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October 11, 2012

Ms. Lindy Sue Czubernat
Division of Environmental Permits
NYSDEC
625 Broadway, 4th Floor
Albany, NY 12233-1750

Re: RFC SPDES Renewal NY0077356

Dear Ms. Czubernat:

This letter is provided for comment regarding the renewal of the SPDES permit for Dowling College's plant adjacent to freshwater and tidal wetland BE-03 in Oakdale, NY.

It is our opinion that: the SPDES permit renewal for this facility not be fast-tracked and that an environmental impact study be required to identify negative collateral impacts on the surrounding environment not originally considered or obviated at the time of construction, as well as other requirements.

It is and will always remain the opinion of the Association and many Oakdale residents that this plant should never have been allowed to be built and allowed to discharge into such a sensitive location. Be that as it may, the responsibility for its proper operation falls on the shoulders of Dowling College and those agencies which authorized this plant to be constructed and to continue operation.

We have watched the surrounding environment decline year after year and we have documented this well with both the NYSDEC and the Suffolk County Health Department. We believe this is in part due to the presence of this STP.

During the years when former County Executive Gaffney was President of Dowling, there were many photographs of strange growths appearing in the Grand Canal, which is adjacent to the plant. Pictures and samples were taken and provided to the Suffolk County Health Department. Each and every time, the SCHD claimed that the growths pictured were all natural. The samples were never acted upon because when they were taken and the SCHD notified, they took excessive time in gathering them. Their findings were that the samples were too old.

Around that time, the SCHD, at our request, made an unscheduled inspection of the plant and reported to us that nothing was wrong; however, the sightings of these growths continued.

At a later date, following the departure of Mr. Gaffney from Dowling, the Association filed a Freedom of Information Request with Suffolk County to examine the file on the plant. The file was not provided, so the Association reached out to Suffolk County Legislator Lindsay to intervene on its behalf. The Association then received a telephone call from a representative of the SCHD. It was then that it was disclosed that during the time these sightings and complaints were made, and **for a period of 6 months, the plant's nitrogen filter was offline** (aka "broken").

Based on this scenario, we learned that not only had we detected a problem with the plant, but the problem was covered up and ignored by the SCHD. The NYSDEC needs to ensure that this type of protective behavior cannot take place, or the meaning and purpose of ECL is reduced to something other than what it was intended to be.

Following the time Gaffney left the position of President of Dowling College, the EPA records reveal violation after violation. In particular, there was one violation for exceeding the discharge limit of 70,000 gallons in a day. 70,000 gallons is the equivalent volume of (2) 20'x40' swimming pools of (hopefully) treated effluent, discharged into this environment each day. When the Association objected to this relatively large number when taken in the context of adjacent Fresh and Tidal Wetlands, we were told that we should not be concerned because the discharge was always around half the permitted amount (35,000 gallons per day). Clearly, this is not factual.

Another item to consider is that this plant is situated in a parking lot which has a natural stream running next to it and adjacent wetlands to the south. It should be noted that this plant was allowed to be constructed without any spill containment. Outside the plant are two large, open solids settlement beds. These have historically overflowed into the parking lot, down the drains and into the stream, which feeds directly into the Grand Canal. *The Association* had to pressure the SCHD to direct Dowling College to construct a form of containment around the plant.

The next point we wish to mention is that this plant, as we have been told, discharges liquid effluent into groundwater wells by injection. Thus, there is an induced and unnatural hydrostatic pressure created in the subsurface ground water table. The Association believes that this discharge migrates in the subsurface zone and liberates anaerobic muck from the bottom of the Grand Canal and detritus from nearby mosquito ditches located in the bordering wetlands. We also believe that this destabilization goes further to impact nearby septic systems (there are no sewers in this area) by liberating stable contaminants into the groundwater and the river, which of course, flows under the surrounding land area.

The reason we believe this to be happening is that the surrounding residential area along the Grand Canal has been fully-developed for decades. Over the course of time, redevelopment has brought with it if anything, upgraded septic systems. Population density has remained constant and yet the quality of the water in the Grand Canal continues to deteriorate. Algae growth and blooms continue to appear. Elements of muck from the bottom of the canal (the lowest point of land near the STP) spontaneously liberate into the waterway when Dowling is in session. We do believe that this plant is impacting the environment in a negative manner which was overlooked when this plant was constructed.

With regard to the 70,000 gallon per day discharge limit, while we are aware that we are not engineers, we do know that this plant is located in Groundwater Management Zone VII, where discharges have a more direct impact on surface waters. We are also aware that the limit is generally determined from the 2004 Edition of the Recommended Standards for Wastewater Facilities by the joint member States and the Suffolk County "Standards For Approval Of Plans And Construction For Sewage Disposal Systems For Other Than Single-Family Residences."

In the latter document, the SCHD lists a Boarding School as requiring 77.5 GPD per capita and a Day School (commuting non-housing) as requiring 7.5 GPD per capita. Because the Dowling College Rudolph Campus in Oakdale is composed of 207 dormitory rooms with the balance being commuting non-housed people, we need to use both figures in our calculations as follows (and please correct us if we are wrong):

207 dormitory students @ 77.5 GPD = 15,939 GPD

70,000 GPD permitted, less 15,939 GPD for dormitory students leaves 54,061 GPD for commuting non-housed people.

The remaining 54,061 GPD divided by 7.5 GPD equals capacity for 7,208 commuting non-housed people.

According to Dowling College's website, their total enrollment for **both** the Oakdale and Shirley campus is +/- 6,300. Here we have calculated capacity for 7,415 people.

Based on these figures, we believe that the discharge amount permitted far exceeds what should be the actual discharge and yet in 2010 there is a violation for exceeding 70,000 GPD.

The actual enrollment and presence of students and faculty housed and commuting at the Dowling College Rudolph Campus in Oakdale needs to be ascertained by the NYSDEC and the permitted discharge should be reduced to meet that actual per capita value. There is no reason, short of a major plumbing issue where we should find the STP outputting more than 70,000 GPD, or even the lesser amount based on our calculations.

When the NYSDEC considers this, please do consider that capacity for 7,415 should be taken in the context that the entire Oakdale population is only about 8,000 people, and while it may seem like we are comparing apples to oranges, many of the 8,000 people are not present during the day because they work or have other obligations which take them out of Oakdale proper, so there may be some measure for comparison.

In summation, the Association requests the following in accordance with this SPDES permit renewal:

- NYSDEC needs to review this renewal carefully and not fast-track it.
- NYSDEC to scrutinize role the role of the Suffolk County Health Department.
- More frequent unannounced inspections to ensure that this plant is properly maintained and kept in compliance.
- Significant fines actually implemented for violations to reduce and/or eliminate poor maintenance and increase compliance.
- A secondary nitrogen filter system to be set in place as a backup.
- NYSDEC to investigate the impact of the plant's subsurface activity and potential negative effects on the surrounding wetlands, Grand Canal and Connetquot estuary.
- Ensure that the containment around the plant is sufficient, intact and properly maintained.
- Reduction of the permitted discharge limit based on the actual per capita count in this location.

And, if at all possible,

- Macerate solids, mix with effluent and pipe the output of the plant to the Bergen Point STP tie-in at Great River, NY
- Or, discontinue injection into groundwater and discharge the treated effluent in the original plant's discharge pipe which runs down Vanderbilt Boulevard to the Connetquot River. This is where there is more dissolved oxygen and tremendous water volume to better digest the effluent. This will remove the load on the wetlands and surrounding Grand Canal waterway and eliminate the negative effects of the artificial increase in hydrostatic load which once again, we believe is liberating and destabilizing harmful biological toxins from the surrounding area.

Thank you for your attention to our comments and please notify us of the results of the public comments for this renewal if at all possible.

Sincerely,

Cathline Cohen, President
Idle Hour Civic Association