The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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April 30, 2007

Mr. Joseph DiMura, P.E.
Director
Bureau of Compliance
Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233

Re: Order on Consent (CSO Order)
DEC Case # CO2-20000107-8
Citywide CSO Program - Quarterly Report

Dear Mr. DiMura:

In accordance with Section IV, Paragraphs A-C of the above referenced proposed Consent Order, the New York City Department of Environmental Protection hereby submits the Citywide CSO Quarterly Report for the period of January 1 through March 31, 2007.

Should you require further information, please contact me at (718) 595-5973.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

Copy to:

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NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN & CONSTRUCTION
DEC CASE # CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – First Quarter 2007

April 2007

City of New York
Department of Environmental Protection
Bureau of Engineering Design & Construction

CSO Order on Consent
DEC Case # CO2-20000107-8

QUARTERLY PROGRESS REPORT
FIRST QUARTER 2007
(January 1 – March 31)

April 30, 2007

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Appendix

1.0. Executive Summary

The Combined Sewer Overflow "CSO" Order on Consent, DEC Case # CO2-20000107-8 (the "Order"); was entered into by the City of New York ("City") and the New York State Department of Environmental Conservation ("DEC") on January 14, 2005. Pursuant to Section IV, Paragraph A of the Order, the City shall submit quarterly status reports to DEC ("Quarterly Reports"). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress by the New York City Department of Environmental Protection ("DEP") in complying with the milestones set forth in the Order during the period from January 1, 2007 to March 31, 2007.

Major Actions This Quarter:

Table 1 presents the milestones that were met by DEP this quarter and Table 2 shows milestones that were postponed. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Copies of these certification letters are provided in Appendix A.

Table 1 – Milestones Met (January 2007 - March 2007)

LOCATION/PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	CONSENT ORDER MILESTONE DATE	DATE MILESTONE WAS ACHIEVED
Jamaica Bay	26th Ward Drainage Area Sewer Cleaning and Evaluation	Initiate Final Design	January 2007	Jamaica Bay
Jamaica Bay	Hendrix Creek Dredging	Initiate Final Design	January 2007	Jamaica Bay

Table 2 – Milestones Postponed

LOCATION / PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	REASON FOR POSTPONMENT	DATE OF POSTPONMENT
Flushing Bay	Mechanical Structures	Construction Completion	Force Majeure	September 2004
Paerdegat Basin	Foundations and Substructures	Construction Completion	Request for Modification	October 2006

As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on March 6, 2007. The meeting was held at the offices of Hazen and Sawyer in New York, NY to discuss issues related to the Order and review milestones met during the last quarter.

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report.

Major Actions Next Quarter:

The following major actions are expected to occur between April 2007 and June 2007:

- Hold the next Quarterly Progress Meeting between DEC and DEP on May 10, 2007.
- Submit written notification to DEC on the following upcoming milestones:

Table 3 – Milestones to be Met Next Quarter (April 2007 - June 2007)

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	DATE TO BE SUBMITTED
Alley Creek	Comprehensive Watershed Planning	Submit Approvable Alley Creek Waterbody / Watershed Facility Plan Report	June 2007
East River	Comprehensive Watershed Planning	Submit Approvable East River Waterbody / Watershed Facility Plan Report	June 2007
Open Waters	Comprehensive Watershed Planning	Submit Approvable Open Waters Waterbody / Watershed Facility Plan Report	June 2007
Gowanus Canal	Comprehensive Watershed Planning	Submit Approvable Gowanus Canal Waterbody / Watershed Facility Plan Report	June 2007
Flushing Bay	Comprehensive Watershed Planning	Submit Approvable Flushing Bay Waterbody / Watershed Facility Plan Report	June 2007
Flushing Creek	Comprehensive Watershed Planning	Submit Approvable Flushing Creek Waterbody / Watershed Facility Plan Report	June 2007
Bergen Basin	Comprehensive Watershed Planning	Submit Approvable Bergen Basin Waterbody / Watershed Facility Plan Report	June 2007
Thurston Basin	Comprehensive Watershed Planning	Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report	June 2007
Coney Island Creek	Comprehensive Watershed Planning	Submit Approvable Coney Island Creek Waterbody / Watershed Facility Plan Report	June 2007
Newtown Creek	Comprehensive Watershed Planning	Submit Approvable Newtown Creek Waterbody / Watershed Facility Plan Report	June 2007
Westchester Creek	Comprehensive Watershed Planning	Submit Approvable Westchester Creek Waterbody / Watershed Facility Plan Report	June 2007
Bronx River	Comprehensive Watershed Planning	Submit Approvable Bronx River Waterbody / Watershed Facility Plan Report	June 2007
Hutchinson River	Comprehensive Watershed Planning	Submit Approvable Hutchinson River Waterbody / Watershed Facility Plan Report	June 2007
Jamaica Bay	Comprehensive Watershed Planning	Submit Approvable Jamaica Bay Waterbody / Watershed Facility Plan Report	June 2007
Spring Creek	Comprehensive Watershed Planning	Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report	June 2007
Fresh Creek	Comprehensive Watershed Planning	Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report	June 2007

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	DATE TO BE SUBMITTED
Hendrix Creek	Comprehensive Watershed Planning	Submit Approvable Hendrix Creek Waterbody / Watershed Facility Plan Report	June 2007
Jamaica Bay	Spring Creek AWPCP Upgrade	Construction Completion	April 2007
Jamaica Bay	26th Ward Drainage Area Sewer Cleaning and Evaluation	Final Design Completion Including CPM Analysis	June 2007
Jamaica Bay	Hendrix Creek Dredging	Final Design Completion Including CPM Analysis	June 2007

2.0. Construction Contracts

The Order contains milestones and schedules governing the planning, design and construction of DEP's Citywide CSO Program. Numerous CSO related facilities will be constructed to reduce combined sewage discharges to the receiving waters surrounding the City. The table below provides a list of construction contracts, identified in Appendix A of the Order, necessary to fulfill the requirements of the Order. This table identifies, by percentage, the estimated amount of construction that has been completed.

Table 4 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
Alley Creek	Outfall and Sewer System Improvements	Dec 2002	Dec 2006	100%	100%
	CSO Retention Facility	Dec 2006	Dec 2009	8%	5%
Outer Harbor	Regulator Improvements - Fixed Orifices	Feb 2006	Jul 2008	45%	40%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	Port Richmond Throttling Facility	Jun 2006	Dec 2008	30%	10%
Inner Harbor	Regulator Improvements - Fixed Orifices	Feb 2003	Apr 2006	100%	100%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	In-Line Storage	Aug 2007	Aug 2010	-	-
Paerdegat Basin	Influent Channel	Feb 1999	Feb 2002	100%	100%
	Foundations and Substructures	Jun 2002	Dec 2006	100%	96%
	Structures and Equipment	Sep 2005	Aug 2011	25%	45%
Flushing Bay	Reroute and Construct Effluent Channel	Jun 1995	Jun 1996	100%	100%
	Relocate Ballfields	Apr 1995	Aug 1995	100%	100%
	Storage Tank	Jul 1997	Aug 2001	100%	100%
	Mechanical Structures	Mar 2002	Dec 2004	100%	98%
	Tide Gates	Dec 2000	Apr 2002	100%	100%

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
	Manual Sluice Gates	Feb 2004	Jun 2005	100%	100%
Jamaica Tributaries	Meadowmere & Warnerville DWO Abatement	Mar 2006	Mar 2009	33%	20%
	Expansion of Wet Weather Capacity of Jamaica WPCP	Jun 2012	Jun 2015	-	-
	Destratification Facility	Aug 2007	Dec 2008	-	-
	Regulator Automation	Nov 2007	Jun 2010	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Apr 2011	25%	22%
	Avenue V Force Main	Jul 2007	Jun 2012	-	-
Newtown Creek	Aeration Zone I	Dec 2005	Dec 2008	42%	<1%
	Aeration Zone II	Jun 2011	Jun 2014	-	-
	Relief Sewer / Regulator Modification	Jun 2010	Jun 2014	-	-
	Throttling Facility	Jun 2009	Dec 2012	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Jun 2015	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Bronx River	Floatables Control	Jun 2009	Jun 2012	-	-
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Jun 2015	-	-
	Future Phases	Dec 2016	Dec 2023	-	-
Jamaica Bay	Spring Creek AWPCP Upgrade	Mar 2003	Apr 2007	98%	98%
	26th Ward Drainage Area Sewer Cleaning and Evaluation	Jun 2008	Jun 2010	-	-
	Hendrix Creek Dredging	Jun 2008	Jun 2010	-	-
	26th Ward Wet Weather Expansion	Jun 2011	Dec 2015	-	-

*Note, Percentage Construction Completion is sometimes tracked based on cost incurred

3.0. Detailed Description of Work Performed

3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area consists of the drainage area of CSO Outfall TI-008, which discharges into Alley Creek at a location just south of Northern Boulevard on the west bank of Alley Creek. Little Neck Bay and Alley Creek receive discharges from 31 stormwater outfalls, as well as CSO Outfall TI-008; however, discharges from CSO Outfall TI-008 were determined to be the primary cause of water quality degradation within Alley Creek. CSO Outfall TI-008 serves a drainage area of approximately 1,975 acres within the Tallman Island Water Pollution Control Plant (WPCP) service area in the Borough of Queens. The Alley Creek Drainage Area Improvements/CSO Abatement Facilities Project, which has been designated as Phase I of the comprehensive Alley Creek CSO Abatement Facilities Plan, is being constructed in two stages:

1. Alley Creek Drainage Area Improvements (Phase I, Stage 1, Contract ER-AC1) and,
2. Alley Creek CSO Abatement Facilities (Phase I, Stage 2, Contract ER-AC2)

This section reports on the progress of Phase I, Stages 1 and 2 of the Alley Creek CSO Abatement Facilities Plan.

Phase I, Stage 1 (Contract ER-AC1) includes the construction of additional water mains, stormwater sewers and combined sewers, a double-barrel outfall sewer, an outfall structure, and a 5 million gallon CSO storage facility to substantially eliminate street flooding and sewer surcharging; and to abate CSO discharges into Alley Creek within the CSO Outfall TI-008 drainage area.

Phase I, Stage 2 (Contract ER-AC2) includes activation of the 5 MG CSO storage facility, upgrading the Old Douglaston Pumping Station to enhance the station's reliability to pump the captured combined sewage to the interceptor system for conveyance to the Tallman Island WPCP for treatment, rehabilitation of the CSO Outfall TI-008 structure, and restoration of a 1.51-acre area surrounding CSO Outfall TI-008 to include restoration/creation of wetlands and replacement of invasive vegetation with indigenous plantings as mitigation for the area disturbed as a result of rehabilitation of the outfall structure.

Work Performed During This Quarter

Design

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **In mid-January 2007, the NYC Department of Business Services (DBS) issued the Waterfront Permit.**
  - **On February 1, 2007, a meeting was held at the NYSDEC offices in Long Island City, between representatives of DEP, NYSDEC and URS, to discuss requirements for obtaining the new NYSDEC Joint Applications for Permit for Contract ER-AC2, and a modification to the existing Joint Application for Permit for Contract ER-AC1. Based on this meeting as well as subsequent telephone discussions with the NYSDEC, preparation of a new Joint Application for Permit for the work**

located south of Northern Boulevard under Contract ER-AC2, a new Joint Application for Permit for the work located north of Northern Boulevard under Contract ER-AC2, and a modification to the Joint Application for Permit for Contract ER-AC1 continued. In mid-February 2007, a revised Joint Application for Permit package for the work included in Contract ER-AC2 south of Northern Boulevard was submitted to the NYSDEC for review and approval. This revised Joint Application for Permit package addresses comments provided by the NYSDEC on the original permit package submitted to the NYSDEC in mid-January 2007.

- **In late February 2007, permit application packages were submitted to the U.S. Army Corps of Engineers, NYSDOS and NYCDCP to obtain required approvals for Contract ER-AC2.**
- **On March 22, 2007, the Notice of Complete Application for the new NYSDEC Joint Application for Permit for the work located south of Northern Boulevard under Contract ER-AC2 was published in the New York Daily News (Queens Edition) to initiate the public comment period. This public comment period expired on April 9, 2007.**
- **Coordination continued between DEP and NYCDPR regarding shared usage of the Old Douglaston Pumping Station site, and the overall restoration plan, which is required to mitigate the effects of construction disturbances under Contract ER-AC2.**

Construction Procurement

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **On January 10, 2007, a pre-construction conference was held at the DEP offices, between representatives of DEP, URS and Carp Construction Corporation (Carp), to discuss and review the work and requirements included in Contract ER-AC2, as well as the administration of the contract.**

Construction

- Alley Creek Drainage Area Improvements – Phase I, Stage 1, Contract ER-AC1
  - Construction of Contract ER-AC1 continued. **The principal work involved the construction of the roof openings in the CSO storage facility, construction of miscellaneous sluice gate and air intake/exhaust chambers, jacking of the pipes under Northern Boulevard, and miscellaneous force main and storage facility drain line work.** Construction of Contract ER-AC1 is currently about **95** percent complete and **100** percent of the Order related work has been completed.
- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **Files, logs, etc., required to provide design services during construction for Contract ER-AC2, were set up.**
  - **Review of shop drawings submitted by Carp for Contract ER-AC2 was initiated.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Alley Creek Drainage Area Improvements – Phase I, Stage 1, Contract ER-AC1
  - **Work will continue to secure approval of the modification to the existing Joint Application for Permit for Contract ER-AC1.**
  - Construction of Contract ER-AC1 will continue. **The principal work will include construction of the roof openings in the CSO storage facility, and construction of miscellaneous chambers. In addition, pipe jacking operations will continue to install the storage facility drain lines underneath of Northern Boulevard, as well as miscellaneous force main and storage facility drain line work, and punch list activities.**
  - Substantial completion of Contract ER-AC1 is scheduled for **May** 2007.
- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - Work will continue to secure the permits and approvals from regulatory agencies and other jurisdictional organizations as required for Contract ER-AC2.
  - Construction of Contract ER-AC2 will continue with the submission of names of vendors, shop drawings, Health and Safety Plans and updated CPM schedule.

Table 5 – Alley Creek CSO Project

	Phase I, Stage 1	*Phase I, Stage 2*
Plan Elements:	Alley Creek Drainage Area Improvements	Alley Creek CSO Abatement Facilities
Location:	46th Avenue, 53rd Avenue, 56th Avenue, Bell Boulevard, Luke Place, 214th Street, 215th Street, 216th Street, 217th Street, Springfield Boulevard, Cloverdale Boulevard, Cross Island Parkway, Northern Boulevard and Alley Park in Bayside, Queens	Northern Boulevard and Alley Park in Bayside, Queens
Actions:	Construction of additional watermains, stormwater and combined sewers, catch basins, outfall sewer and outfall structure to effect improved drainage in areas upstream of CSO Outfall TI-008 in Bayside, Queens; construction of 5 MG CSO storage facility for CSO abatement within Alley Creek	Design and construction of modifications to the Old Douglaston Pumping Station including air treatment facilities to treat air exhausted from the CSO storage facility and the pumping station; design and construction of hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; rehabilitation of the CSO Outfall TI-008 structure; restoration of a 1.51-acre area surrounding CSO Outfall TI-008
Cost:	$97,489,331	$29,929,929
Status:	Under construction by Carp Construction Corporation, 100% complete with CSO Order related construction, **95%** complete with all construction activities.	**Under construction by Carp Construction Corporation, 5% complete with construction activities**

3.2. Outer Harbor CSO

The Outer Harbor CSO Facility Planning area consists of the drainage areas of the Port Richmond, Oakwood Beach, Owls Head and Coney Island (separately sewered area) Water Pollution Control Plants (WPCPs) and their associated sewers and pumping stations. The receiving waters of the study area include the New York limits of the Raritan Bay, Arthur Kill, Kill Van Kull, Upper New York Bay waters to the boundary of the Inner Harbor CSO Project, the Narrows, Gravesend Bay, Lower New York Bay, Richmond Creek and Lemon Creek. This section reports on the progress for Phase I – Regulator Improvements (Fixed Orifices) and Phase II – Throttling Facility. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

Phase I will provide improvements to 32 regulators in the Outer Harbor study area. Phase II entails the construction of a throttling facility in the Port Richmond east interceptor, which will provide the ability to store up to 5 MG upstream of the Port Richmond WPCP. The Citywide SCADA Project will automate regulators in Outer Harbor.

Work Performed During This Quarter

Design

- Regulator Automation
  - **The drawings and specifications for the regulator automation work were advertised in February and bids were received by DEP in March. These bids are under evaluation.**

Construction

- Phase I Regulator Improvements
  - Continued shop drawing reviews and RFI responses.
  - Monthly construction progress meetings were held.
- Phase II Throttling Facility
  - Continued shop drawing reviews and RFI responses.
  - **Revised MPT plan and DOT permits issued to facilitate construction.**
  - Monthly construction progress meetings were held.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Construction

- Phase I Regulator Improvements
  - **Continue to address DSDC activities for the ongoing construction.**
- Phase II Throttling Facility

- **Continue to address DSDC activities for the ongoing construction.**

Table 6 – Outer Harbor CSO Project

	Phase I	*Phase II*	*Phase III*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	Throttling Facility	In-Line Storage	Regulator Improvements – Automation
Location:	32 regulator sites throughout Brooklyn and Staten Island	Port Richmond WPCP	Owls Head: OH-6C P. Richmond: PR-6W	Regulator sites throughout Brooklyn and Staten Island
Actions:	Conversion to manually operated sluice gates, replacement of stop plank guides, manhole steps, standardization of manhole cover sizes	Installation of throttling facility and sluice gate in Port Richmond east interceptor sewer	Installation of two inflatable dams in the combined sewer system	Conversion to automated regulators
Construction Cost:	$4,390,100	$3,850,000	-	**$2,842,000**
Status:	**Construction 40% complete.**	**Construction 10% complete.**	Eliminated due to hydraulic issues.	**Bids received and under analysis**
Other Issues:	-	-	**DEC approved elimination of this phase of work in a letter dated October 28, 2005 (DiMura to Mueller) based on hydraulic analysis conducted by DEP**.	-

3.3. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Water Pollution Control Plants (WPCPs) and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. This section reports on the progress of Phase I (Regulator Improvements) and Phase II (In-Line Storage). In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

Phase I provides improvements to 72 regulators in the Inner Harbor study area. Phase II provides for in-line storage at two inflatable dam locations in the study area. The Citywide SCADA Project will automate regulators in Inner Harbor.

Work Performed During This Quarter

Design

- In-line Storage
  - **Work continued on final design of Phase II – In-Line Storage. Comments on the 100% designs were incorporated into the drawings; bid documents were prepared and a pre-bid conference meeting was held at DEP's office on February 26, 2007. Bids were received on March 21, 2007.**
  - **The low bidder, whose bid was within the engineer's estimate, withdrew his bid. The second lowest bidder was recommended for award of the work. However, his bid was above the engineer's estimate, necessitating a request for additional funding to the NYC Office of Management and Budget. DEP is working toward meeting the Consent Order milestone date of August 2007 for the Notice to Proceed to Construction, however the request for additional funding must be approved to award the project.**
- Regulator Automation
  - **The drawings and specifications for regulator automation work were advertised in February and bids were received by DEP in March. These bids are under evaluation.**

Construction

- Regulator Improvements
  - Work is complete on the construction of Phase I, which was broken up into two contracts: Brooklyn Regulator Improvements (32 regulators) and Manhattan Regulator Improvements (40 regulators). The certification of construction completion was submitted to DEC on January 24 and the final inspection was completed by DEC. In a letter dated March 20, 2006, DEC certified compliance with the construction completion milestone.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Design

- In-line Storage
  - **A bid evaluation will be done for the bids received.**

Table 7 – Inner Harbor CSO Project

	Phase I	*Phase II*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	In-Line Storage	Regulator Improvements – Automation
Location:	72 regulator sites in Manhattan and Brooklyn	Upstream of regulators B-6 and R-20 in Brooklyn	Regulator sites in Manhattan and Brooklyn
Actions:	Conversion to fixed orifices	Installation of two inflatable dams in the combined sewer systems	Conversion to automated regulators
Construction Cost:	$9,500,000	**$11,200,000**	**$13,737,000**
Status:	Construction Complete	**Final Design 100% Complete**	**Bids Received**
Other Issues:			**Additional funding request has been submitted to OMB. Contractor bids received on 3/21/07 exceeded the engineer's estimate.**

3.4. Paerdegat Basin CSO

The Paerdegat Basin CSO Retention Facility is located in southeastern Brooklyn, at the intersection of Flatlands and Ralph Avenues. The facility will receive combined sewer overflows from outfalls CI –004, CI-005, and CI-006, a drainage area of approximately 6,000 acres in the Coney Island WPCP service area. Once constructed, the facility will consist of a four (4) bay underground storage tank and operations buildings. The stored CSO will be pumped back to the Coney Island WPCP for treatment after each rain event. This section reports on the progress of Phase IA – Influent Channels, Phase II – Foundations and Substructures, and Phase III – Structures and Equipment.

Phase IA includes construction of a major portion of the influent channels and the relief weir. Phase II includes construction of the CSO tank and building foundations and dredging of the basin. Phase III entails construction of the aboveground structures including Pump Back Building, Odor Control Building, Screening Building and Collection Facilities Building; also completion of the influent channels and reconstruction of the outfalls, installation of all mechanical equipment and start-up of the CSO facility.

Work Performed During This Quarter

Planning

- Submitted to DEC and EFC the Paerdegat Basin Drainage Specific LTCP report in November 2005, in compliance with the milestone date in the CSO Consent Order. Transmitted a response to DEC comments and revised LTCP on June 30, 2006.
- **DEP approved the Paerdegat Basin LTCP in a letter dated February 1, 2007 (DiMura to Mueller).**

Design

- Phase I A – Influent Channels
  - **100% complete**
- Phase II – Foundations and Substructures
  - **Underground CSO Tank design 100% complete.**
- Phase III – Superstructures and Equipment
  - **Construction of the facility buildings (Pump Back, Odor Control, Screenings Building and Collection Facilities South headquarters) design 100% complete.**

Construction

- Phase I A – Influent Channels
  - **Construction completed in 2002.**
- Phase II – Foundations and Substructures
  - Construction work has continued and is approximately 96% complete.

- **The 4G Contractor installed reinforcing steel dowels, concrete formwork and placed concrete for CSO Tank Nos. 2, 3 and 4 training walls, flush storage wall, and dividing walls. Installed, hydrostatically tested and concrete encased the 12-inch diameter flush water pipe for CSO Tank Nos. 2, 3 and 4. Performed corrective work for the Screenings Building influent channels and performed soil stabilization work for the Pump Back Building's Con Edison's transformer foundation slab. Delivered precast concrete removable planks for the Screenings Building. Applying sealant to the expansion joint on the roof of the CSO Tank and placed Bentonite waterproofing and ¾-inch blue stone on the roof of the CSO Tanks. Mandrill the electrical conduit for the instrumented tiedown anchors in the CSO Tanks.**
- **DEP has repeatedly requested and directed the contractor to furnish a revised CPM schedule reflecting the current status of the project, correct logic and duration for the remaining work to be performed because previous CPMs have been unacceptable to DEP.**
- **DEP has initiated default proceedings for the 4G Contractor due to his poor performance and it is not yet known what implications this may have to the overall project schedule.**

- Phase III - Superstructures and Equipment
  - Construction work has continued and is approximately **45%** complete.
  - **The 5G Contractor continued to install masonry blocks and structural glazed face tile (SGFT), stainless steel structural batten seam roofing; and the wet and dry fire suppression systems. Began installation of lockers in men's and women's locker rooms, began 24 hour continuous dewatering, continued mass excavation, and began work activities for the Two (2) Barrel Influent Channel; continued installation of RCP piping adjacent to the Collection Manhole, excavated and installed three main city water lines in preparation of performing their associated wet-tap connections. Also continued work activities at the Paerdegat Basin mitigation site. Installed five (5) climber screens and continued to install SGFT and masonry block and fire suppression systems.**
  - **The 5E Contractor installed three (3) Con-Ed transformers and Network Protectors and is continuing fabrication of bus bars and pulling and testing conductors from the MCC room. Installed electrical manholes and handholes.**
  - **The 5H Contractor continued installation of concrete anchors, hanger rods, and stainless steel ductwork in Tank No. 3 and began installation of stainless steel ductwork in Tank No. 2. Continued installation of galvanized steel ductwork, HWS & HWR piping and insulation for piping and ductwork.**
  - **The 5P Contractor installed three (3) house traps, continued installation of drainage, and city water piping.**

Postponed Milestones

- A written notice of a Request for Modification of a Milestone Date was submitted to DEC on October 31, 2006. NYCDEP requested modification to the current completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion to be modified to February 2008. This modification is based on the Contractor's poor performance and does not affect the final Construction Completion Milestone date of August 2011 under the subsequent phase, Structures and Equipment.
- **DEC issued a Notice of Violation (NOV) on January 2, 2007 for a missed milestone set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion by December 2006. The NYC Law Department responded to the NOV in a letter dated February 22, 2007 (Plache to Crisafulli)**

Anticipated Activities for Next Quarter

Construction

- Phase II - Foundations and Substructures
  - Work will continue on the construction of to meet the revised Construction Completion date by February 2008.
  - **Upcoming future work will consist of completing the roof of the CSO Tanks. Perform plugging and patching for the concrete formwork snap-tie holes throughout the CSO Tanks, Screenings Building influent channel and Pump Back Building. Continue installation and testing the instrumented tiedown anchors in the CSO Tanks and Pump Back Building. Deliver remaining precast concrete removable planks. Construct observation platforms within the CSO Tanks.**
- Phase III - Superstructures and Equipment
  - Work will continue on the construction of in order to meet the milestone date for Construction Completion Date by August 2011.
  - **The 5G Contractor will continue with installation of masonry work, ceramic tiles and SGFT in the CFS, PBB, OCB and SB; installation of steel studs and black iron in the CFS; installation of fire protection sprinkler system and Stainless Steel Structural Batten Seam Roofing on the CFS, PBB, OCB and SB. Contractor will also continue installation of Service Water System in the PBB and OCB; continue mass excavation for the two barrel influent channel, install bar screens and Rotork operators on the sluice and slide gates and complete wet taps for three (3) city water pipes.**
  - **The 5E Contractor will continue to install conduit racks, conduit sleeves and RGS conduits in the CFS and PBB; card reader junction boxes in the OCB and pull conductors from the MCC room to various pull boxes and from Con Edison manholes to Con Edison transformers. Contractor will also continue installation of the pre-cast manholes and handholes and complete the conduit banks on the south**

side of the CFS; continue installation of electrical concrete duct banks over CSO Tanks.

- **The 5H Contractor will continue to install stainless steel ductwork in Pump Back Building Odor Control Building, and CSO Tank No. 3 and No. 4; HWS & HWR piping, insulation and fire stopping at various locations in the Collection Facility South Building. Contractor will also install various pieces of HVAC equipment and perform hydrostatic leak tests on piping.**
- **The 5P Contractor will continue with insulation of various piping, boot wash pans in the Collection Facility South Building; begin installation of water closets, urinals, lavatory carriers, piping and hangers in the Pump Back Building; continue installation of drain piping and hanger supports in lower level of PBB and continue installation of pre-cast concrete house traps in the yard.**

Table 8 – Paerdegat Basin CSO Project

	Phase IA	*Phase II*	*Phase III*
Construction Phase:	Influent Channels	Foundations and Substructures	Structures and Equipment
Location:	Flatlands and Ralph Avenues, Brooklyn, NY	West Shore of Paerdegat Basin	West Shore of Paerdegat Basin
Actions:	Construction of the influent channels to the CSO facility	Underground structural elements	Aboveground buildings and equipment
Cost:	$9,000,000	**$126,142,890**	**$183,607,522**
Status:	Construction completed.	NTP issued on 6/24/02. Construction 96% complete.	NPT issued on 9/26/05. Construction **45%** complete.
Other Issues:	-	Dredging of the mouth of the Basin postponed indefinitely due to Belt Pkwy Bridge damage. A written notice of a Request for Modification of a Milestone Date was submitted to DEC on October 31, 2006. NYCDEP requested modification to the current completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion to be modified to February 2008. This modification is based on the Contractor's poor performance and does not affect the final Construction Completion	-

		Milestone date of August 2011 under the subsequent phase, Structures and Equipment.	

3.5. Flushing Bay CSO

The Flushing Bay CSO Retention Facility is an underground storage tank, which will have a storage capacity of 43 million gallons, 28 MG in the tank and 15 MG in the upstream sewers. The project is being constructed in phases to provide abatement in the Tallman Island WPCP drainage area at CSO Outfall TI-010 which discharges to the head of Flushing Creek. The elements of the facility include:

- Relocation of ball fields in Kissena Corridor
- Rerouting of Park Drive East CSO line inside the construction site and construction of the effluent channel
- Phase 1 construction of the underground structural elements of the tank
- Phase 2 construction of the mechanical and above-ground portion of the facility
- Construction of tide gates on the tank outfall sewer and construction of two (2) soccer fields

Work Performed During This Quarter

Construction

- Site Work
  - Completed fence at Queens Botanical Garden. Continued site perimeter fencing.
- Comfort Stations
  - **Installation of fixtures.**
  - Recreation and Maintenance Building:
  - Continued the installation of sheetrock for walls.
  - **Continued the installation of ceiling grids for suspended ceilings.**
  - Installation of Plumbing fixtures.
  - Installation of architectural finishes.
  - Continued the installation of doors and louvers on the south side of the Gymnasium.
  - Continued the installation of Elevator No. 3**.**
  - **Completed floor tiles.**
- Screening Building
  - Continued checkout and start-up of the bar screens and conveyor system.
  - Continued the installation of stainless steel handrails.
  - Continued control cable to actuators and terminated same.
  - Continued equipment check-out.

- Started up and tested Primary and secondary pumps and valves, flushing water pumps, and drain valves.

- CSO Facility
  - Continued installation of duct work.
  - Continued the installation of the heavy duty concrete topping on floor at El. -13.00 and El. -30.00.
  - Completed Chemical resistant floor topping at containment areas.
  - Completed the installation of control and power cables to all sump pump control panels and various field instruments.
  - Completed repairs to the Scrubber vessels and commenced final tie-ins.
  - **Completed the installation of insulation on HWS & R piping and duct work.**
  - Continued the installation of the sprinkler system piping and sprinkler head pressure testing.
  - Continued the installation of exterior lighting.
  - **Completed boiler installation and started up.**
  - **Completed seal water system.**
  - **Completed flushing water system.**
  - **Completed primary and secondary sewage pump installation.**
  - **Began checkout of various systems.**
- Regulator No. 9, Junction Chamber and Triple Barrel Outfall
  - **Continued instrumentation work.**

Missed Milestones

- A written notice of a "force majeure" event was submitted to DEC on September 24, 2004. This event has affected compliance with the Construction Completion milestone date of December 2004 for the Flushing Bay CS4-4 (Mechanical Structures) in the Order.
- On September 8, 2004, rainfall at LaGuardia Airport was recorded by the National Weather Service at three inches in a three hour time period. This torrential rain event caused flooding in the basement of the Flushing Bay facility due to a breach in a temporary construction bulkhead in the influent sewer line to the facility. Water levels reached seven to eight feet above the basement floor at the CSO facility which caused damage to various mechanical, HVAC and electrical equipment.
- DEC requested that DEP provide additional information in a formal report concerning the force majeure event and resultant impact upon the facility and construction status. DEP submitted such report on April 1, 2005.

Anticipated Activities for Next Quarter

- Site Work:
  - Complete the installation of wrought iron perimeter fencing.
- Comfort Station
  - **Install fixtures , paint and turnover to NYCDPR**
- Recreation and Maintenance Building:
  - Complete the installation of toilet fixtures.
  - Paint all sheetrock walls.
  - Begin the installation of marlite paneling.
  - Continue epoxy resin flooring. Begin the installation of cabinetry.
  - Complete the installation of the sprinkler and fire alarm, telephone and building security systems.
  - Complete the installation of Elevator No. 3.
  - Paint the steel beams and ceiling of the Gymnasium.
  - Continue the installation of the curvature ceiling.
  - Begin specialty flooring systems.
- Screening Building
  - Start-up bar screens, correct alignments, and grout and patch around frames.
  - Start-up conveyor system.
  - Tie in monorails.
  - Complete installation of handrailings.
- CSO Facility
  - Continue installation of heavy duty concrete flooring type I and begin installation of heavy concrete topping type II in containment areas.
  - Complete installation and repairs to scrubber vessels.
  - Complete start up of secondary pumps, piping, valves and cone check valves.
  - Continue the installation of control cables and perform terminations in control panels and at field instruments.
  - Continue start-up and vendor check-out of equipment.
  - Complete Scrubber installation and start system.
  - Complete Tie in CSO lines to CSO facility and start facility operations.
  - **Certify beneficial use of the facility to the DEC.**

- **Submit WWOP and Interim Post Construction Compliance Monitoring Protocol to the DEC.**

- Botanical Gate Chamber
  - Complete electrical and signal work and start-up.
- Regulator No. 9
  - Complete installation of instrumentation, flow sensors, RTU, power and control panels.
- Triple Barrel, Regulator No. 11, Chamber No. 2 and Junction Chamber
  - Install instrumentation.

Table 9 – Flushing Bay CSO Project

Plan Elements:	Flushing Bay CSO Retention Facility
Location:	Intersection of College Point Boulevard and Avery Avenue, Queens
Actions:	Design and construction of a 43 MG storage facility, which includes a 28 MG, underground storage tank and 15 MG in-line storage in upstream sewers. The facility collects flow from the system tributary to the TI-010 outfall.
Cost:	$291,000,000
Status:	Phase 2 construction started March 2002 and is on-going.
Other Issues:	Damage to mechanical, HVAC and electrical equipment due to a major storm on September 8, 2004 which caused flooding in the facility and delays to construction. Contract change orders for additional work are in progress. **Repair to Scrubber vessels due to non conformance by manufacturer has delayed treatment and completion.** **Certification and operation of facility will commence shortly.**

3.6. Jamaica Tributaries CSO

The Jamaica Tributaries project area includes the Jamaica WPCP sewershed area and the tributaries, which receive the wet weather discharges from the drainage area. These tributaries include Bergen, Thurston, Shellbank, and Hawtree Basins, which are located in the northeast portion of Jamaica Bay. There are several recommendations that are being advanced in this facility plan which include:

- Meadowmere & Warnerville DWO Abatement – Construction of a new pumping station, force main, and sanitary sewer collection system in southeast Queens, NY, to convey flows from the communities of Meadowmere and Warnerville into the Jamaica drainage area collection system, for treatment at the Jamaica WPCP. This project will eliminate the dry weather discharge that is currently occurring in these two communities, which are not connected to NYC's collection system.
- Expansion of Wet Weather Capacity of Jamaica WPCP – An additional 50 mgd of wet weather flow will be treated at the Jamaica WPCP to reduce the CSO discharges to Bergen Basin. Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.
- Destratification Facility – Installation of a permanent diffused-air bubble mixing system at Shellbank Basin. The system is designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills. This element currently has an operating pilot facility, which has produced positive water and air quality results for the past 7 summer seasons.
- Laurelton and Springfield Blvd. Drainage Plan – A drainage plan for 7,000 acres in southeast Queens is being developed to address flooding and to construct high-level storm sewers in a 1,450 acre CSO drainage area tributary to Thurston Basin. The drainage plan identifies the necessary capital sewer projects to alleviate flooding and convert the aforementioned CSO area to a high-level storm sewer system.
- Regulator Automation – Automation of key regulators was recommended in response to the 1988 State Pollution Discharge Elimination System (SPDES) permit requirements that called for telemetry in the regulators to detect dry weather overflows. It was recommended at those regulators contributing the largest flows to the treatment plants, specifically Regulators 2, 3, and 14 in the Jamaica WPCP drainage area. The Citywide Collection Facilities Supervisory Control and Data Acquisition (SCADA) System Project will automate key regulators in the City by installing electro-hydraulic actuators capable of controlling flows to the sewer interceptor.

Work Performed During This Quarter

Planning

- Destratification Facility
  - **ULURP application updated to reflect new site, and certified by DCP on 2/26/2007. Public review process to begin.**

- **Past issues with old site and finalization of new site will affect the NTPC date of August 2007.**

- Drainage Plan
  - BWSO and its consultant continued the preparation of a drainage plan for southeast Queens.

Design

- Regulator Automation
  - **The drawings and specifications for the regulator automation work were advertised in February and bids were received by DEP in March.**
- Destratification Facility
  - **Survey for new site completed**
  - **New schedule drafted**
  - **Initiated revisions to contract drawings and specifications.**
  - **Design progress meeting held with DEP in February and March 2007.**

Construction

- Meadowmere/Warnerville
  - Continued DSDC activities for the Meadowmere & Warnerville project. **Construction site meetings are now held monthly. Construction is 20% complete.**
  - **Continued work on procuring permits and approvals for the Meadowmere/Warnerville DWO Abatement project, including DOB construction and DPR construction permits.**

Anticipated Activities for Next Quarter

Planning

- Destratification Facility
  - **Final approval of Shellbank Basin Destratification Facility ULURP application by DCP.**

Design

- Destratification Facility
  - **Revise Destratification Facility design and contract documents to reflect new site location and revised architectural design.**
  - **Complete DEP boring safety checklist to take 1 geotechnical boring in order to revise final design of building foundation.**
  - **NYC Art Commission approval on Final Architectural Design of Destratification Facility.**

Construction

- Meadowmere/Warnerville
  - Continue DSDC activities for the continuing construction of the Meadowmere & Warnerville DWO abatement project.
  - **Secure DOB and DPR construction permits for the Meadowmere/Warnerville DWO Abatement project.**
- Destratification Facility
  - **Continue revisions to Shellbank Basin Destratification Facility contract drawings and specifications.**

Table 10 – Jamaica Tributaries CSO Project

Plan Elements:	Meadowmere & Warnerville DWO Abatement	Expansion of Wet Weather Capacity of Jamaica WPCP	Destratification	Laurelton and Springfield Blvd. Drainage Plan	Regulator Automation
Location:	Meadowmere and Warnerville – Queens, New York	Bergen Basin	Shellbank Basin	Jamaica WPCP Drainage Area	Regulators 2,3 and 14
Actions:	Construction of a Pumping Station, Sewer Collection System, and Dual Force Main	Provide an additional 50 mgd of wet weather capacity at the Jamaica WPCP.	Conduct Demonstration Construct Permanent Facility	Develop drainage plan for storm sewer buildout	Provide automated regulators
Construction Cost:	$30,648,888	$120 million	$1,000,000	To be determined	**$1,421,000**
Status:	**Construction 20% complete.** DSDC activities continued.	Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.	**ULURP certified and is under public review approval process.** **NTCP date of 8/2007 affected, new schedule drafted.** **Revising Final design documents to reflect new site location.**	Drainage planning underway.	**Bids received and under analysis**

3.7. Coney Island Creek CSO

The recommended plan for the Coney Island Creek CSO Facility Planning Project is to increase the wet weather pumping capacity of the Avenue V Pumping Station. The Avenue V Pumping Station tributary area encompasses 2,900 acres, of which 2,056 acres are separately sewered and 844 acres have combined sewers. The Avenue V Pumping Station capacity will be increased to capture 85 percent, by volume, of the current CSO discharge from outfall OH-021 to Coney Island Creek. The capacity of the pumping station will be increased from approximately 30 mgd to 80 mgd in two construction contracts, a pumping station upgrade phase and a force main construction phase.

Work Performed During This Quarter

Design

- Avenue V Pumping Station Upgrade
  - **DEP began the design of the US Army Corps of Engineers, Fort Hamilton pumping station.**
- New Force Mains
  - **DEP received bids for the forcemain work (PS-79F Contract) on March 22, 2007. The bids received exceeded the engineer's estimate. This has led to a delay in awarding the project since an increase in funding must be approved by the NYC Office of Management and Budget. DEP is working toward meeting the Consent Order milestone date of July 2007 for the Notice to Proceed to Construction, however the request for additional funding must be approved to award the project.**

Construction

- Avenue V Pumping Station Upgrade
  - **The support of excavation has continued to be installed.**
  - **The temporary flow around system has been installed.**
  - **The temporary power continued being installed.**
  - **Dewatering system started and excavation down to subgrade has begun.**
  - **The installation of the temporary pumping and piping have been finalized.**
  - **A leak was identified in the existing wet well and a contingency construction plan is being devised to work around the leak until the leak can be repaired.**
  - **Monthly Progress Meetings are held on the first Tuesday of each month.**
  - **Outfall OH-17 has been rebuilt.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Avenue V Pumping Station Upgrade
  - **Construction of the wet well extension**
  - Implement a construction contingency plan for the leaking wet well.

Table 11 – Coney Island Creek CSO Project

	Contracts *PS-79G, H, P, E*	*Contract* *PS-79F*
Plan Elements:	Upgrade Avenue V Pumping Station	New Force Mains
Location:	Avenue V PS (Avenue V and West 11th Street)	42-inch to SE-133 (Shore Pkwy. Vic. Verrazano Bridge); 48-inch to vic. Reg. 9A
Actions:	Comprehensive upgrade to automate and increase station capacity to 80 mgd; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey DWF and WWF
Cost:	$68,200,000	$97,756,000
Status:	**Notice to Proceed issued on 12/16/05. Construction is 22% complete.**	Bid Award proceedings have begun
Other Issues:	Leak in wet well	**Additional funding request has been submitted to OMB. Contractor bids received on 3/22/07 exceeded the engineer's estimate.**

3.8. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area consists of the areas in Brooklyn and Queens from which wet weather runoff drains to the Newtown Creek waterbody and its branches: English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch. For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

This section reports on the progress of facility planning and design of the existing CSO plan, subject to modifications by the Waterbody/Watershed Facility Plan, and includes 1) maximizing flow through the Morgan Avenue Interceptor, 2) the construction of instream aeration facilities (Zone I & II) and 3) the construction of an off-line storage tank.

Maximizing flow through the Morgan Avenue Interceptor will include raising the overflow weir in Regulator B1; increasing the sluice gate openings to the interceptor; providing a relief sewer from the St. Nicholas weir to Regulator B1; and providing a throttling gate on the Kent Avenue Interceptor. The Aeration Facilities (Zone I) includes construction of a landside compressor station and installation of an air header in the creek bottom of the Upper English Kills. Based upon the performance evaluation of the Zone I aeration testing, Zone II aeration may be implemented to expand instream aeration to include the Lower English Kills, the East Branch and Dutch Kills. The off-line storage facility will control CSO discharge to the English Kills and will include a 9 million gallon tank, a pumping station, and a new gravity drain to drain the tank for treatment at the Newtown Creek WPCP.

Work Performed During This Quarter

Planning

- Off-line Storage Tank
  - The Bureau of Environmental Planning and Assessment (BEPA) continued their review of the Remedial Action Plan (RAP) and Health and Safety Plan (HASP) for the remedial work related to the CSO Storage Facility. **BEPA completed their review of the revised CSO Storage Facility Environmental Assessment Statement (EAS) and the Air Modeling Report and has requested additional work, including a traffic waterbody/watershed analysis.**

Design

- Maximize Flow to Morgan Ave. Interceptor
  - **The Department reviewed proposals/presentations for Engineering Services for St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer and have selected a design consultant. The Department is also reviewing a CDM/URS JV Task Order proposal for the Regulator B-1 Modifications.**
- Phase 1 & 2 Aeration Facilities

- **The Department reviewed proposals/presentations for Engineering Services for English Kills Aeration Zone II and have selected URS as the design consultant. URS submitted a draft Contract to the Department for their review.**

Construction

- Phase 1 Aeration Facilities
  - The NYSDEC Joint Permit had expired and a new permit application was submitted to the NYSDEC. Although previously approved, the DEC has revised its review and has determined that the apparent bulkhead is actually a relieving platform and therefore the land beneath the platform is considered wetlands. As a result, the DEC replied to the permit application with a Notice of Incomplete Application (NOIA). A response to the NOIA was prepared was submitted to the DEC on July 18, 2006. The State then issued a second NOIA and a response was prepared and submitted August 25, 2006, with a revised response submitted to the State September 7, 2006. The NYCDEP BEPA issued a modified Negative Declaration and the NYSDEC issued a Notice of Complete Application (NOCA) to the NYCDEP on October 18, 2006 for advertisement including a public comment period ending November 10, 2006. The NYSDEC then issued a Notice of Permit Issuance on November 22, 2006 with the effective dates of November 24, 2006 through December 31, 2009.
  - The NOPI contains Special Conditions, including submission of a Habitat Monitoring Plan and a Wetlands Restoration Plan within 30 days and 60 days of the permit's issuance, respectively.
  - **A Habitat Monitoring Plan was submitted to the NYSDEC in January 2007 for their review. A coordination meeting with the NYSDEC is scheduled for April 2007.**
  - **A change order was issued for the bulkhead realignment. Change order negotiations have been completed with the NC-EK11G contractor for this work.**
  - **Coordination between the Department's Bureaus continues for the site sewer connection. Design alternatives are being prepared for their review.**
- Maximize Flow to Morgan Ave. Interceptor
  - Kent Avenue Throttling Facility design continued. It has been decided to include construction of this facility under Newtown Creek W.P.C.P. Upgrade Contract NC-36.
  - Tracking of vendor approvals for equipment, shop drawing reviews and responses to the contractors' request for information continued for Contracts NC-EK11G, H and E.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Construction

- Maximize Flow to Morgan Ave. Interceptor
  - Continue design for Kent Avenue Throttling Gate.

- Phase 1 & 2 Aeration Facilities
  - **Issue a change order to Contract NC-EK11E for the bulkhead realignment, fire alarm system, temporary electrical system and other miscellaneous electrical items.**
  - Continue tracking vendor approval for equipment Contracts NC-EK11G, H and E. Continue shop drawing review for Contracts NC-EK11H and E. Continue responding to any Request for Information submitted by Contracts NC-EK11G, H and E.
  - **Draft a reconciliation memo for Change Order No. NC-EK11G-1.**
  - Continue coordination with DEC for Habitat Monitoring Plan.
  - Continue procurement process for Engineering Services procurement for English Kills Aeration Zone II, Regulator B-1 Modifications and St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer.
  - **Obtain approval for the NYCDEP site sewer connection permit.**

Table 12 – Newtown Creek CSO Project

Plan Elements:	Maximize flow through Morgan Ave. Interceptor	Phase 1&2 - Aeration Facilities	Off-line Storage Tank
Location:	Regulator B1 and WPCP throttling chamber	Head end of English Kills, south of Grand Street	Sewers tributary to CSO outfall discharging to English Kills
Actions:	Raise overflow weir in Regulator B1; increase sluice gate openings to interceptor; provide relief sewer from St. Nicholas weir to Regulator B1; provide throttling gate on Kent Avenue Interceptor.	Provide aeration of English Kills to raise DO concentrations to a minimum of 1.0 mg/l. The facility includes a landside compressor station and an air header and diffuser assembly on the Creek bottom.	Design of an off-line storage facility to control CSO discharge into English Kills. The facility would include the tank, a pumping station, and a new gravity drain to drain the tank for treatment at the Newtown Creek WPCP.
Cost:	$10,000,000	$56,000,000 (total for Zones I and II)	TBD
Status:	Facility plan elements for modifications to regulator and routing of the relief sewer have been completed. A Revised Final Facility Plan Report was submitted to the DEC. The final design of the throttling facility will be performed under the Newtown Creek WPCP upgrade contract. Regulator B1 Modifications will be performed under a Task Order Contract.	Contracts G, H and E have been awarded. A change order for the bulk head realignment. A Habitat Monitoring Plan was submitted to the NYSDEC for their review. Coordination between the Department's Bureaus continues for the site sewer connection. Aeration of Dutch Kills and East Branch will be performed under a new Contract NC-EK-IV.	A Draft ULURP application submitted to DEP. The RAP and HASP are under review by BEPA. BEPA submitted comments to the EAS and the Air Modeling Report. The Department directed URS to await the submission of the Newtown Creek LTCP prior to performing the additional work requested by BEPA.
Other Issues:	Requires coordination with WPCP planning and design requirements	NYCDEP site sewer permit is required. Approval of Habitat Monitoring Plan by NYSDEC is required.	Site approval (ULURP) and acquisition of property required. **As allowed by the Order, the current plan is subject to modifications by the Waterbody / Watershed Facility Plan**.

3.9. Westchester Creek CSO

The Westchester Creek CSO Facilities Planning area consists of the drainage area of CSO Outfall HP-014, which discharges at the head end of the Creek. Westchester Creek receives discharges from five CSO outfalls; however, discharges from CSO Outfall HP-014 were determined to be the primary cause of water quality degradation in the Creek. CSO Outfall HP-014 serves a drainage area of approximately 2,321 acres within the Hunts Point WPCP service area in the Borough of the Bronx. For this CSO planning area, the Waterbody / Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

The current Westchester Creek CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan recommendations, will be constructed in two phases with Phase I consisting of the facilities to divert the combined sewage to the CSO storage tank, as well as rehabilitation of an existing tide gate chamber, and Phase II consisting of the CSO storage tank. In addition to the facilities required for abatement at CSO Outfall HP-014, the DEP has agreed to provide, as part of the project, amenities for use by the Bronxchester and Van Nest Little Leagues that utilize the baseball fields adjacent to the site of the proposed CSO storage tank on the Bronx Psychiatric Center (BPC) Campus. These amenities consist of restroom facilities, a clubhouse facility, a parking lot to be located on top of the CSO storage tank, and fencing to separate the Little League facilities from the BPC Campus facilities and the DEP facilities. This section reports on the progress of the Little League restroom facilities, and Phases I and II of the Westchester Creek CSO Abatement Facilities Plan.

The Little League restroom facilities will be constructed under a separate contract referred to as the Site Preparation Contract in advance of the Phase I contract. Phase I includes construction of the diversion chamber in Eastchester Road, construction of the 2 MG CSO supply/storage conduit along Waters Place between the diversion chamber and the 10 MG CSO storage tank, and rehabilitation of the existing tide gate chamber located at CSO Outfall HP-014. Phase II includes construction of the 10 MG CSO storage tank in the southwest section of the BPC Campus, including an operations building to house operational units, construction of the Little League clubhouse facility and parking lot, and installation of the required fencing at the site.

Work Performed During This Quarter

Planning

- Site Acquisition at BPC Campus
  - Negotiations continued between New York City Department of City-Wide Administrative Services (DCAS) and the Dormitory Authority of the State of New York (DASNY) regarding acquisition of the site at the BPC Campus by the DEP for the CSO storage tank, and Little League restroom facilities and clubhouse facility.
  - **A Job Hazard Analysis Form for Hirani Engineering and Land Surveying to perform the required surveying to prepare a metes and bounds description of a permanent easement along the access road into the BPC Campus from Waters Place is under review by the DEP**. This easement, which will be from DASNY to the DEP, is

needed to serve as an emergency access route onto the northeast section of the project site, and will be included as a stipulation in the Contract of Sale for the site.

- **On February 14, 2007, a conference call was held, between representatives of DEP, DCAS and URS, to discuss issues regarding DASNY's desire to delay selling the site at the BPC Campus to the DEP for the CSO storage task.**

Design

- Site Preparation
  - Work to prepare the Site Preparation Contract for re-bidding remained on hold until the site at the BPC Campus is acquired by the DEP.
- Phase I – Influent Sewers
  - Design of the diversion chamber, supply/storage conduit and rehabilitation of the tide gate chamber continued.
- Phase II – CSO Storage Facility
  - Design of the CSO storage tank and Little League clubhouse facility continued.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Site Acquisition at BPC Campus
  - Site acquisition negotiations between DCAS and DASNY will continue.
  - **The surveying will be performed and the metes and bounds description will be prepared for the permanent easement along the access road into the BPC Campus from Waters Place.**
- Phase I – Influent Sewers
  - Design of Phase I facilities will continue.
- Phase II – CSO Storage Facility
  - Design of Phase II facilities will continue.

Table 13 – Westchester Creek CSO Project

Plan Elements:	Westchester Creek CSO Supply/Storage Conduit, CSO Storage Tank and Little League Amenities
Location:	Bronx Psychiatric Center Campus, and along Eastchester Road and Waters Place in the Bronx
Actions:	Design and construction of an underground CSO storage tank with a capacity of 12 MG (including the storage capacity within the supply/storage conduit) to provide abatement at CSO Outfall HP-014 on Westchester Creek; design and construction of an operations building; design and construction of amenities for the Bronxchester and Van Nest Little Leagues
Cost:	Under Revision
Status:	Negative Declaration issued for project; ULURP Application approved; design underway for CSO supply/storage conduit, CSO storage tank and clubhouse facility for Little Leagues; design complete for restroom facilities for Little Leagues
Other Issues:	Site needs to be acquired by DEP from the State of New York; licensing agreement between DEP and the Little Leagues needs to be finalized; NYC Building Permit Application, as well as other permit applications, need to be processed for restroom facilities for Little Leagues. As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan

3.10. Bronx River CSO

The modified CSO facilities plan for the Bronx River recommends that floatables control facilities be provided at CSO Outfalls HP-004, HP-007 and HP-009, within the Hunts Point WPCP drainage area, to minimize the discharge of unsightly floatable material. This modified plan eliminated the previously proposed 4 MG CSO storage facility due to limited benefits in the improvement of water quality in the Bronx River.

For CSO Outfall HP-004, which is located on the west bank of the Bronx River just north of the Cross Bronx Expressway and serves a drainage area of approximately 582 acres, the recommended floatables control facility consists of providing in-line netting within a new conduit located upstream of the outfall along West Farms Road. For CSO Outfall HP-007, which is located on the east bank of the Bronx River just north of the Sheridan Expressway and serves a drainage area of approximately 1,693 acres, the recommended floatables control facility consists of providing "COPA" screens within Regulators 27 and 27A located upstream of the outfall. For CSO Outfall HP-009, which is located on the east bank of the Bronx River near the confluence with the East River and serves a drainage area of approximately 436 acres, the recommended floatables control facility consists of providing in-line netting within Regulator 13, located within Soundview Park upstream of the outfall.

Work Performed During This Quarter

Planning

- **The draft ULURP Application for the floatables control facilities remained under review by the DEP, awaiting approval of the EAS for the floatables control facilities.**
- **In late March 2007, the draft EAS for the floatables control facilities was completed, and review of the EAS by the DEP was initiated.**

Design

- Design of the floatables control facilities continued. **In late January 2007, the drawings and specifications for the floatables control facilities were completed to the 30% level, and the DEP initiated review of these documents.**
- **In mid-March 2007, the draft Geotechnical Investigation Report for the floatables control facilities, based on the geotechnical borings drilled at the project site, was completed. Review of this draft report was initiated.**

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- *Planning*
  - The draft ULURP Application for the floatables control facilities will be reviewed by the DEP.
  - **The draft EAS for the floatables control facilities will be reviewed by the DEP.**
- *Design*
  - Design of the floatables control facilities will continue; **the drawings and specifications will be completed to the 60% level.**
  - **Review of the draft Geotechnical Investigation Report for the floatables control facilities sites will be completed.**

Table 14 – Bronx River CSO Project

Plan Elements:	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
Location:	New conduit (West Farms Road) upstream of CSO Outfall HP-004, Regulator 27 (Bronx Park Avenue) and Regulator 27A (Bronx Zoo) upstream of CSO Outfall HP-007, and Regulator 13 (Soundview Park) upstream of CSO Outfall HP-009
Actions:	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
Cost:	Under Revision
Status:	**Draft EAS for floatables control facilities under review;** draft ULURP Application for floatables control facilities under review; design of floatables control facilities underway
Other Issues:	EAS for floatables control facilities needs to be completed, approved and Negative Declaration issued; ULURP Application for floatables control facilities needs to be finalized, certified and approved

3.11. Hutchinson River CSO

The Hutchinson River CSO Facilities Planning area consists of the drainage areas of CSO Outfalls HP-023 and HP-024 in the Hunts Point WPCP drainage area. The Hutchinson River receives discharges from five CSO outfalls; however, discharges from CSO Outfalls HP-023 and HP-024 were determined to be the primary cause of water quality degradation in the River. CSO Outfall HP-023, which is located on the west bank of the Hutchinson River near the southern end of Conner Street, serves a drainage area of approximately 300 acres. CSO Outfall HP-024, which is located on the west bank of the Hutchinson River near the intersection of Boston Road and 233rd Street, serves a drainage area of approximately 1,100 acres. For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

The current Hutchinson River CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan, will be constructed in two phases with Phase I consisting of a 4 MG CSO storage tank to provide abatement at CSO Outfall HP-023 and Phase II a 3 MG CSO storage tank to provide abatement at CSO Outfall HP-024. This section reports on the progress of Phases I and II of the Hutchinson River CSO Abatement Facilities Plan.

Phase I includes construction of a southern 4 MG CSO storage tank to be located adjacent to the Hutchinson River wholly within the boundary limits of Public Place Site, which is land near the southern end of Conner Street currently controlled by the DPR. Phase II includes construction of a northern 3 MG CSO storage tank to be located adjacent to the Hutchinson River along Hutchinson Avenue on land currently owned by Pascap Export, Inc.

Work Performed During This Quarter

Design

- Phase I – 4 MG CSO Storage Tank
  - Design of the 4 MG CSO storage tank continued.
  - Review of the draft Geotechnical Investigation Report presenting the results of the geotechnical borings drilled at the storage tank site continued.
  - Review of the report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site continued.
- Phase II – 3 MG CSO Storage Tank
  - Design of the 3 MG CSO storage tank continued.
  - Review of the draft Geotechnical Investigation Report presenting the results of the geotechnical borings drilled at the storage tank site continued.
  - Review of the report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site continued.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Phase I – 4 MG CSO Storage Tank
  - Design of Phase I facilities will continue.
  - **Review of the Geotechnical Investigation Report will be completed.**
  - The report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site will be finalized.
- Phase II – 3 MG CSO Storage Tank
  - Design of Phase II facilities will continue.
  - **Review of the Geotechnical Investigation Report will be completed.**
  - The report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site will be finalized.

Table 15 – Hutchinson River CSO Project

Plan Elements:	Hutchinson River CSO Storage Facilities
Location:	City-owned property at southern end of Conner Street adjacent to Hutchinson River; privately-owned property along Hutchinson Avenue adjacent to Hutchinson River
Actions:	Design and construction of a 4 MG CSO storage tank and a 3 MG CSO storage tank to provide abatement at CSO Outfalls HP-023 and HP-024, respectively; rehabilitation of existing CSO Outfalls HP-023 and HP-024
Cost:	Under Revision
Status:	Preparation of EAS and ULURP Application being coordinated with the CSO Long-Term Control Plan; design underway
Other Issues:	EAS needs to be prepared, approved and Negative Declaration issued; ULURP Application needs to be prepared, certified and approved; sites for CSO storage facilities need to be acquired. As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan

3.12. Jamaica Bay CSO

The Jamaica Bay CSO Abatement Facility Plan addresses CSOs in the 26th Ward WPCP drainage area, specifically the CSO discharges to Fresh Creek, Hendrix St. Canal and Spring Creek, as well as other tributary waters with CSO discharges to Jamaica Bay. The Phased plan for the 26th Ward tributaries includes: Phase I includes cleaning of sewers in the 26th Ward drainage area and interim dredging of the head-end of Hendrix St Canal. Subsequent phases include development of waterbody/watershed plans for the 26th Ward tributaries under the Citywide Long Term Control Plan for CSO and expansion of the wet weather capacity of the 26th Ward WPCP by 50 mgd.

In addition to the facility plan recommendations, the existing Spring Creek Auxiliary WPCP is undergoing an upgrade. The project was developed under another program, but was subsequently listed as a recommended project in the Jamaica Bay CSO Abatement Facility Plan. **The Spring Creek AWPCP is a CSO facility that receives flow from the Autumn Avenue Regulator in Brooklyn and the 157th Avenue Regulator in Queens. The flow is conveyed to the plant through six barrels and is distributed to six basins. If stored flow reaches an elevation of 1.0, the four effluent sluice gates at the effluent end of the basins open, allowing flow to be discharged to Spring Creek.**

The key components of the Spring Creek Auxiliary WPCP upgrade include lowering the roof and providing enhanced HVAC and odor control systems, improved disinfection systems, and new basin wash down systems.

Work Performed During This Quarter

Design

- Cleaning of Certain Combined Sewers
  - **For the 26th Ward Drainage Area Sewer Cleaning and Evaluation project, contract documents including design drawings and technical specifications are being prepared.**
- Dredging
  - **For the Interim Dredging of CSO Sediments from the Hendrix Street Canal, contract documents to include design drawings and technical specifications continue to be developed.**
  - **Fieldwork was completed to determine the geotechnical properties of CSO sediments to remain following dredging, in order to allow for the design of a clean sand and gravel cap.**
  - **A bathymetric survey of the Canal from its head to its confluence with the open waters of Jamaica Bay was performed to update the survey performed in April 2005, in order that dredge volumes may be calculated. A copy of the Dredge Material Characterization Report was submitted to Mr. Steve Zahn of the NYSDEC for review.**

Construction

- Spring Creek Upgrade
  - Construction activities continued at the Spring Creek Auxiliary WPCP upgrade. **The Contractor installed the replacement stems and operators for the effluent sluice gates in Basins 1 and 2. Work is ongoing to initiate the startup of the odor control system, disinfection system, boilers, and generator in April.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Dredging
  - **Completion of Contract Documents associated with the interim dredging of CSO sediments from the Hendrix Street Canal.**
- Cleaning of Certain Combined Sewers
  - **Completion of Contract Documents associated with the 26th Ward Drainage Area Sewer Cleaning Project.**
- Spring Creek Upgrade
  - **The Contractor is targeting to have Basins 1 and 2 in operation in April 2007 but there are a number of issues that still need to be addressed.**
  - **Chemicals for the disinfection system have been received and the system will be tested under live conditions April 2007.**
  - **The Odor Control system has been completed and chemicals have been received. Start up of system will be initiated April 2007.**
  - **A boiler inspection, including gas piping, will be conducted and gas is expected to be turned on April 2007.**
  - **All basins are expected to be operational, including the cleaning systems.**
  - **Certification of beneficial use will be sent out to the DEC.**
  - **Submit WWOP and Interim Post Construction Compliance Monitoring Protocol to the DEC.**
  - **An investigation will be conducted into the barrel leak in April 2007 depending on flow in the system and forecasted rain events.**

Table 16 – Jamaica Bay CSO Project

Plan Elements:	Dredging	Cleaning of Certain Combined Sewers	Expansion of 26th Ward WPCP Capacity	Spring Creek Upgrade
Location:	Phase I- Interim dredging of Hendrix Street Canal	Phase I-Portions of sewers in Williams, Hegeman and Flatlands Avenues	Phase IV- 26th Ward WPCP, Brooklyn	Spring Creek, Brooklyn
Actions:	Contract documents for interim dredging currently being prepared	Contract documents complete	Increase wet weather capacity by 50 mgd	Upgrade of existing CSO facility
Project Cost:	$15 million	$4 Million	TBD	$87 Million
Status:	On Schedule.	On Schedule	Final Design Initiated	Under construction – 98% complete
Other Issues:	-	-	-	-

3.13. Citywide Comprehensive Floatables Plan

Work Performed During This Quarter

- During the **first** quarter of **2007**, setup and data collection tasks for the pilot floatables monitoring program continued**, as did data analysis related to the site-specific investigations conducted in late February and the incorporation of monitoring data collected by the Harbor Water Quality Survey crews during the reporting period.**

- **The first round of site-specific investigations for the three pilot program sites with the most persistent poor ratings (head of Dutch Kills, inlet east of Whale Creek on Newtown Creek, and Kill Van Kull off of Van Name Avenue) were conducted in February. The investigations included database reviews, literature reviews, and field observations. The purpose of the ongoing investigations is to characterize site conditions that may contribute to floatables and characterize the floatables and non-CSO debris present at the sites in order to gain insight as to the sources of debris.**

- **An additional public participation group was also approached to conduct monitoring during spring and summer months. The initial response has been positive; confirmation and coordination is scheduled in April.**

- **A brief description of the pilot program progress to date and the preliminary data analyses were included in the CSO BMP Annual Report submitted to the NYSDEC on April 1, 2007. Detailed backup documentation was also sent to the NYSDEC under separate cover on that date.**

- Overall, the pilot program has met all scheduled completion dates and is on target to further develop and refine monitoring, investigation, and data management procedures through the spring of 2007.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Continue pilot floatables monitoring program activities and related public involvement planning.

- **In April, follow-up, site-specific investigations are planned for the same three sites observed in February.**

4.0. Compliance Status

4.1. Unresolved Delays

See **Section 7.0**, Other Issues.

4.2. Compliance Charts

The following table summarizes the milestone dates developed in the draft Consent Order and updates available through September 2006:

Table 17 – Consent Order Milestone Dates

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
I. Alley Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Approvable Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Alley Creek Waterbody / Watershed Facility Plan Report	-	June 2007	100
2. Submit Approvable East River Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Outfall and Sewer System Improvements			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 2002	100
3. Notice to Proceed to Construction	Dec. 2002	-	100
4. Construction Completion	-	Dec. 2006	100
D. CSO Retention Facility			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2005	100
3. Notice to Proceed to Construction	Dec. 2006	-	100
4. Construction Completion	-	Dec. 2009	5%

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
E. Drainage Basin Specific LTCPs			
1. Submit Approvable Drainage Basin Specific LTCP for Alley Creek	-	6 mos. after approval of I.B.1.	50
2. Submit Approvable Drainage Basin Specific LTCP for East River	-	6 mos. after approval of I.B.2.	50
II. Outer Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Open Waters Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	April 2005	100
3. Notice to Proceed to Construction	Feb. 2006	-	100
4. Construction Completion	-	July 2008	40
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. Port Richmond Throttling Facility			
1. Initiate Final Design	June 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2005	100
3. Notice to Proceed to Construction	June 2006	-	100
4. Construction Completion	-	Dec. 2008	10
F. In-Line Storage			
1. Initiate Final Design	July 2005	-	N/A
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	N/A

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
3. Notice to Proceed to Construction	Aug. 2007	-	N/A
4. Construction Completion	-	Aug. 2010	N/A
G. Submit Approvable Drainage Basin Specific LTCP for Open Waters	-	Jan. 2008	50
III. Inner Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Gowanus Canal Waterbody / Watershed Facility Plan Report	-	June 2007	100
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Mar. 2000	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2002	100
3. Notice to Proceed to Construction	Feb. 2003	-	100
4. Construction Completion	-	Apr. 2006	100
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. In-Line Storage			
1. Initiate Final Design	July 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Aug. 2010	-
F. Submit Approvable Drainage Basin Specific LTCP for Gowanus Canal	-	Jan. 2008	50
IV. Paerdegat Basin CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	July 2002	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Paerdegat Basin Waterbody / Watershed Facility Plan Report	-	Mar. 2003	100
C. Influent Channel			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 1997	100
3. Notice to Proceed to Construction	Feb. 1999	-	100
4. Construction Completion	-	Feb. 2002	100
D. Foundations and Substructures			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2001	100
3. Notice to Proceed to Construction	June 2002	-	100
4. Construction Completion	-	Dec. 2006	96
E. Structures and Equipment			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2004	100
3. Notice to Proceed to Construction	Sept. 2005	-	100
4. Construction Completion	-	Aug. 2011	45
F. Submit Approvable Drainage Basin Specific LTCP for Paerdegat Basin	-	Nov. 2005	100
V. Flushing Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Flushing Bay Waterbody / Watershed Facility Plan Report	-	June 2007	90
2. Submit Approvable Flushing Creek Waterbody /	-	June 2007	90

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
Watershed Facility Plan Report			
C. CS4-1 Reroute and Construct Effluent Channel			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	June 1995	-	100
4. Construction Completion	-	June 1996	100
D. CS4-2 Relocate Ballfields			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	Apr. 1995	-	100
4. Construction Completion	-	Aug. 1995	100
E. CS4-3 Storage Tank			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1996	100
3. Notice to Proceed to Construction	July 1997	-	100
4. Construction Completion	-	Aug. 2001	100
F. CS4-4 Mechanical Structures - Initiate Final Design			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2000	100
3. Notice to Proceed to Construction	Mar. 2002	-	100
4. Construction Completion	-	Dec. 2004	98
G. CS4-5 Tide Gates			
1. Initiate Final Design	Aug. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 1999	100
3. Notice to Proceed to Construction	Dec. 2000	-	100
4. Construction Completion	-	Apr. 2002	100
H. CD-8 Manual Sluice Gates			
1. Final Design Completion Including CPM Analysis	-	May 2003	100
2. Notice to Proceed to Construction	Feb. 2004	-	100
3. Construction Completion	-	June 2005	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
I. Drainage Basin Specific LTCPs			
1. Submit Approvable Drainage Basin Specific LTCP for Flushing Bay	-	6 mos. after apprvl. of V.B.1.	50
2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek	-	6 mos. after apprvl. of V.B.2.	50
VI. Jamaica Tributaries CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	April 2003	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Bergen Basin Waterbody / Watershed Facility Plan Report	-	June 2007	90
2. Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Meadowmere & Warnerville DWO Abatement			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	May 2005	100
3. Notice to Proceed to Construction	Mar. 2006	-	100
4. Construction Completion	-	Mar. 2009	20
D. Expansion of Wet Weather Capacity of Jamaica WPCP			
1. Initiate final Design	June 2007	-	-
2. Submit Form 2A SPDES Application	-	June 2010	-
3. Final Design Completion Including CPM Analysis	-	June 2011	-
4. Notice to Proceed to Construction	June 2012	-	-
5. Construction Completion	-	June 2015	-
E. Destratification Facility			
1. Initiate Final Design	Jan. 2006	-	100
2. Final Design Completion Including CPM Analysis	-	Oct. 2006	100
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Dec. 2008	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
F. Laurelton and Springfield Blvd.			
1. Submit Drainage Plan for Storm Sewer Buildout	-	Jan. 2008	75
G. Regulator Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
H. Drainage Basin Specific LTCPs			
1. Submit Approvable Drainage Basin Specific LTCP for Bergen Basin	-	Aug. 2012	50
2. Submit Approvable Drainage Basin Specific LTCP for Thurston Basin	-	Aug. 2012	50
VII. Coney Island Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Coney Island Creek Waterbody / Watershed Facility Plan Report	-	June 2007	95
C. Avenue V Pumping Station Upgrade			
1. Initiate Final Design	April 1998	-	100
2. Final Design Completion including CPM Analysis	-	Jan. 2005	100
3. Notice to Proceed to Construction	Nov. 2005	-	100
4. Construction Completion	-	Apr. 2011	22
D. Avenue V Force Main			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2006	100
3. Notice to Proceed to Construction	July 2007	-	-
4. Construction Completion	-	June 2012	-
E. Submit Approvable Drainage Basin Specific LTCP for Coney Island Creek	-	Sept. 2007	50
VIII. Newtown Creek CSO			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Oct. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Newtown Creek Waterbody / Watershed Facility Plan Report	-	June 2007	85
C. Aeration Zone I			
1. Initiate Final Design	Mar. 2001	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2004	100
3. Notice to Proceed to Construction	Dec. 2005	-	100
4. Construction Completion	-	Dec. 2008	<1
D. Aeration Zone II			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2010	-
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2014	-
E. Relief Sewer / Regulator Modification			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2009	-
3. Notice to Proceed to Construction	June 2010		-
4. Construction Completion	-	June 2014	-
F. Throttling Facility			
1. Initiate Final Design	Dec. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2008	-
3. Notice to Proceed to Construction	June 2009	-	-
4. Construction Completion	-	Dec. 2012	-
G. CSO Storage Facility			
1. Initiate Final Design	Nov. 2010	-	-
2. Submit Form 2A SPDES Application	-	Nov. 2013	-
3. Final Design Completion Including CPM Analysis	-	Nov. 2014	-
4. Notice to Proceed to Construction	Dec. 2015	-	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
5. Construction Completion	-	Dec. 2022	-
H. Submit Approvable Drainage Basin Specific LTCP for Newtown Creek	-	Feb. 2016	30
IX. Westchester Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Westchester Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	90
C. Phase I (Influent Sewers)			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	20
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. CSO Storage Facility			
1. Notice to Proceed to Construction	Dec. 2015	-	-
2. Construction Completion	-	Dec. 2022	-
E. Submit Approvable Drainage Basin Specific LTCP for Westchester Creek	-	Feb. 2016	40
X. Bronx River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Sept. 2003	100
2. Submit Additional Modified Facility Plan Report	-	Mar. 2004	100
3. Submit Form 2A SPDES Application	-	July 2007	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Bronx River Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Floatables Control			
1. Initiate Final Design	Jan. 2006	-	100
2. Final Design Completion Including CPM Analysis	-	July 2008	30

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
3. Notice to Proceed to Construction	June 2009	-	-
4. Construction Completion	-	June 2012	-
D. Submit Approvable Drainage Basin Specific LTCP for Bronx River	-	Aug. 2009	50
XI. Hutchinson River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	July 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Hutchinson River Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Phase I of the Storage Facility			
1. Initiate Final Design	Apr. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	10
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. Future Phases			
1. Notice to Proceed to Construction	Dec. 2016	-	-
2. Construction Completion	-	Dec. 2023	-
E. Submit Approvable Drainage Basin Specific LTCP for Hutchinson River	-	Feb. 2017	40
XII. Jamaica Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Jamaica Bay Waterbody / Watershed Facility Plan Report	-	June 2007	90
2. Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report	-	June 2007	90
3. Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report	-	June 2007	90
4. Submit Approvable Hendrix Creek Waterbody /	-	June 2007	90

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
Watershed Facility Plan Report			
C. Spring Creek AWPCP Upgrade			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2002	100
3. Submit Form 2A SPDES Application	-	June 2003	100
4. Notice to Proceed to Construction	Mar. 2003	-	100
5. Construction Completion	-	April 2007	98
D. 26th Ward Drainage Area Sewer Cleaning and Evaluation			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	June 2007	95
3. Notice to Proceed to Construction	-	June 2008	-
4. Construction Completion	-	June 2010	-
E. Hendrix Creek Dredging			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	June 2007	80
3. Notice to Proceed to Construction	-	June 2008	-
4. Construction Completion	-	June 2010	-
F. 26th Ward Wet Weather Expansion			
1. Initiate Final Design	June 2006	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	10
3. Submit Form 2A SPDES Application	-	June 2009	-
4. Notice to Proceed to Construction	June 2011	-	-
5. Construction Completion	-	Dec. 2015	-
G. Drainage Basin Specific Long Term Control Plans			
1. Submit Approvable Drainage Basin Specific LTCP for Jamaica Bay	-	Aug. 2012	50
2. Submit Approvable Drainage Basin Specific LTCP for Spring Creek	-	Aug. 2012	50
3. Submit Approvable Drainage Basin Specific LTCP for Fresh Creek	-	Aug. 2012	50
4. Submit Approvable Drainage Basin Specific LTCP for Hendrix Creek	-	Aug. 2012	50

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
XIII. Citywide Comprehensive Floatables Plan			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2004	100
XIV. Submit Approvable City-Wide LTCP			
	-	Dec 2017	-

5.0. Community Relations

5.1. Activities During the Reporting Period

The sixth Open Water LTCP CSO CAC meeting was held January 10, 2007. During the meeting, the CAC members were:

- **Updated on Tributary Stakeholder activities,**
- **Given a presentation on the Open Waters Waterbody/Watershed Plan Waterbody Characteristics and Waterbody Improvement Projects**
- **Update on Ongoing Alternatives Evaluations**
- **Given a presentation on the CSO Public Notification process**

The seventh Open Water LTCP CSO CAC meeting was held March 14, 2007. During the meeting, the CAC members were:

- **Given a Low Impact Development Report**
- **Updated on Public Participation After June 2007**
- **Updated on the Open Waters Waterbody/Watershed Plan, including Alternatives Evaluation and the Recommended Plan**

Several Stakeholder Team meetings were held this quarter:

- **The third Jamaica Bay Stakeholder Team Meeting was held January 11, 2007.**
- **The third Bronx River Stakeholder Team Meeting was held February 8, 2007.**
- **The third Newtown Creek Stakeholder Team Meeting was held March 21, 2007.**
- **The fourth Flushing Bay and Creek Stakeholder Team Meeting was held March 28, 2007**.

The public participation program will continue to be consistent with EPA's CSO Control Policy which requires public participation and input to the process.

5.2. Activities Anticipated for Next Quarter

- **The third Westchester Creek and Hutchinson River Stakeholder Team Meeting will be held May 8, 2007.**
- **The fourth Jamaica Bay Stakeholder Team Meeting is scheduled for May 17, 2007.**
- **The fourth Newtown Creek Stakeholder Team Meeting will be held May 23, 2007.**
- **The fifth Flushing Bay and Creek Stakeholder Team Meeting will be held June 6, 2007**.
- **The eighth Open Water LTCP CSO CAC meeting is scheduled for May 16, 2007.**

6.0. Key Personnel Changes

At this time, there are no major changes in key project personnel to report.

7.0. Other Issues

As identified in the report, the following issues may materially affect the work required by this Order:

1. Paerdegat Basin CSO

DEP submitted a written request for modification of a milestone date related to the construction completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. The request was made 60 days prior to the milestone, as requested by the Order. The request was based on poor performance by the contractor and a new milestone date of February 2008 was proposed. **On January 2, 2007, DEC issued an NOV for this milestone. DEP is considering defaulting the current contractor due to lack of performance.**

2. Flushing Bay CSO

DEP submitted a written notice of a "force majeure" event to DEC on September 24, 2004. This event has affected compliance with the construction completion milestone date of December 2004 for Flushing Bay CS4-4 contract work (Mechanical Structures).

3. Jamaica Tributaries CSO

The property owner for the Destratification Facility refused to move forward on the site identified and would not co-sign the ULURP application or sell the site identified for the destratification facility. Negotiations continued with the owner on an alternative site identified on the same lot upon which to locate the facility. **A revised ULURP has been certified and is under public review. Final design contract documents are being prepared to reflect the new site.** This will lead to a delay in the bidding and construction of this work.

4. Coney Island Creek CSO

DEP received bids for the forcemain work (PS-79F Contract) on March 22, 2007. The bids received exceeded the engineer's estimate. This has led to a delay in awarding the project since an increase in funding must be approved by the NYC Office of Management and Budget. DEP is working toward meeting the Consent Order milestone date of July 2007 for the Notice to Proceed to Construction, however the request for additional funding must be approved prior to awarding the project and this may prevent achieving its NTP milestone of July 2007.

5. Jamaica Bay CSO

Sluice Gates – The contractor will be re-installing the original stems and operators to the effluent sluice gates in Basins 1 and 2 to get the system in operation by April 2007. The new stems that were originally provided were under sized and need to be re-fabricated in accordance with the specification. The sluice gates in Basins 3 through 6 will operate allowing the facility to overflow when the volume of the facility is exceeded. The operation of Basins 1 and 2 along with Basins 3 through 6 will provide the full plant storage capacity. With all 6 basins in operation, flows will enter and be held within the basins up to elevation 1.0. At this elevation, the sluice gates in Basins 3 through 6 will open to allow flow out. Flow from Basins 1 and 2 can flow back through the barrels to Basins 3

through 6. Once the flow in the collection system drops, the stored flow within the basins and barrels flows back by gravity to the Autumn Avenue regulator and is directed to the 26th Ward WPCP. Flow below elevation -7.0 is retained within the basins and is pumped back to the Autumn Avenue regulator during cleaning operations. The six basins will be cleaned after each storm to provide the maximum storage within the basins.

5. Inner Harbor

DEP received bids for the In-line Storage Facilities on March 21, 2007. The low bidder, whose bid was within the engineer's estimate for the construction work, withdrew his bid. The second lowest bidder was recommended for award of the work. However, his bid was above the engineer's estimate, necessitating a request for additional funding from the NYC Office of Management and Budget. DEP is working toward meeting the Consent Order milestone date of August 2007 for the Notice to Proceed to construction. However, the request for additional funding must be approved to award the project and this may delay the NTP date.

8.0. Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific LTCP development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved. The Order specifies that the following elements shall be addressed: (1) Characterization, Monitoring, and Modeling of the Combined Sewer System; (2) Public Participation; (3) Consideration of Sensitive Areas; (4) Evaluation of Alternatives; (5) Cost/Performance Considerations; (6) Operational Plan; (7) Maximizing Treatment at the Existing WPCP Treatment Plant; (8) Implementation Schedule; and (9) Post Construction Compliance Monitoring.

During the 4th Quarter of 2006 and the 1st Quarter of 2007, all of the waterbody plans were under development. The Paerdegat Basin LTCP public comment period closed with the response to public comments. The Gowanus Canal Waterbody/Watershed Facility Plan (WB/WS Plan) and the Alley Creek and Little Neck Bay WB/WS Plan were submitted to DEC for review. All remaining WB/WS Plans are anticipated to be submitted to DEC for during the next quarter.

Table 18: WB/WS Plans Submittal Dates

WB/WS Plan	Target Date for Submittal	Consent Order Date
Alley Creek	Submitted	June 2007
Bronx River	June 2007	June 2007
Coney Island Creek	May 2007	June 2007
East River, Open Waters	June 2007	June 2007
Flushing Bay, Flushing Creek	June 2007	June 2007
Gowanus Canal	Submitted	June 2007
Hutchinson River	June 2007	June 2007
Jamaica Bay, Bergen Basin, Fresh Creek, Hendrix Creek, Spring Creek, Thurston Basin	June 2007	June 2007
Newtown Creek	June 2007	June 2007
Paerdegat Basin	Submitted, Approved	June 2007
Westchester Creek	June 2007	June 2007

The table below presents the status of completion of the nine elements of an LTCP for each waterbody.

Table 19: Completion Status of LTCP Elements

Waterbody	Percent Completion of Each LTCP Element								
	1	2	3	4	5	6	7	8	9
	CSS Characterization	Public Participation	Sensitive Areas	Alternatives Evaluation	Cost / Performance	Operational Plan	Maximizing WPCP Treatment	Implementation Schedule	Post-Construction Monitoring
Alley Creek	100	100	100	100	100	100	100	100	100
Bergen Basin	90	75	90	90	90	90	90	50	75
Bronx River	90	90	90	90	90	90	90	90	90
Coney Island Creek	90	90	90	90	90	90	90	90	90
East River	90	90	90	90	90	90	90	90	75
Flushing Bay	90	75	90	90	90	75	90	75	75
Flushing Creek	90	75	90	90	90	75	90	75	75
Fresh Creek	90	75	90	90	90	90	90	50	75
Gowanus Canal	100	100	100	100	100	100	100	100	100
Hendrix Creek	90	75	90	90	90	90	90	50	75
Hutchinson River	90	50	90	90	90	90	90	90	90
Jamaica Bay	90	75	90	90	90	90	90	50	75
Newtown Creek	90	75	90	75	75	75	75	50	75
Open Waters	90	90	90	90	90	90	90	90	75
Paerdegat Basin	100	100	100	100	100	100	100	100	100
Spring Creek	90	75	90	90	90	90	90	50	75
Thurston Basin	90	75	90	90	90	90	90	50	75
Westchester Creek	90	50	90	90	90	90	90	90	90

100% indicates that the documentation has been submitted to DEC; 90% indicates that documentation is complete in draft form; 75% indicates that the technical work is substantially complete but is undocumented; 50% indicates that the technical work is ongoing.

APPENDIX A

CONSENT ORDER CERTIFICATION LETTERS

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Commissioner

Alfonso R. Lopez, P.E.
Deputy Commissioner

Bureau of Engineering Design & Construction

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January 26, 2007

Mr. Joseph DiMura, P.E.
Director
Bureau of Compliance
New York State Department of
Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3500

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Initiation of Final Design for the Jamaica Bay CSO: 26th Ward Drainage Area Sewer Cleaning and Evaluation, Hendrix Creek Dredging

Dear Mr. DiMura:

In accordance with Section III F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the following milestones contained in Appendix A of the Order:

- Milestone XII, D, 1 for the initiation of final design of the 26th Ward Drainage Area Sewer Cleaning and Evaluation.

- Milestone XII, E, 1 for the initiation of final design of the Hendrix Creek Dredging.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

cc: Sandra Allen
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