

Task Force Gets Board Nod On New Nitrogen Regulations

[by William F. Galvin](#)

HARWICH --- Health officials will craft new sewage disposal regulations designed to reduce the amount of nitrogen, especially in the Pleasant Bay watershed.

The proposal comes at a time when the state, through the Massachusetts Estuaries Program, is setting standards for reducing nitrogen levels in that watershed, and the local health board has been doing battle over sewerage discharge treatment for a preliminary subdivision of 12-lots along the Monomoy River.

“We need to be more specific in the Pleasant Bay watershed,” Frank Sampson, chairman of the town’s water quality task force, said of regulations in place governing sewage disposal. He said the present regulations have gaps and need to be tightened to apply to subdivisions and re-subdivisions.

Sampson told the health board last Wednesday the MEP report assumes reduction in nitrogen in the Pleasant Bay watershed is going to come from septic discharge. He pointed out the MEP study cites the need to reduce existing nitrogen in the Muddy Creek watershed by 76 to 100 percent, and in the bay by 30 to 85 percent.

“You have to take it out of the watershed,” Sampson said. “You’re not going to do that with innovative/alternative systems.”

Sampson, a former chairman of the board of health, said his task force is recommending changes in the sewage disposal regulations requiring any subdivision over five lots to have a shared system with a common disposal area to remove nitrogen.

This was basically what the health board was asking for when the Monomoy Landing subdivision was placed before the board by Marini Nominee Trust, he said. The health board denied a shared absorption system proposed on high ground away from the river.

The health board wrestled with that project for several months, recommending a wastewater treatment facility be placed on the 17-acre parcel. The preliminary subdivision plan was also rejected by the planning board absent health board approval.

The task force chairman said if the board agrees, his group proposes to

redraft the regulations, taking out some of the loopholes and developing a document the board is comfortable with.

Sampson said what they would develop is modeled after a regulation adopted in Chatham for a subdivision of three or more lots. He suggested the three-lot trigger was a little too restrictive, recommending five lots instead. The plan is to have a collection system in place, and the town would eventually develop a facility so the effluent can be picked up or pumped to a processing plant.

There is a proposal before the planning board made by a private citizen to have regulations created by that board governing nitrogen loading. The task force, Sampson said, believes this matter should be handled by the board of health. He said the health board could put this regulation in place by the end of the year while the planning board would have to hold public hearing and take a zoning bylaw to town meeting. The planning board was scheduled Tuesday to discuss the nitrogen loading issue.

“You’re preaching to the choir,” said health board member Dr. Alfred Hurst.

But Hurst questioned whether residents in West Harwich would be willing to provide funding for a treatment plant in East Harwich. Sampson said there will be additional studies completed in the next year for nitrogen loading in the harbors along Nantucket Sound, and disposal facilities would also likely be needed there.

“We’re going to have to act as a town,” Sampson said of addressing nitrogen issues in embayments.

“I suggest you proceed,” Board of Health Chairman Dr. Stanley Kocot instructed the task force.

“There is no question we need this regulation,” Hurst added.

Health board members pointed out will to take money to put facilities in place. Sampson said the board of selectmen is aware of this need. He said money could come from individual assessments, local taxes or a real estate transfer tax, such as the one the town of Chatham is pursuing.

Sampson said the town does have quite a few properties that could be used for facilities. The nitrogen issue is one that communities across the Cape are facing, Sampson said, pointing out the range of estimates to address it throughout Barnstable County runs from \$1 billion to \$3 billion.

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