

RESOLUTION NO. 245 -2015, DIRECTING THE DEPARTMENT OF HEALTH SERVICES TO CONDUCT GROUNDWATER TESTS FOR TOXIC CHEMICALS AT A COMPOSTING FACILITY IN NOYACK, TOWN OF SOUTHAMPTON

WHEREAS, composting activity is being conducted by the Sandland Corporation, at a facility located in Noyack, Town of Southampton, SCTM No. 0900-023.00-01.00-001.000; and

WHEREAS, this composting facility is located in a sole source aquifer area containing high quality water resources; and

WHEREAS, recent findings from a study conducted by the New York State Department of Environmental Conservation and the Suffolk County Department of Health Services on the operations at a facility on Horseblock Road, Yaphank, demonstrate the significant potential for groundwater impacts associated with composting operations; and

WHEREAS, current groundwater monitoring at the Noyack composting facility is inadequate, as it provides little or no information about drinking water quality in the surrounding community; and

WHEREAS, Noyack residents are justifiably concerned about the health and environmental risks posed by composting, which can be associated with groundwater contaminants such as manganese; and

WHEREAS, Noyack residents are requesting that the County of Suffolk perform additional groundwater monitoring at the Noyack composting facility to ensure that groundwater in the vicinity is not being adversely impacted; and

WHEREAS, the Suffolk County Department of Health Services regularly conducts groundwater tests to detect health hazards and to protect public safety; and

WHEREAS, the Department of Health Services should test the groundwater in the vicinity of the Noyack composting facility to determine whether similar testing should be conducted at other sites where composting occurs; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Health Services is hereby authorized, empowered and directed to determine the direction of groundwater flow in the vicinity of the Noyack composting facility and to install groundwater monitoring wells to test for the presence of heavy metals, including manganese, inorganics, volatile and semi-volatile organic compounds and radioactive contaminants (radionuclides) and any other contaminants associated with composting facilities; and be it further

2nd **RESOLVED**, that the Department of Health Services is directed to keep the Noyack community informed of their testing program through public meetings, news releases and other types of community outreach; and be it further

3rd **RESOLVED**, that the Department of Health Services will conduct their groundwater quality investigation within 120 days of the effective date of this resolution; and be it further

4th **RESOLVED**, that the Department of Health Services shall compile and deliver a report to this Legislature with their findings, within 60 days of the completion of their investigation; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 28, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 7, 2015