



OSHA Faults Contractor

Its hard to forget that tragic afternoon of January 28, 2020 when at about 4:30 five to seven feet of dirt and sand collapsed trapping two workers in Upper Brookville. The contractor on that job RC Structures Inc. was installing a septic system when workers Deniz Dos Santo Almeida, 57 and Max Antonio Turcios, 46 were covered as a thirty foot trench crumpled.

First responding officers from Old Brookville police and Nassau’s Emergency Service unit, desperately jumped into the pit, using their bare hands and shovels while trying to rescue the men. According to WABC news They were able to extract one of the men at that time, but he was pronounced dead at the scene.

As they were digging in search of the second worker, another wall started to give way. Rescuers had to promptly exit, and the wall had to be secured before the search for the other man could continue. Sadly, the body of the second worker was recovered about 24 hours later.

After an extensive investigation by OSHA they released the following decision on March 31, 2021:

PRESIDENT’S CORNER



Andrew Andriola

As President of LILWA I spend much of my time keeping my eye on the pulse of our industry and issues that will affect the daily operation of our association along with the direction we are going to serve the septic industry and the Long Island residents we serve.

That being said, there is nothing worse than being caught off-guard by a situation. It is harder still when the challenge comes from Mother Nature. We are used to dealing with snow

storms, hurricanes and power outages, but what happens when you are thrown a curveball? That is what we witnessed about this time last year with the outbreak of the COVID-19 Pandemic.

Luckily, our Board of Directors and staff were up for the challenge. At that time if you remember most optimistically hoped this would pass by Summer, however just in case it did not we began to prepare. The Board approved investing in a software program to enable us

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New York contractor agrees to cease digging excavations, Pay \$135K in penalties, after 2020 fatal Long Island trench collapse

NEW YORK – A Long Island superstructure, foundation and concrete company will pay \$135,612 in penalties stemming from the collapse of an approximately 30-foot deep trench in Oyster Bay that led to the deaths of two workers.

Following a January 2020 investigation, the U.S. Department of Labor’s Occupational Safety and Health Administration found that RC Structures Inc. of Roslyn did not provide a protective system to prevent a trench collapse, and did not remove the employees from the trench after a competent person employed by the company had identified a cave-in hazard. OSHA also found the trench lacked an adequate ladder or other safe means of exit

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Contributing articles are not necessarily the opinion of the Long Island Liquid Waste Association or Act III Services.

PRESIDENT'S CORNER

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to continue online when needed. Our staff began converting the LILWA Certification Program into a Webinar.

In May we zoomed our first Board of Directors meeting, after a bit of a learning curve for some of us. This was followed by our first LILWA Certification Webinar in July, which had over 50 attendees. As it turns out, so far the webinars are overwhelmingly preferred, the jury is still out on the Board of Directors Meetings.

Although it has been 4 months since LILWA's annual election of Executive Officers this is my first opportunity to thank the Board of Directors for their support and faith. Re-electing myself and the rest of the Executive Officers for another term was a heartwarming endorsement for the course we chose to undertake. You will find the details of this election inside this newsletter.

Hats off to LILWA member Skip Norsic of Norsic & Son, Inc, this past February he was featured in the Pumper magazine amongst a few other Cole Publishing publications. A well done interview.

In closing, I just want to remind you we are still accepting donations and applications for the 2021 Judge Coleman Scholarship Fund; its not too late. You will also find more information on this inside this edition of the LILWA News.

Andrew Andriola



Robert Affenita
President

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2021 Judge Coleman Memorial Scholarship Fund

There Is Still Time

We are still in the middle of our 2021 Judge Coleman Memorial Scholarship Fund raiser and awards. So, if have not yet made a donation to this year's program you still have time. Just go to www.lilwa.org and click on Scholarship for details. Your contributions will be recognized in the next edition of the LILWA News.



Remember do not forget to inform your families and your employees and their families that they are eligible to apply, again the details and application can be found at www.lilwa.org or call our office.

Last year in spite of the difficult climate brought on by this epidemic our Scholarship Committee managed to press on and again delivered a successful fund raising program which culminated with the awarding of 2 scholarships. The yearly plan to raise and award \$1500 for a deserving student was again surpassed by your generous responses.

The scholarship committee consisting of Bill Rode chairman, Dick Crescenzo, Peter Barrese, Again, there is still time.

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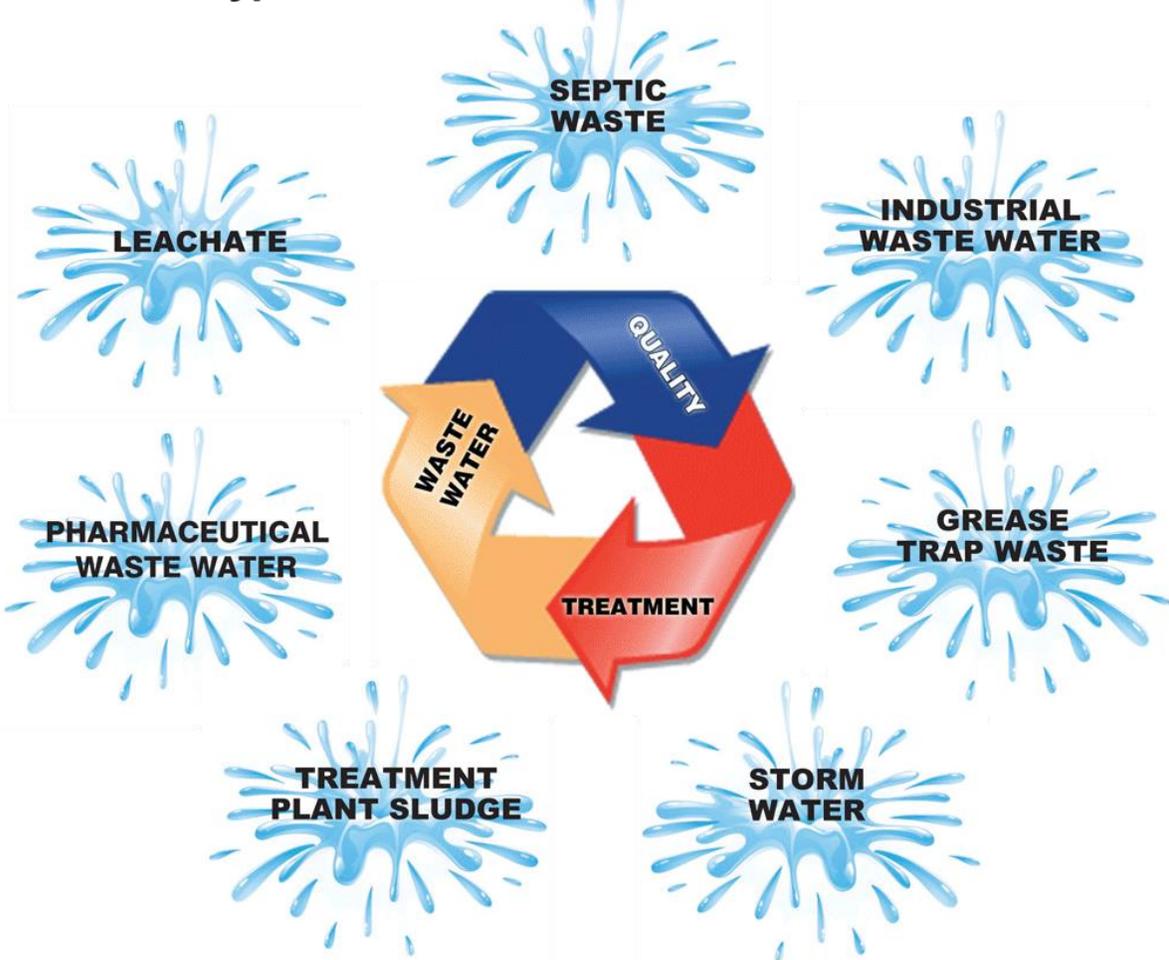
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UPDATE

Nutrient Bioextraction Initiative

In 2018, the New York State Department of Environmental Conservation (NYSDEC), the Long Island Regional Planning Council (LIRPC), and New England Interstate Water Pollution Control Commission (NEIWPCC) partnered to start the Nutrient Bioextraction Initiative. The goal of the Nutrient Bioextraction Initiative is to improve water quality in New York and Connecticut marine waters by removing excess nitrogen through the cultivation and harvest of seaweed and shellfish. The Initiative will provide information to help decision makers with the guidelines needed to facilitate seaweed and shellfish farming and harvest operations in their coastal waters.

Since 2018 much has been accomplished including pilot projects aimed at supporting the development of a bioextraction industry and the creation of a Geographic Information System based siting tool to identify suitable sites for bioextraction operations within New York's marine and coastal district and Connecticut's coastal area. A Shellfish Aquaculture Guidance Document is in development and will assist prospective, new, and existing aquaculture farmers to better understand the laws, policies, and permitting processes applicable to marine shellfish aquaculture in New York.

Implementation plan for establishing a Suffolk County Wastewater Management District has been finalized.



Suffolk County Executive Steve Bellone announced the release of a feasibility study and implementation plan to guide the establishment of a Countywide Wastewater Management District. The Wastewater Management District would facilitate the expansion of advanced wastewater infrastructure to replace 360,000 failing cess-pools and septic systems, as recommended in the County's Subwatersheds Wastewater Plan.

The study was funded by a grant from the New York State Department of Environmental Conservation and the Long Island Regional Planning Council. Establishment of the district has been designated an "early action" item under the Long island Nitrogen Action Plan (LINAP).

The Countywide Wastewater Management District will, in a phased approach.

- Create the administrative structure required to implement the County's new long- term water quality plan (Subwatersheds Wastewater Plan).
- Provide new benefits for homeowners through expanded financial assistance, better program management, and periodic inspection of septic systems.

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LILWA Re-Elects 2021 Executive Officers

This past January LILWA's Executive Officers in an impressive show of confidence, were unanimously re-elected by the Board of Directors as per the bylaws.

The Secretary, at the request of the Board, cast one vote unanimously re-electing Andrew Andriola President along with Mike Barry as Vice President, Dick Crecenzo as Secretary, and Joe Garbarino as Treasurer. They will serve in their capacities until next



DEC Update

(Continued from page 7)

- Serve as vehicle for new investments in water quality infrastructure to make system upgrades and sewer connections affordable for homeowners.
- Spur local job growth to help fuel the post-COVID economic recovery through establishment of a stable and recurring revenue stream to fund advanced wastewater treatment.
- Provide prescriptive advantages of a district for on-site installations comparable to those extended to sewer connections; and
- Provide for greater equity in sewer charges by equalizing rates among individual sewer districts.

The next step in the process for the proposed district is for a Task Force, composed of environmental, civic, and business leaders, to develop an implementation strategy and timeline.

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NAWT
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UPDATE

NAWT 2021 Annual Meeting and Officer Nomination Notice

The NAWT Nomination Committee has put forth the following slate of candidates for this year. Approval of the slate of candidates will be requested at the Annual Meeting and awards ceremony which will be held virtually this year due to COVID-19 on April 19, 2021 at 8:00pm Eastern Time. Please go to www.nawt.org or call (800) 236-6298 to RSVP to attend the annual meeting. We will be providing the Zoom link to everyone who submits an RSVP for the meeting in a subsequent email invitation.

The candidates and the office for which each is nominated are listed below. The state or province they represent is also provided.

- **President: Kim Seipp, Colorado**
- **Vice-President: John Ferdetta, New Mexico**
- **Secretary: Tom Ferrero, Pennsylvania**
- **Treasurer: Jeff Rachlin, Pennsylvania**

Per the NAWT By-Laws Article X Section 4, additional nominations must be made in writing at least two weeks prior to the Annual Meeting in order for names to be placed on the official ballot. Nominations must be received in the NAWT office by April 5, 2021.

OSHA Faults Contractor

(Continued from page 1)

and that the company allowed stacked concrete and excavated materials to be stored at the trench's edge.

In addition, employees working adjacent to and beneath an operating excavator lacked head protection, exposing them to struck-by hazards. OSHA cited RC Structures for willful and serious violations in July 2020. The company contested its citations to the independent Occupational Safety and Health Review Commission.

"A trench can collapse suddenly and with great force, crushing and burying workers in an instant. Amid such dangerous conditions, employers must follow all excavation safety requirements and remove employees to prevent tragedies like this," said OSHA Long Island Area Director Kevin Sullivan in Westbury, New York.

RC Structures agreed to pay the penalties and certify that it will no longer dig excavations. The agreement also commits the company to do the following:

- Develop an excavation safety checklist to identify hazards and protective measures for work in

excavations and ensure that a competent person on site will consult and complete the checklist whenever employees enter excavations.

- Engage a qualified professional safety and health consultant to conduct at least one on-site assessment of excavation safety while employees are performing work in an excavation.
- Provide company-wide training on ladder safety and hardhat use to its employees.

"No settlement can undo the collapse and its consequences, but it obligates this employer to corrective actions to enhance safe work in excavations and prevent future collapses, injuries and deaths. The U.S. Department of Labor is committed to enforcing workplace safety laws and achieving settlements designed to prevent hazards from recurring," said regional Solicitor of Labor Jeffrey S. Rogoff in New York City.



New Dates for In-Person Event

INDIANAPOLIS, Indiana – January 6, 2021 – The WWETT Show announced the in-person event, originally scheduled for May will now take place **June 29 – July 2, 2021 at the Indiana Convention Center.**

In addition to updating the WWETT Show team also welcomes Kristen McKercher as the brand's new Director. Kristen joins the WWETT Show with over 15 years of experience in the business-to-business events arena, having successfully led multiple brands within the Infrastructure & Construction portfolio throughout her tenure with WWETT parent company, Informa Markets.

In June 2021, the WWETT show will return to the showfloor, offering buyers the opportunity to be face-to-face with business associates and industry friends. The WWETT Show will also adapt Informa AllSecure for the in-person event, which is Informa's approach to ensuring the highest standards of safety, hygiene, cleanliness, and quality for operating events. In addition to AllSecure, the show will follow all local government guidelines, as well as the Indiana Convention Center guidelines.

Registration for WWETT+, the virtual event, will open in January. Registration for the WWETT Show's annual in-person event will open Spring of 2021. Manufacturers interested in participating in either may contact Sue Pino at sue.pino@informa.com.



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The program is a 2 night webinar 5 PM to 9 PM for those applying for or renewing a Suffolk County Septic License. Applications can be down loaded at: **www.lilwa.org**.

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