSTS and does not result in an increase in, or change in the nature of, the sewage flow. *See* Watershed Regulations § 18-38(b)(3)(iii).

5.0 APPLICATION REQUIREMENTS

All proposed installations of new SSTSs, alterations or modifications, or remediations of failed SSTSs (except for routine repair and maintenance discussed in Section 4 above), require the review and approval of DEP. All applications for new SSTSs will require soils test data, site drawings and design plans. The DEP may require any or all such information for applications for alterations or modifications of SSTSs.

Applications relating to SSTSs must be submitted to the appropriate DEP office at the addresses listed on page 2 of this guide. If an individual parcel or subdivision lot has received local health department SSTS approval, but not DEP SSTS approval, the applicant must complete an "Application for Review and Approval of Subsurface Sewage Treatment Systems," and follow the procedures indicated above. The application package for each submission must include four sets of plans prepared by a design professional showing the site location, site/system plans, system profile, details of the system components and report detailing the design process, as described below. *See* Watershed Regulations § 18-38(d)(1)(iii). Applicants should also reference Appendix F of this document for submission requirements per the Delegation Agreements with Putnam, Ulster and Westchester County Health Departments.

5.1 PROJECT DESCRIPTION

Applications to DEP for review and approval of an SSTS must include the following:

- A description of the activity, a general site description including the lot size, a description of the property's location, and the specific reservoir watershed in which it is situated; a project scope providing a general description of what is proposed for the site, the number and type of dwellings or structures, type of sewage treatment and water supply; driveway or any other site modifications. *See* Watershed Regulations § 18-23(c); 18-38(d). The following is an example of such a description: "A 2,000 square foot commercial building to be constructed on an existing 3-acre, vacant, partially wooded site. The site is located on Route 'X,' 2.5 miles from 'A' Street in the Town of 'Q.' The site lies within the NYC's "R" Reservoir drainage basin. The facility will be served by an on-site septic system and individual potable well."

- The topography showing two-foot contour intervals and location of the area of activity (at a scale not less than 1"=50');

- The street address and tax map parcel identification of the proposed project;
- The name, address and telephone number of the owner/applicant;
- The name, address and telephone number of the design professional(s);
- The seal and signature of the design professional;
- A vicinity map (preferably a portion of a 1:24,000 USGS map or equivalent, showing the location of the parcel;
- Drawings must include a north arrow;
- A copy of the NYSDEC Short Form Environmental Assessment Form (EAF) with Part I completed if required by the state or municipality (not needed if the application is solely for an individual SSTS), and either a Draft Environmental Impact Statement (DEIS) or Determination of Nonsignificance by the Lead Agency, where applicable.
- A plan showing any existing structures at the site;
- Any engineering, construction or other plans that detail the methods to be used in undertaking the regulated activity;
- A list of related approvals from other agencies, and any additional approvals from the DEP, and a statement of the status of those approvals at the time of filing the application with the DEP;
- Percolation test results;
- Deep hole soils test results;
- Results of other analysis if required, such as a groundwater mounding analysis;
- Design parameters and supporting calculations for the design of:

    a) Sewage absorption areas
    b) Pump chambers and pump sizing
    c) Siphon chambers and siphons
    d) Septic tank(s)

- Prior Enforcement Actions:

  The project description must also include a statement as to whether any enforcement action has been commenced against the applicant (or any principal or affiliate of the applicant) for any alleged violations of law related to the specific regulated activity for which the approval is sought, or related to the facility or site at which the activity is located, in the five (5) years preceding the application. See Watershed Regulations § 18-23(b)(4)(i)(b)(5)(i) Failure to provide this information is sufficient grounds to deny, See Watershed Regulations § 18-23(b)(4)(ii). If

DEP or the City has commenced an enforcement action against the applicant for violations of law related to the facility or site at which the activity for which the approval is sought is located, DEP may suspend processing the application until such violation is resolved. See Watershed Regulations § 18-23(b)(4)(iv)

5.2 SITE PLAN

The site plan for the proposal must be depicted at an appropriate scale and must include:

- The existing and proposed topography in the area of the SSTS. A map showing the topography at 2 feet contour intervals is acceptable. It is suggested that each contour be labeled with the appropriate elevation that reflects the elevation datum used for the plan (preferably USGS datum, especially if the project is contiguous to a flood prone area). All slopes of 15% or greater must be identified appropriately within the area of the SSTS. The source of the topographic data shall be specified on the plan. In certain instances, other forms of topographical information may be submitted to demonstrate topography;

- The highest groundwater level shall be determined and shall include the depth to seasonal high groundwater level;

- The location of any watercourses or water bodies that are within 100 feet of a conventional SSTS, or within 250 feet of a raised SSTS;

- The location of any reservoirs, reservoir stems, or controlled lakes that are within 300 feet of a conventional SSTS, or within 500 feet of a raised SSTS;

- The location of any wells or suction lines that are within 100 feet up gradient or down gradient or within 200 feet of the SSTS;

- The location of any NYSDEC wetlands, as flagged in the field, that are within 300 feet of the SSTS, and the 100 foot adjacent buffer area must be delineated on the plan;

- The location of property lines and any existing structure(s) within 50 feet of the SSTS may be requested;

- The design details and relative elevations for all SSTS components including, but not limited to, septic tanks, distribution boxes, laterals, absorption trenches, siphon chambers, siphons, pump chambers, pumps, sewer lines, and other related equipment;

- A profile of SSTS including invert of the sanitary discharge pipe from the building, outlet and inlet inverts of the septic tank, distribution boxes, pump station, siphon chamber and the existing ground surface elevation. The horizontal and vertical scales may be exaggerated to enhance the clarity of the profile;

- Depth to bedrock, impervious layer and/or water table;

- The location of any soils testing on the site plan that correspond to the entries in the engineering report or design notes;

- Existing SSTSs, public water supply and utilities on the subject property to ensure proper separation distances;

- The locations of all existing and proposed footing/basement, trench, roof, curtain or any other subsurface drains and the outlet of each; and

- The plans must indicate the United States Department of Agriculture (USDA) Soil Survey boundaries and soil types on the site..

5.3 CONSTRUCTION

An inspection of the system by DEP staff is necessary to confirm its installation in accordance with the approved design. To ensure sufficient time for DEP to schedule such an inspection(s), the Applicant must notify DEP at least forty-eight (48) hours prior to the start of the construction. If any part of the subsurface construction is installed and backfilled without notifying DEP, the applicant may be required to excavate, reveal and, if necessary, modify any installation that has occurred. If DEP is notified 48 hours in advance that construction is starting and does not inspect the SSTS during the installation process, DEP will not require any part of the SSTS to be excavated. This notification should be made in writing, by email, or by fax to the appropriate DEP office as indicated in the DEP Approval Determination. In delegated counties, these inspections may be deferred to the respective county health department.

5.4 POST CONSTRUCTION DRAWINGS

Upon completion of the SSTS, a drawing of the SSTS installation must be prepared and submitted to DEP. In delegated counties, these drawings must be submitted to the respective county health department. The drawing must be prepared by a design professional. The drawing should depict the actual location of all SSTS components in relation to each other and to the building served by the SSTS.

5.5 POST CONSTRUCTION INSPECTION

Pursuant to a recommendation of the USEPA, DEP's standard conditions of approval include a recommendation that the elevation(s) of all junction boxes and/or distribution boxes be inspected not more than six months following the one-year anniversary of the system's operation, to determine whether the system remains as originally installed.

6.0 FUNDING FOR REPAIRS, REMEDIATIONS, ALTERATIONS & MODIFICATIONS

Funds provided by the City of New York under the Watershed Memorandum of Agreement may be available from the Catskill Watershed Corporation (CWC) for certain costs related to SSTSs in the West of Hudson watershed. Please contact CWC for more information at (845) 586-1400, or write to: The Catskill Watershed Corporation, 669 County Highway 38, Suite 1, Arkville, NY 12406. Information may also be obtained from CWC's website: www.cwconline.org

APPENDIX A
GLOSSARY

Absorption field: the area to which sewage is distributed for infiltration to the soil by means of a network of pipes. A gravelless absorption system is a type of absorption field.

Alteration or modification: Any change in physical configuration, intensity of use, location, plans, design, site, capacity, treatment standard or method, or other change in a regulated activity or in a noncomplying regulated activity. This term shall not include routine repairs or maintenance of structures and equipment.

Design Professional: A professional engineer or a registered architect who is licensed to practice in the State of New York, or a land surveyor with an exemption under Section 7208(n) of the State Education Law.

Discontinuation: an interruption in the use of a regulated activity including a noncomplying regulated activity. The period of discontinuation shall commence on the date when regular or seasonal use ceases. Incidental or illegal use of an unoccupied structure shall not be sufficient to interrupt a period of discontinuation.

Effluent: water or wastewater that flows out from a wastewater treatment plant or other treatment process.

Enhanced subsurface sewage treatment system: a subsurface sewage treatment system that provides enhanced treatment of wastewater to reduce the amount of biochemical oxygen demand (BOD) and total suspended solids (TSS) of wastewater effluent prior to distribution to an absorption field. Enhanced subsurface sewage treatment systems include, but are not limited to, aerobic treatment units, peat filters, and textile filters.

Galley System: Any subsurface system for treating sewage that employs structural chambers in a horizontal or vertical arrangement for the storage of effluent until it can be absorbed into the soil, that is utilized following a septic tank as an alternative to a standard absorption field. This includes seepage pits and wide gravelless chambers.

Gravelless absorption system: an absorption field using a wastewater distribution system designed to be installed without gravel or stone aggregate. Gravelless absorption systems may involve the use of geotextile, sand, or other media.

Groundwater: any water beneath the land surface in the zone of saturation. The zone of saturation is where water fills all available pore spaces.

Individual Sewage Treatment System: An on-site subsurface system serving a single or two family residential property and receiving sewage, without the admixture of industrial or other waste, as defined in Environmental Conservation Law (ECL) 17-0701.

Intermediate Sized Sewage Treatment Systems: An onsite subsurface sewage treatment system serving an industrial, institutional, municipal, commercial or multi-family facility, and receiving sewage without the admixture of industrial wastes or other wastes, as defined in ECL 17-0701.

Intermittent Stream: A watercourse that during certain times of the year goes dry, or whose lowest annual mean discharge during seven consecutive days with a recurrence interval of ten years (MA7CD/10) is less than 0.1 cubic foot per second and which periodically receives groundwater inflow. A drainage ditch, swale, or surface feature that contains water only during and immediately after a rainstorm or snowmelt shall not be considered an intermittent stream.

Limiting Distance: The shortest horizontal distance from the nearest point of a structure or object to the edge, margin, or steep bank forming the ordinary high water mark of a watercourse, wetland, reservoir, reservoir stem, controlled lake or the contour line coinciding with the reservoir spillway elevation.

Multi-family residence: a building containing three (3) or more residential units.

Noncomplying Regulated Activity (NCRA): Any regulated activity or existing activity, which does not conform to the standards, set forth in the Watershed Regulations, but has obtained all discretionary approvals necessary for construction and operation, prior to May 1, 1997.

Perennial Stream: A stream that flows throughout the year from source to mouth.

Reserve absorption field: an area identified in the design for a subsurface sewage treatment system as suitable for infiltration of sewage to the soil by means of a network of pipes.

Reservoir: Any natural or artificial impoundment of water owned or controlled by the city, which is tributary to the NY City water supply system.

Reservoir Stem: Any watercourse segment, which is tributary to a reservoir, and lies within 500 feet or less of the reservoir spillway elevation.

Residential lot(s): any parcel of land of five acres or less, any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes. Without limiting the generality of the foregoing, the term “residential” shall include temporary, seasonal and permanent residential use.

Sewage: The water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration and surface water as may be present. The admixture of sewage with industrial waste or any other waste as herein defined shall also be considered "sewage" within the meaning of the Watershed Regulations.

State Pollutant Discharge Elimination System (SPDES) permit: a permit issued pursuant to Titles 7 and 8 of Article 17 of the Environmental Conservation Law.

Subdivision: Any tract of land which is divided into five or more parcels of five acres or less, along an existing or proposed street, highway, easement, or right-of-way, for sale or rent as residential lots. A tract of land shall constitute a subdivision upon the sale, rental, or offer of sale or lease of the fifth residential lot there from within any consecutive three-year period.

Subsurface Sewage Treatment System (SSTS): Any underground system used for collecting, treating, and disposing of sewage into the ground including, but not limited to, individual and intermediate sized sewage treatment systems, as defined in the Watershed Regulations.

Ulster County Fill System: A subsurface sewage treatment system that has been approved by the New York State Department of Health (NYSDOH) for use within Ulster County. The system is built upon two feet of in situ soil that has a percolation rate between 3 and 60 minutes/inch, and uses at least four feet of fill material, including at least three feet between the bottom of the trench and the in situ soil. The fill must have a percolation rate between 3 and 10 minutes/inch.

Watercourses: Visible paths through which surface water travels on a regular basis, including an intermittent stream, which is tributary to the water supply. A drainage ditch, swale or surface feature that contains water only during and immediately after a rainstorm or a snowmelt shall not be considered to be a watercourse.

Wetlands: Any areas mapped as a wetland by the New York State Department of Environmental Conservation pursuant to the Environmental Conservation Law, which is at least 12.4 acres in size or has been designated as a wetland of unusual local importance.

APPENDIX B
SSTS APPLICATION CHECKLIST

Project Description to include:

__ A brief description of the activity
__ The location and topography of the area of activity at an appropriate scale
__ The street address and tax map parcel identification of the proposed project
__ The name, address and telephone number of the owner/applicant
__ The name, address and telephone number of the design professional(s)
__ The seal and signature of the design professional
__ A vicinity map (preferably a portion of a 1: 24,000 USGS map or equivalent), showing the location of the parcel
__ A copy of the NYSDEC Short Form EAF with Part I completed, if required (An application solely for an individual SSTS does not require this form), and either a DEIS or Determination of Nonsignificance by the lead agency, where applicable.
__ Identification of any existing structures at the location
__ Any engineering, construction, or other plans which detail the methods to be used in undertaking the regulated activity
__ A list of related approvals required from other agencies and additional approvals from the DEP, and a statement of the status of those approvals
__ A project scope providing a general description of what is proposed for the site
__ A soil description, and tabular information detailing, by sub-watershed, the USDA SCS Hydrologic Soil Groups
__ Percolation test results
    __ Date conducted
    __ Document of presoaking; presoaking should be done for 4 hours, one day before the percolation test.
    __ Data for test runs
    __ Engineer's certification of results, where applicable
    __ Deep soil test results
    __ Date excavated
    __ Depth of hole
    __ Identify soil horizons and textures in log
    __ Presence of water, seepage and ground water level
    __ Presence of rock
    __ Presence of flow restricting soil layers
    __ Soil color and observed presence, depth, or absence of soil mottling
    __ Depth of root penetration
    __ Percent volume of rock, boulders, stone
    __ Other test results if required
__ Design Parameters. Supporting calculations for the design of:
    __ Sewage absorption trenches or beds
    __ Pump chambers and pump sizing
    __ Siphon chambers and siphons
    __ Septic tanks

Site plan to include:

__ Existing and proposed topography of the SSTS at an appropriate scale
__ Distances between the SSTS and any wells, suction lines, watercourses, water bodies, NYSDEC wetlands, reservoirs, reservoir stems, controlled lakes, dwellings, and property lines
__ Design details and elevations for all system components including, but not limited to, septic tanks, distribution boxes, laterals, absorption trenches, siphon chambers, siphons, pump chambers, pumps, sewer lines, and other related equipment
__ Profile of the SSTS
__ Depth to bedrock and/or water table
__ All wells, existing SSTSs, public water supply and utilities on the subject property
__ When designing a system, refer to NYSDOH 75-A, Table 2 or 1988 NYSDEC Design Standards Table 2 for appropriate set-backs.
__ Proposed location, elevations and inverts of the system components
__ USDA Soil Survey boundaries on the site
__ 10 Year Flood plain boundary

Field evaluation:

__ Deep soils tests witnessed by DEP
__ SSTS area located on site by markers during construction
__ Percolation tests witnessed as directed
__ Evaluation of site constraints
__ Construction Compliance Inspection(s)

APPENDIX C
PERCOLATION TEST AND DEEP SOILS TEST EXPLORATION PROCEDURES

This appendix is intended to clarify DEP's expectations for soils tests that are conducted in support of applications for regulatory approvals submitted pursuant to the Watershed Regulations.

Under Section 18-38(b)(5) of the Watershed Regulations, a minimum of one percolation test and one deep soils test are required in the primary area and one percolation test and one deep soils test are required in the reserve area for all SSTSs. If observations reveal widely varying soil profiles, additional holes shall be dug and tested. These additional holes shall be spaced to indicate whether there is sufficient area of useable soil to install the system.

In accordance with New York State Department of Environmental Conservation guidance, intermediate sized systems with flows of 1000 gallons per day or more will require two percolation tests for every 1000 square feet of absorption area. DEP may waive this requirement for the remediation, alteration or modification of an intermediate sized SSTS. DEP will accept engineering proposals with fewer percolation tests for systems greater than 5,000 gpd where soil maps and observational data confirmed by DEP indicate uniform soils over a large area.

I. PERCOLATION TESTS

Percolation tests must be performed as outlined in the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, March 5, 2014 (DEC Design Standards), or the New York State Department of Health (NYSDOH) Wastewater Treatment Standards - Residential Onsite Systems, 10 NYCRR Appendix 75-A (75-A) and the NYSDOH Design Handbook for Residential Onsite Wastewater Treatment Systems (75-A Design Handbook), as applicable:

1) At least two percolation tests shall be made at the site of each proposed new subsurface sewage treatment system and in accordance with the opening paragraph above. § 75-A.4.d.1., and DEC Design Standards, § B.4.b.

2) Each percolation test hole shall be dug to 12 inches in diameter and to a depth of between 24" to 30" below final grade or at the projected bottom of trenches for shallower or deeper systems based upon test hole evaluation. The sides of the percolation holes should be scraped to avoid smearing. Place washed aggregate in the lower two inches of the test hole to reduce scouring and silting action when water is poured into the hole. DEC Design Standards, § B.4.b, and 75-A Design Handbook, Table 4 and Appendix D.

3) Test holes should be pre-soaked for at least four hours, the day prior to testing, except in clean, coarse sand and gravel. After the water from the final presoaking has seeped away, remove any soil that has fallen from the sides of the hole. Clean water shall be poured gently into the hole to a depth of six inches and time measured that it takes to drop from a 6 inch depth to a 5 inch depth. 75-A Design Handbook, § 4.7.2. and Appendix D, and DEC Design Standards, § B.4.b.

4) Runs shall continue a minimum of three times, until the time for the water to drop one inch for two consecutive runs is approximately equal (i.e., ≤1 min. for 3-30 min./inch1 and ≤ 2min. for 31-60 min./inch. 75-A Design Handbook, § 4.7.2, and DEC Design Standards, § B.4.b.

5) Items to be recorded include:

a) Project name, location, and observer(s) name(s).

b) The time and date of presoaking.

c) The number of the percolation hole as it relates to its designation on the plan.

d) The start time, finish time and total time for each consecutive run. At a minimum, the total time for each consecutive run is needed.

e) Test hold depth, soil profile description, and groundwater depth if identified. 75-A Design Handbook, Appendix D, and DEC Design Standards, § B.4.B.

f) Weather conditions and documentation of any moisture conditions that may have an impact on percolation test results. 75-A Design Handbook, § 4.7.1

Notes:
The 75-A Design Handbook and DEC Design Standards allow for percolation rates between 1 and 3 min./inch; DEP's standard is more strict: Section 18-38(b)(6) of the Watershed Regulations requires percolation test results to be between 3-60 minutes per inch.

The required items are consistent with DEC Design Standards, §§ B.4 and B.4.a., and 75-A Design Handbook, § 4.5.

II. DEEP SOILS TEST EXPLORATION
The applicant must provide a minimum of one deep soil test in the primary SSTS area and one deep soil test in the reserve SSTS area. Additional deep soil tests may be required due to groundwater, impervious layers, changes in soil strata, or other site conditions or if the absorption field foot print is over 2,000 sq. ft. These holes must be made available for DEP inspection. Watershed Regulations § 18-38. The depths of the deep soil tests must be a minimum of 72" from the original surface elevation unless a boundary condition is reached at a shallower depth. This depth is a minimum depth established by DEP; please note that local health departments may require greater depths.
For intermediate-sized septic systems, DEC recommends generally that deep test pits should be 6-8 feet deep to enable observation of the soil at least 5 feet below the bottom of the proposed system or to ground water. Deep soil tests must be created so as to provide safe access, inspection and egress.
The applicant must provide the following soils information:

- The date excavated and weather conditions on that date.
- The depth of the hole in feet and inches.
- The highest groundwater level shall be determined and shall include the depth to seasonal high groundwater level and type of water table – perched, apparent, or artesian. § 75-A.4.c.1., and DEC Design Standards, § B.4.b.
- The soil profile and the presence and depth, or absence, of soil mottling (generally an indication of seasonally high groundwater level). Review of general color and colored mottling should be done using Munsell color charts in natural light only. Groundwater monitoring data representing typical conditions during the wet season may be submitted by the applicant to demonstrate the location of the seasonally high groundwater level.
- The identification of the soil horizons and their corresponding, color, soil textural class, moisture content, and depths.
- The presence of any water in the hole, its depth, and the depth to groundwater.
- The presence of any flow restricting soil horizons.

- The presence of cobbles or boulders, and their size (approximate diameter and volume percentage).
- Other features such as root systems, depth of root penetration, land drains, etc.
- Depth to bedrock and type of rock.

Note:
Evaluation of soils requires consideration of all these factors; no single factor is, by itself, determinative. Qualified engineers may disagree in interpreting soils test results. Where DEP staff disagree with an applicant's engineer, DEP will have a licensed professional engineer visit the site and review the initial staff determination, and DEP will provide a written explanation of its conclusion that is responsive to the applicant's engineer's interpretation of the results.

III. References:
1) Chapter 4 of the 75-A Design Handbook. In addition to the guidance provided above, note applicable guidance concerning testing during periods of high ground water.

2) Section B.4 of the DEC Design Standards. In addition to the guidance provided above, note guidance concerning mounding analyses.

3) USDA "Describing and documenting soils" handbook, referencing the Munsell Soil Color charts, the Textural Triangle, horizon descriptions, fluctuating high water table soils, http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052523.pdf and http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052899.pdf.

4) USDA soil maps at http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm. See 75-A Design Handbook, § 4.5.

5) Munsell Soil Color Charts.

6) USDA Natural Resources Conservation Service (NRCS), http://www.nrcs.usda.gov/wps/portal/nrcs/site/soils/home/. Method of classification of soils

APPENDIX D
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION APPLICATION FOR REVIEW AND APPROVAL OF SUBSURFACE SEWAGE TREATMENT SYSTEM

You are encouraged to participate in an optional pre-application conference to discuss your proposal and any specific requirements for DEP review and approval. Please contact the appropriate DEP office listed on page 2 to arrange a pre-application meeting.

Applicant / Designated Representative:
Name: _____

Address: _____

_____

Phone: _____

Design Professional or Contractor (if applicable):
Name: _____

Address: _____

_____

Phone: _____

Project Location: Address: _____ Tax Map Parcel: _____

Town:_____ County: _____ Reservoir Basin: _____

Subdivision Name: _____ Lot Number: _____

Application is for: □ Subsurface sewage treatment system for new construction
□ Alteration, modification, or expansion of an existing subsurface sewage treatment system
□ Remediation or Replacement

Submissions must include four copies of all plans and supporting documents. See Appendix B for a checklist of items to be included.

Notice of Cost-Sharing Funds: Certain costs incurred in the rehabilitation or replacement of existing subsurface sewage treatment systems located West of Hudson may be eligible for funding. Refer to Section 6.0.

I certify that this application is complete and in compliance with the Watershed Regulations.

_____ _____
(Signature) (Filing Date)

_____
(Print Name)

FOR DEP USE ONLY

The DEP has reviewed the above referenced sewage treatment design. Any deviations require approval in writing from DEP.

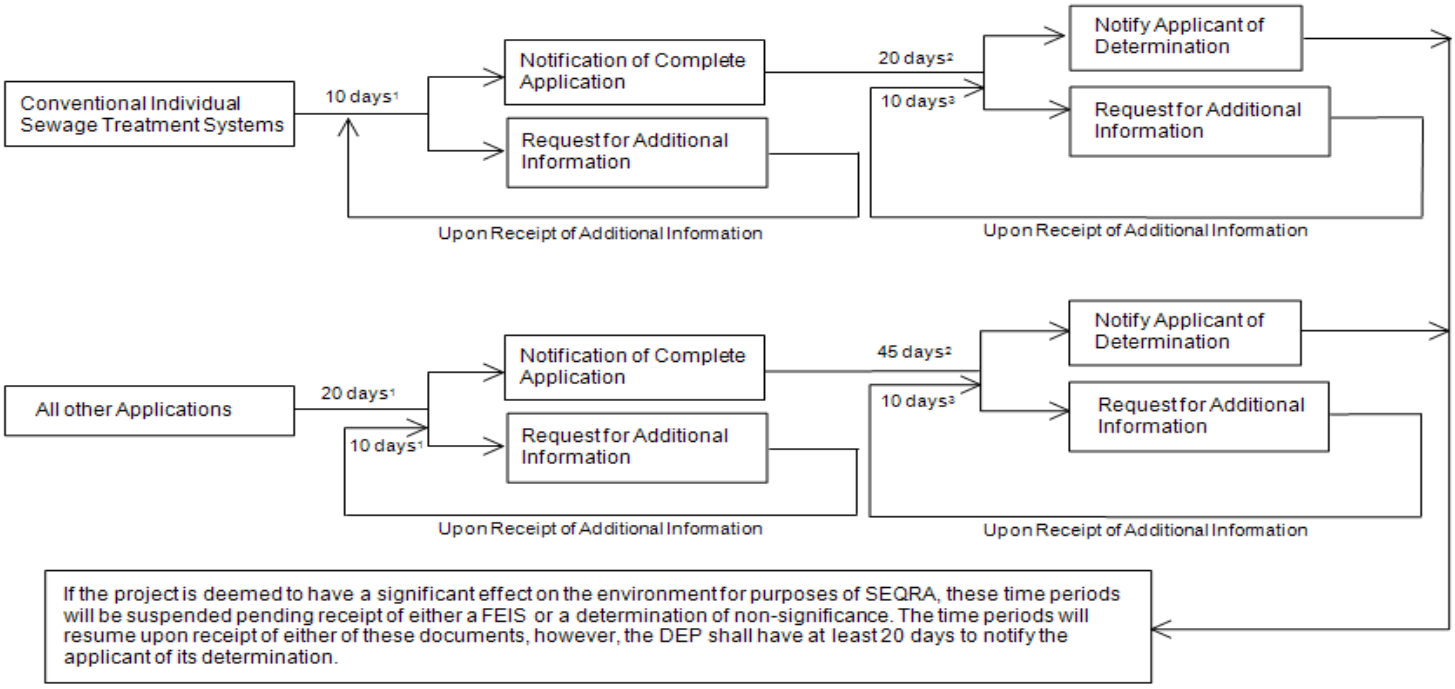
Design Approved: _____ _____ _____
Date Name Title

Construction Approved: _____ _____ _____
Date Name Title

Contractor Name: _____ Phone: _____

Address: _____

APPENDIX E
PROJECT REVIEW TIMELINES



1. If the DEP fails to notify the Applicant in writing within these time periods, the Applicant may inform the DEP of its failure to do so, and request a determination of completeness in writing. The DEP then has 10 business days to notify the Applicant of the status of the application. If the DEP fails to act within those 10 days, the application will be deemed complete as of the eleventh day, For further information, refer to the guide.

2. If the DEP fails to notify the Applicant in writing within these time periods, the Applicant may inform the DEP of its failure to do so, and request a determination of completeness in writing. The DEP then has 10 business days to notify the Applicant of the status of the application. If the DEP fails to act within those 10 days, the application will be deemed approved, subject to standard conditions. For further information, refer to the guide.

3. If, during the review period, the DEP requests revisions to the application, the review period shall be suspended from the date such request is made until the date on which the DEP receives such revisions, provided that the DEP shall have no fewer than 10 days from the date of receipt to issue a determination. Refer to the Guide and §18-23(d)(4) and (5) for more information.

APPENDIX F
COUNTY DELEGATION AGREEMENTS

DEP maintains SSTS delegation agreements with the counties listed below:

Putnam County Health Department
1 Geneva Road
Brewster, New York 10509
(845) 808-1390

Westchester County Health Department
25 Moore Avenue
Mount Kisco, New York 10549
(914) 864-7347 or 7349

Ulster County Health Department
300 Flatbush Avenue
Kingston, New York 12401-0800
(845) 340-3010

Applications for all new SSTSs and the remediation, replacement, alteration or modification of existing SSTSs in a county with a Delegation Agreement shall be submitted to the respective county health department. Please contact the appropriate county health department for any application forms, guidance documents, current requirements and design standards you may need regarding your SSTS project.

Delegation does not affect DEP's status as an Involved Agency under the provisions of the State Environmental Quality Review Act (SEQRA), and all submissions required under SEQRA should be sent to the appropriate DEP office.