

**New York City Department of Environmental Protection
Bureau of Water Supply**

**Filtration Avoidance 6.1 Enforcement Actions
For the period April 1, 2017 through September 30, 2017**

October 2017

*Prepared in accordance with Section 6.1 of the NYSDOH
Revised 2007 Filtration Avoidance Determination*



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1. Introduction

Encompassing eight counties and 71 towns and villages, the New York City watershed is an apolitically, economically and geographically diverse landscape, covering nearly 2,000 square miles. Protecting this watershed is the responsibility of the New York City Department of Environmental Protection's Bureau of Water Supply (the Bureau). To ensure that the high quality of the water is sustained and the sources of the water are protected, the Bureau has developed an aggressive enforcement program both in the field and through the legal system. Enforcement activities of the engineers, field staff, police and legal departments responsible for the protection of the watershed are detailed in this bi-annual report.

This report, covering enforcement actions from April 1, 2017 through September 30, 2017, first presents an overview of the responsibilities of the division: Regulatory and Engineering Programs which is within the Bureau and charged with oversight of enforcement activities. Next, the report addresses specific enforcement actions that occurred during the above mentioned reporting period. Included are new violations and updates on ongoing violations. The report is divided into sections relating to the areas covered. The **West of Hudson** (WOH) area is comprised of the following basins: Ashokan and Schoharie in the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Further included are those portions of the **East of Hudson** (EOH) area comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.¹ Within each of these sections, the enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), subsurface sewage treatment systems (SSTSs), stormwater and erosion control structures, as well as other activities, such as solid waste management facilities. In addition, individual police actions are included. The final section is devoted to the Kensico Spill Response activities, including specialized Haz Mat training.

2. Enforcement Responsibilities

The Bureau is charged with implementation of *New York City's Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The Watershed Regulations identify activities that are prohibited in the watershed as well as those that require New York City Department of Environmental Protection (DEP) review and approval. Among activities that require such review and approval are the construction of new or the alteration of existing WWTPs and new or altered SSTSs. Stormwater pollution prevention plans (SWPPPs) for projects involving impervious surfaces within certain limiting distances or exceeding certain land disturbance thresholds are also subject to DEP review and approval.

¹ As used in this report, the term East of Hudson (EOH) refers only to projects, permits or approvals for activities located in the West Branch, Boyd Corners, Croton Falls, Cross River or Kensico basins, the basins relevant to the Filtration Avoidance Determination. This report does not describe the Bureau's activities in the basins of other EOH reservoirs that serve exclusively as portions of the Croton water supply system.

Following the approval of proposed regulated activities, those activities are monitored to assure compliance with the conditions of the approval, the Watershed Regulations and any applicable state or federal laws. The Bureau also conducts inspections throughout the watershed to ensure that any violations of the Watershed Regulations or state or federal law are identified and reported. Citizen complaints are also investigated, and the Bureau works with DEP's Office of the General Counsel and the New York City Law Department to resolve any violations or enforcement actions. If an enforcement action is commenced, the Bureau will monitor the activity for compliance with the terms of the consent order or other enforcement document. Enforcement actions may include Compliance Conferences, Notices of Violation (NOVs), summonses for violations of the New York State Environmental Conservation Law (ECL), or Clean Water Act citizen suits. The Bureau always endeavors to correct the violation in the most expeditious and effective manner.

The next sub-sections provide an overview of the specific responsibilities of the Regulatory and Engineering Programs (REP) division (within the Bureau) and the responsibilities specific to the sections and groups within this division that work effortlessly to enforce the appropriate laws and regulations. In addition to the REP division and its sections and groups mentioned, the Bureau's Division of Water Quality (WQ) supports the enforcement efforts by monitoring water quality throughout the watershed and alerting other divisions of any potential water quality violations. Also, the Bureau coordinates with various other agencies on enforcement issues; including the New York State Departments of Health (DOH) and the Department of Environmental Conservation (DEC), the United States Environmental Protection Agency (EPA), the office of the Watershed Inspector General, as well as county and local law enforcement and health agencies.

2.1. The Regulatory & Engineering Programs Division

The Regulatory & Engineering Programs division is divided into two (2) sections: Wastewater Treatment Programs and Stormwater Programs. Both of these sections consist of a Compliance and Inspection group. The entire Regulatory & Engineering Programs staff is critical to the effective enforcement of the Watershed Regulations and other environmental laws and regulations. The Regulatory & Engineering Programs staff has primary responsibility for the review and approval of regulated activities within the NYC Watershed to assure that these activities are designed and constructed in accordance with the Watershed Regulations. Once facilities are constructed, the REP staff inspects the construction sites, and responds to complaints of possible violations. If the staff confirms violations and the violations are not immediately resolved, staff may provide the necessary documentation to support issuance of a Notice of Violation (NOV) or other enforcement action. At the conclusion of any enforcement actions, REP staff conduct inspections again to assure that the work is corrected in accordance with appropriate regulations and the terms of any NOVs, consent order or other enforcement document.

2.1.1. Wastewater Treatment Programs

This section reviews and approves sewer systems, WWTPs and SSTs, which are regulated by the Watershed Regulations. In addition to the review of wastewater treatment systems, staff are also responsible for the review of the construction or alteration of all wastewater treatment systems having either surface or subsurface discharges. Engineering reports and facility plans for wastewater treatment systems are reviewed and conservative technical standards are applied to

all new and/or reconstructed facilities prior to approval. The Wastewater Treatment Programs staff is responsible for the investigation of reported commercial septic system failures and some residential SSTs, including dye testing and the review and approval of remediation plans. When it is determined that a system is in failure, a formalized NOV/Notice of Failure (NOF) procedure will be initiated. Also, before an NOV is served, DEP's Office of the General Counsel and the New York City Law Department are notified, and they closely monitor steps taken to remediate the failed systems should court prosecution become necessary. Other environmental violations may be documented and forwarded to other divisions within the Bureau for corrective action or further investigation and/or legal action.

There are several existing or proposed programs funded by DEP that either pay for the remediation of SSTs in failure or likely to fail, or pay for the review and approval of the remediation within certain areas of the watershed. The Catskill Watershed Corporation (CWC) "Septic Rehabilitation and Replacement Program" funds the remediation (design and construction) of individual SSTs that are in failure or likely to fail and are located within eligible priority areas. Per the 2007 FAD, the program was expanded to include small businesses and cluster systems. The CWC solicits property owners within the eligible areas, inspects the site and makes the necessary SST improvements. The review and approval of these repairs is performed by DEP, and progress is tracked by DEP and entered in the REP database. This Program is reported in the FAD Report 3.1 "Septic Rehabilitation and Replacement Program."

DEP has a delegation agreement with Putnam County Health Department that includes the review and approval of SST repairs by Putnam County. The delegation agreement for repairs includes the review and approval of failing commercial and individual SSTs. The existing Putnam County Sanitary Code requires that a permit be issued by the County for all repairs or modifications to any SST. Before DEP and Putnam County entered into the delegation agreement for repairs, DEP did not consistently have the opportunity to review and approve repairs and modifications in Putnam County. Under the revised delegation agreement, the County reviews and approves repairs in accordance with the Watershed Regulations. These repairs are tracked by DEP as applications received and approved, and are reported within the FAD Report 6.1.1, Section 3.5, "Individual Septic System Review."

Putnam County initiated a Septic Repair Program in 2005 for the design and construction of failing SSTs within critical areas of Putnam County. Funding for this program is through the EOH Water Quality Investment Program fund which was provided by DEP through the 1997 MOA. This, like the CWC program, is a voluntary program, and has included priority areas based on distances to watercourses and reservoirs. Putnam County has separate staff to administer the program. All repair plans must be reviewed and approved by the Putnam County Health Department. The Putnam County Septic Repair Program is discussed in the FAD Report 4.9.

The existing Westchester County Health Department Delegation Agreement with DEP has been revised to cover the review and approval of failing SSTs in Westchester County. Westchester County has revised its sanitary code to require review and approval of all repairs and modifications, including changes of use for all SSTs.

As many of the above described programs are voluntary, DEP does not pursue enforcement actions on failing SSTs where the owners are eligible for funding under the above mentioned programs to encourage owners to participate and to self-report failures. DEP expects that pursuing enforcement actions in such cases would reduce the overall number of failing SSTs being detected or repaired and thus reduce the water quality benefits and effectiveness of these programs. DEP continues to issue NOVs and to pursue appropriate enforcement when it identifies failing SSTs that are not covered under these voluntary programs or where progress, while in the program, has not moved forward. This semi-annual FAD Report is a summary of these NOVs.

2.1.1.1. SSTs Regulatory Compliance and Inspection Group (located only WOH)

This group consists of the Field Staff in field offices located within the WOH Watershed. The Field Staff's responsibilities include individual household septic system site evaluations; pre-application conferences; soils tests; construction inspections; and enforcing the Watershed Regulations for individual residential SSTs. The SSTs Regulatory Compliance and Inspection Staff are responsible for the investigation of reported residential septic system failures, including dye testing and follow up activities. When it is determined that a septic system is in failure, DEP monitors the progress and if, the homeowner does not make the appropriate effort for the repair to occur, an NOV is issued. Also before an NOV is served, DEP's Office of the General Counsel and the New York City Law Department are notified, and they closely monitor steps taken to remediate the failed systems should court prosecution become necessary. Other environmental violations may be documented and forwarded to other divisions within the Bureau for corrective action or further investigation and/or legal action.

2.1.1.2. Wastewater Treatment Plant Compliance and Inspection Group

The Wastewater Treatment Plant Compliance and Inspection staff is responsible for quarterly and semi-annual inspections of all the existing WWTPs within the watershed, providing technical assistance to many of the WWTP operators to improve treatment operations and follow up on all wastewater spills from sewer collection systems, pump stations and WWTPs. This group is further responsible for the review and approval of WWTPs undergoing modification in accordance with the Wastewater Upgrade Program (MOA 141). The Upgrade Program activities of this group are reported within the FAD Report 3.4. The enforcement activities at the existing WWTPs in the watershed are reported in the FAD Report 6.2.

2.1.2. Stormwater Programs Section

This section reviews Stormwater Pollution Prevention Plans (SWPPPs); impervious surface construction; non-point source discharges; and wetland protection, as well as applications pending before state and federal agencies for projects with the potential to affect water quality within the NYC watershed. These potential harmful activities include stream crossings, wetland incursions, mining operations and timber harvests. For projects requiring review and approval under the Watershed Regulations, DEP reviews engineering reports for impervious surfaces and SWPPPs for all new and/or reconstructed sites and applies conservative technical standards. For projects requiring approvals from other governmental agencies, DEP provides comments regarding potential water quality impacts and mitigation strategies.

2.1.2.1 Stormwater Compliance & Inspection Group

The staff of this group monitor construction sites to ensure compliance with approved SWPPPs. This group also initiates enforcement actions when there is site construction or the creation of impervious surfaces without a DEP approved SWPPP. This group issues NOV's with the assistance of the Stormwater Programs section, DEP's Office of the General Counsel and the New York City Law Department. The DEP's Office of the General Counsel and the New York City Law Department closely monitor steps taken to remediate the violation should court prosecution become necessary. DEP and DEC hold compliance conferences with the applicants as needed for the remediation of individual sites. On a semi-annual basis, DEP, DEC, EPA, DOH and NYS Attorney General's Office hold coordination meetings on all stormwater violations.

2.1.3. SEQRA Coordination Section

The SEQRA Coordination Section was relocated to the Division Chief of REP in August 2013 to facilitate coordination with other divisions within the Bureau and with other DEP Bureaus. The SEQRA Coordination Section ensures that the Bureau's responsibilities as an Involved Agency under SEQRA are fully complied with and properly documented. Comments concerning applications submitted under SEQRA are submitted to the designated Lead Agencies. If DEP is the designated Lead Agency for projects undertaken, funded, or approved by NYC, the section ensures that all necessary procedures and protocols are established and then, followed. Activities of this section are not included in this report. The SEQRA activity will continue to be reported within the FAD Report 6.1.1.

2.2. DEP Police

DEP Environmental Police are responsible for protection of NYC's water supply infrastructure and the detection of potential threats to water quality throughout the watershed. Their jurisdiction includes water supply facilities in the five (5) boroughs of NYC, in addition to the portions of the watershed and the water supply system in the counties of: Westchester, Putnam, Dutchess, Orange, Ulster, Delaware, Sullivan, Greene and Schoharie. Their primary mission is to protect the water supply, the environment, and the population in the watershed from pollution, crime and terrorism. There are seven (7) police precincts which are located in: Gilboa, Downsville, Beerston, Olive, Grahamsville, Yorktown and Yonkers.

DEP Police is organized into three (3) major divisions. The largest, the Environmental Enforcement Division, is responsible for all patrol operations, protective functions and short-term investigations relating to environmental and criminal complaints.

The Detective Bureau and Intelligence Division is responsible for all long-term investigations relating to pollution, crime and terrorism.

The Special Operations Division includes the Special Projects unit responsible for construction project security considerations; and the Aviation Unit, responsible for aerial surveillance of the watershed. In addition, the Special Operations Division is responsible for the Environmental Police Academy, which trains DEP Police recruits in law enforcement techniques. The Environmental Police Academy now includes 305 hours of training in environmental law. The Special Operations Division also provides ongoing training to seasoned officers to update their knowledge and develop new skills, and updates the policies and procedures within the Police

Department. It also ensures accreditation through the NYS Division of Criminal Justice Services.

The redeployment of the former Protection Section staff has increased the responsibility of the DEP Environmental Police to ensure the detection and the adequate and timely response to stormwater, WWTP, septic system and other environmental violations. The Environmental Police are frequently utilized by other divisions within the Bureau to investigate and issue NOVs, summons, and where warranted, violations of the NYS ECL. Close coordination between the Regulatory & Engineering Programs Division and DEP Environmental Police is necessary to ensure that proper and adequate actions are taken when violations of environmental laws or regulations are discovered.

2.3. DEP's Office of the General Counsel

DEP's Office of the General Counsel (DEP Legal) provides legal support for the enforcement of the Watershed Regulations and, among other laws, the State Environmental Quality Review Act (SEQRA) to ensure complete environmental review of proposed developments. When DEP's regulatory authority or a specific decision is challenged, DEP Legal, together with the New York City Law Department, promotes and defends such authority or decision. Also, prior to the issuance of an NOV, DEP Legal reviews the NOV to ensure that all pertinent legal issues have been included and documented. Additionally, DEP Legal renders legal opinions, interpretations, and advice on enforcement matters to all divisions of the Bureau.

2.4. New York City Law Department

The New York City Law Department, in conjunction with DEP Legal, may enter into formal negotiations with alleged violators, and, when necessary, undertake legal action. NYC can take actions under, among other laws: the State Public Health Law, to enforce the Watershed Regulations; the federal Clean Water Act, to bring SPDES violators into compliance; or SEQRA, to require appropriate environmental review of proposed developments. Actions may also be taken to affirm DEP's role in development planning and review as an Involved Agency under SEQRA. The New York City Law Department also defends, where necessary, regulatory decisions rendered by the Divisions within the Bureau. The New York City Law Department also renders legal opinions, interpretations and advice on enforcement matters to all divisions of the Bureau.

3. Specific Enforcement Actions

3.1. Subsurface Treatment Systems and Stormwater

The following tables were established as a summary of the Individual SSTS violations by town for the Catskill, Delaware, West Branch, Boyd Corners, Croton Falls, Cross River and Kensico Basins. The cumulative totals include the past six month's count. The cumulative information in the tables includes violations dating back to 1995.

Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	38		32		33	
CONESVILLE	13		10		10	
GILBOA	19		15		17	
HUNTER	116		86		94	2
HUNTER (V)	17		9		10	
HURLEY	49		48		47	
JEWETT	51		47		50	
LEXINGTON	48		45		46	
OLIVE	196		166	1	172	1
PRATTSVILLE	32	1	23		30	
ROXBURY	31		23		27	
SHANDAKEN	145		132		140	
TANNERSVILLE (V)	7		2		7	
WINDHAM	83		66		80	
WOODSTOCK	61		53		51	
Total	906	1	757	1	814	3

Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	83		751		74	
ANDES (V)	4		2		2	
BOVINA	36	1	33	1	33	
COLCHESTER	4		5		7	
DELHI	71		65		74	1
DELHI (V)	3		2		2	
DENNING	34		33		31	
FALLSBURGH	6		4		4	
FLEISCHMANN (V)	1		1		0	
FRANKLIN	6		4		4	
HALCOT	7		7		7	
HAMDEN	33	1	29		29	
HARDENBURGH	12		10		12	
HARPERSFIELD	8		6		6	
JEFFERSON	6		6		6	
KORTRIGHT	64		54		61	

LIBERTY	1		1		1	
MASONVILLE	13		10		10	
MEREDITH	21		19		19	
MIDDLETOWN	118	1	105		110	
NEVERSINK	223	1	188		201	
ROCHESTER	1		1		1	
ROXBURY	34		29		37	1
STAMFORD	36		34		35	
TOMPKINS	42		37		40	
WALTON	93		86		82	
WALTON (V)	1		1		1	
WAWARSING	35		32		30	
Total	996	4	1,555	1	919	2

West Branch, Boyd Corners, Croton Falls, Cross River Basins

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
CARMEL	11		10		13	
EAST FISHKILL	1		0		0	
KENT	4		4		4	
PUTNAM VALLEY	0		0		0	
TOTAL	16	0	14	0	17	0

Kensico Basin

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
GREENWICH CT.	0		0		0	
HARRISON	1		0		0	
MT. PLEASANT	0		0		0	
NEW CASTLE	1		1		1	
NORTH CASTLE	3		1		1	
TOTAL	5	0	2	0	2	0

3.1.1. Catskill District

Project Name: 231 Bear Kill Road (2005-SC-1143)
Town: Conesville
Basin: Schoharie
Type of Use: Septic System (SS)
Type of Violation: New SSTS; NOV for failure to construct an SSTS.
Discovery Date: 12/11/2012
Status: Under Construction

Overview and Action:

DEP issued an NOV to the owner on 3/21/13. DEP called the owner on 4/5/13 to discuss the recently issued NOC and his schedule to start construction. The owner stated that he wanted to start construction this year. DEP performed a site visit on 4/30/13; septic failure was not observed. DEP called the owner on 6/11/13 requesting a status update on the construction schedule. DEP performed a site visit on 7/31/13; there was no visible effluent. The trailer appears to be rarely used. DEP called the owner on 9/11/13 requesting construction schedule. DEP called the owner on 10/10/13 stating that the project will be referred to DEP Legal if a commitment is not received. DEP Legal issued a letter to the owner on 11/12/13 requesting that the SSTS be completed by 12/31/13, weather permitting. DEP performed a site visit on 11/18/13; septic failure was not observed. DEP Legal spoke with the owner on 1/24/14. He is not using the trailer and there is no heat on the property and it is closed for the winter. DEP performed site visits on 5/2/14 and 6/2/14; septic failure was not observed. The site does not appear to be used as there was no visible car traffic or lawn maintenance. DEP performed a site visit on 7/8/14 and 8/21/14; septic failure was not observed. There was no visible effluent and no sign that the trailer is being used. DEP performed a site visit on 11/20/14; septic failure was not observed. There is very little sign of inhabitation. The driveway is in a hay field and there are no recent tracks and no visible failure or signs of pumping. DEP performed a site visit on 12/24/14; septic failure was not observed and there was no sign of use. DEP performed a site visit on 2/13/15; septic failure was not observed. The trailer is not being used. DEP performed a site visit on 6/25/15; septic failure was not observed. There was no sign that the trailer has been inhabited and three feet of grass was in the driveway. DEP performed a site visit on 10/9/15; septic failure was not observed; a tank was installed but the field was never constructed; there is no sign of the trailer being used, the lawn is unkempt, and there is no sign of any traffic on the grass driveway. DEP performed a site visit on 10/28/15; septic failure was not observed; there is no sign of the trailer being used and there are no vehicle tracks into the lot. DEP performed a site visit on 2/24/16; septic failure was not observed; there is no sign of the trailer being used. DEP performed a site visit on 9/9/16; septic failure was not observed and there is no sign that the trailer is being used; the lawn is unkempt and there are no tracks in the field. DEP performed a site visit on 3/8/17; septic failure was not observed and there was no sign of inhabitation. DEP performed a site visit on 9/6/17; septic failure was not observed. There was no sign of anyone using the dwelling.

Project Name: Windy Ridge Rd (2016-SC-0377)
Town: Hunter
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: DEP NOV for a site disturbance; also DEC NOV.

Discovery Date: 7/8/16
Status: Closed

Overview and Action:

DEP initiated an Enforcement Action on 7/8/16. DEP issued an NOV on 7/8/16 for a site disturbance violation. DEP received a phone call from the owner responding to the NOV on 7/11/16. DEP returned the call to the owner on 7/13/16 to discuss the NOVs. DEP received a request for a pre-application meeting from the engineer on 7/17/16. DEP received an Application for a SWPPP on 8/24/16 from the engineer. DEP issued a NOCA on 9/14/16. DEP issued a comment letter on 10/4/16 to the engineer. DEP exchanged e-mails with the engineer on 10/24/16; the owner is awaiting information from DEP Legal and the engineer is preparing a letter addressing the NOVs, which was received by DEP on 10/31/16. DEP also received a letter, revised plans, and a revised SWPPP from the engineer on 10/31/16, in response to DEP's letter of 10/4/16. DEP issued a comment letter on 11/22/16 to the owner. DEP received a letter and revised plans from the engineer applicant on 6/6/17 to DEP's letter 10/31/16. DEP issued an Approval Determination letter on 6/15/17. The violation was resolved and the case was closed on 8/31/17 with DEP Closure letter dated 8/31/17. DEP has resolved the Enforcement Action on 9/6/17.

Project Name: Windy Ridge Rd (2016-SC-0250)
Town: Hunter
Basin: Schoharie
Type of Use: Other (OT)
Type of Violation: OT.2: DEP NOV for a new impervious surface; also DEC NOV.
Discovery Date: 7/8/16
Status: Ongoing

Overview and Action:

DEP initiated an Enforcement Action on 7/8/16. DEP issued an NOV to four owners on 7/8/16 for a new impervious surface violation. DEP received a phone call from an owner responding to the NOV on 7/11/16. DEP returned the call to an owner on 7/13/16 to discuss the NOV. DEP received a request for a pre-application meeting from the engineer on 7/17/16. A meeting was held with the project applicant and engineer on 7/27/16. DEP performed a site visit on 8/18/16; there were no deficiencies; there was no discharge; the site was occupied. DEP exchanged e-mails with the engineer on 10/24/16; the owner is awaiting information from DEP Legal; the engineer is preparing a letter addressing the NOVs, which was received by DEP on 10/31/16. DEP received a call from the engineer on 12/14/16 regarding the offset distance between the new building and the existing watercourse; the engineer stated that the new building is over 100 feet from the watercourse and therefore is not subject to an individual NOV. DEP informed the engineer that because the building is within the disturbance envelope of the rest of the site, it is required to be included in the SWPPP. DEP received a survey from the engineer on 1/12/17. DEP called the engineer on 3/7/17; a meeting is scheduled on 3/15/17 to discuss the proposed SWPPP. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 to set up a meeting at the gravel pit site on 4/10/17. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 regarding setting up a meeting at the gravel pit site on 4/10/17. A meeting was held with the project applicant and engineer on 4/10/17. A meeting was held at the site with the applicant's representative on 7/19/17 to determine if the cars not in the book of registry were outside of the 250 foot line; which they were.

Project Name: Windy Ridge Rd (2016-SC-0250)
Town: Hunter
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: SP.1: DEP NOV for a site disturbance; also DEC NOV (formerly 2016-SC-0250.OT.3).
Discovery Date: 7/8/16
Status: Ongoing

Overview and Action:

DEP initiated an Enforcement Action on 7/8/16. DEP issued an NOV to four owners on 7/8/16 for a site disturbance violation. DEP received a phone call from an owner responding to the NOV on 7/11/16. DEP returned the call to an owner on 7/13/16 to discuss the NOV. DEP received a request for a pre-application meeting from the engineer on 7/17/16. A meeting was held with the project applicant and engineer on 7/27/16. DEP exchanged e-mails with the engineer on 10/24/16; the owner is awaiting information from DEP Legal; the engineer is preparing a letter addressing the NOVs, which was received by DEP on 10/31/16. DEP received a survey from the engineer on 1/12/17. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 to set up a meeting at the gravel pit site on 4/10/17. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 regarding setting up a meeting at the gravel pit site on 4/10/17. DEP sent an e-mail to the engineer on 7/6/17 asking if the 250' offset has been set and when the SWPPP for the rest of the site will be completed. Another email was sent on the same day stating that the 250' setback had been marked. DEP received plans and Engineers' report from the engineer on 9/12/17; still no Application for Review and Approval, NOI or Short Form EAF.

Project Name: Hunter Dr (2015-SC-0498)
Town: Hunter
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: Land clearing, grubbing, and grading of roadways, stockpiles, and lot development in vacant lands above Hunter Drive resulting in disturbances initiated without DEP approval; DEP NOV and DEC NOV.
Discovery Date: 8/28/15
Status: Ongoing

Overview and Action:

DEP received a Letter of Intent (LOI) Not to Construct from the engineer, on behalf of the owner, on 1/27/16. DEP REP sent an internal e-mail on 01/28/16, and copied: DEP Legal, NYC Law, and DEC, regarding whether the LOI addresses concerns about segmentation and the master plan. DEP issued a letter to the owner on 3/2/16 regarding the NOV. At a 2/29/16 Erosion and Sediment Control (E&SC) site visit, DEP witnessed that numerous deficiencies with site stabilization still persist; failure to stabilize the site properly will result in referral to DEP Legal for further action. It was also noted that a full SWPPP for the entire subdivision is still required. DEP and the engineer received an e-mail from DEC on 3/2/16 stating that no further construction will be permitted on the site until a SWPPP is prepared and Stormwater permit coverage is obtained. Deadlines have not been complied with; DEC is checking to see if an additional NOV or Consent Order (CO) is warranted. DEP performed site visits on 3/3, 3/18, and 3/28/16; there

were deficiencies, there was no discharge, and the site was occupied. A meeting was held with the project engineer at DEP on 4/6/16. DEP performed a site visit on 4/7/16; there were deficiencies; there was a discharge; the site was vacant. A meeting was held with the project engineer at the site on 4/14/16. DEP sent a Sample SWPPP Restrictive Deed Covenant to the engineer on 4/14/16. DEP received a SWPPP and drawings from the engineer in response to the NOV/NOV comment letter on 4/22/16; an application was not attached. DEP exchanged e-mails with the engineer on 4/25 and 4/26/16 regarding the SWPPP application submittal, which was received on 4/26/16. A meeting was held with DEC at the site on 4/27/16. DEP issued a NOCA on 5/3/16. DEP issued a comment letter on 5/3/16 to the engineer. A meeting was held with DEC at the site on 5/5/16. DEP and DEC received the NOI from the engineer on 5/11/16. DEP received a revised SWPPP from the engineer on 5/12/16 to DEP's comment letter of 5/3/16. DEP sent an e-mail to the engineer on 5/13/16 requesting revised plans. DEP performed a site visit on 5/13/16; there were no deficiencies; there was no discharge; the site was occupied. DEP received revised plans from the engineer on 5/16/16 to DEP's letter of 5/3/16. DEP issued an Approval Determination letter on 5/17/16. DEP received the DEC NOI Acknowledgement from the engineer on 5/20/16. DEP performed a site visit on 6/1/16; there were deficiencies; there was no discharge; the site was occupied. DEP sent an e-mail to the engineer on 6/3/16 detailing items which need to be addressed per DEP's 6/1/16 site visit, as well as improvements which need to be made per a previous discussion between DEP and the engineer. DEP performed a site visit on 6/16/16; there were deficiencies; there was no discharge; the site was occupied. DEP received a SWPPP inspection report, dated 6/17/16, from the engineer on 6/20/16. DEP performed a site visit on 7/7/16; there were deficiencies; there was no discharge; the site was occupied. DEP performed a site visit on 7/28/16; there were deficiencies; there was no discharge; the site was vacant. DEP sent an e-mail to the applicant on 8/1/16 regarding items which need to be addressed per a recent site visit. DEP performed site visits on 8/9 and 8/18, and 9/14/16; there were deficiencies; there was no discharge; the site was vacant. DEP issued a letter to the representative on 9/21/16 regarding items which need to be addressed. DEP performed site visits on 10/11, 10/27, and 11/23/16; there were deficiencies; there was a discharge; the site was vacant. DEC issued an NOV on 1/13/17. DEP sent an e-mail to DEC on 1/31/17 stating that DEP has a meeting at the site on 2/2/17; DEC joined that meeting, along with the project applicant, to discuss site stabilization. DEP performed a site visit on 2/2/17; there were deficiencies; there was no discharge; the site was vacant; several neighbors complained about ice accumulation on the road due to site runoff. A meeting was held with the project applicant, engineer, and contractor on 3/16/17; DEP affirmed that the engineer is responsible for choosing post-construction stormwater controls and DEP is responsible for reviewing the proposed SWPPP for compliance with DEC's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). DEP provided the engineer with the Applicant's Guide to Stormwater Pollution Prevention Plans. DEP exchanged e-mails with CWC between 3/31 and 4/5/17 regarding general information on the project. DEP performed site visits on 4/6, 4/10, 4/26 and on 5/11/17; there were deficiencies, there was no discharge and the site was vacant. DEP received drawings from the engineer on 6/1/17 for the grading and erosion controls. DEP performed a site visit on 6/16/17; there were deficiencies, there was no discharge and the site was vacant. A meeting was held with the project applicant on 6/16/17. DEP received a letter from the engineer on 6/23/17 in response to DEP's letter of 9/21/16. DEP received an Application for a SWPPP on 7/11/17 from the engineer. DEP received an e-mail from the engineer on 7/25/17 regarding completing the chimney. He stated that the contractor will be there to repair the bioretention area and regrade

and seed/mulch the front lawn. DEP issued a NOICA to the owner on 7/28/17 requesting additional information. DEP initiated an Enforcement Action on 8/01/17 as this is part of the SP.1, this is lot #2 plus the subdivision. DEP received a letter from DEC on 8/15/17 to the Hunter Planning Board stating that construction on lot #2 (as part of a Larger Common Plan) should not commence until SEQRA for the entire subdivision has been satisfied and the owner has developed a SWPPP in accordance with the General SPDES Permit. DEP performed a site visit on 8/18/17; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 8/23/17 regarding the 8/18/17 site visit and the need for items listed in the NOICA to be addressed. The engineer responded the same day. DEP performed a site visit on 9/1/17; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to owner and engineer on 9/5/17 regarding the 9/1/17 site visit and sent a photo of the media not draining properly. DEP sent an e-mail to the engineer on 9/15/17 regarding the paving that has been done especially the parking area and the need to divert the water from as much pavement as possible. DEP received the Notice of Availability for Review (NAR) from DEC on 9/15/17 for the Section 401 - Clean Water Act Water Quality Certification Permit. DEP exchanged emails with the engineer on 9/19/17 regarding scheduling a site visit with the owner to discuss concerns. DEP performed a site visit on 9/22/17; there were deficiencies, there was no discharge and the site was occupied. A meeting was held with the project applicant and engineer on 9/22/17. The applicant indicated the application to the Town will be withdrawn and a new submission presented to include lot #2 with the rest of the subdivision.

Project Name: 26 Beecher Rd (2014-AS-0319)
 Town: Hunter
 Basin: Ashokan
 Type of Use: Stormwater (SP)
 Type of Violation: Failing SWPPP - NOV for the construction of a new impervious surface within 100 feet of a watercourse without obtaining DEP approval.
 Discovery Date: 6/19/14
 Status: Closed

Overview and Action:

DEP Legal issued a letter to the Fire Chief on 8/5/16 regarding lack of progress on the NOV and the engineer's continued lack of response; a response is required within five business days of the letter date, including a timetable for construction within thirty days, to avoid referral for litigation. DEP received a call from the potential new engineer on 8/16/16 regarding proposed stormwater management for the site. DEP received a call from the applicant on 8/22/16; the applicant has met with, and intends on hiring, the new engineer. DEP called the new engineer on 8/24/16 regarding the stormwater controls. DEP received an Application for a SWPPP on 9/23/16 from the new engineer with a hydro cad and plans. DEP received a corrected Application for a SWPPP on 9/30/2016 from the engineer. This project is on CWC's 10/4/16 Board meeting agenda for future stormwater funding approval. DEP issued a NOCA on 10/4/16. DEP issued an Approval Determination letter on 10/11/16. DEP met with the contractor, engineer, and applicant on the site for a pre-construction meeting on 3/13/17; the contractor's certification was signed and forwarded to the engineer. Construction will not begin until approximately mid-April 2017; the contractor was advised to notify DEP within 48 hours of the commencement of work. DEP performed site visits on 4/5 and 4/28/17; there were no deficiencies, there was no discharge and the site was vacant. DEP received notice on 5/26/17 that construction will begin on 5/26/17. DEP

performed site visits on 5/30, 6/12, 6/16, 6/26 and 6/28/17; there were no deficiencies, there was no discharge and the site was vacant. DEP received As-Built plans and an engineer's certification letter from the engineer on 7/20/17. DEP issued a letter of Construction Compliance on 8/1/17. The violation was resolved and the case was closed on 8/1/17 with DEP Closure letter dated 8/1/17. DEP has resolved the Enforcement Action on 8/1/17.

Project Name: 120 Wase Road (2007-SC-0887)
Town: Hunter
Basin: Schoharie
Type of Use: Individual Residential SPPP (IR)
Type of Violation: New SSTS requiring an IRSP. NOV for failure to obtain an IRSP approval.
Discovery Date: 12/29/08
Status: Ongoing

DEP exchanged e-mails with the owner between 9/23 and 9/28/16 regarding action required on the owner's part by November 2016 to avoid legal action. The owner stated that costs have been prohibitive, but he should be able to move forward. DEP received an e-mail from the engineer on 9/28/16 stating that he will inform DEP of when he receives an executed contract from the owner. As of 12/1/16, there were no changes to the site; DEP has not heard back from the engineer. DEP exchanged e-mails with the engineer on 12/5 and 12/6/16 regarding the IRSP status; the owner will be sending the agreement with a retainer to the engineer; the engineer will alert DEP of receipt and will provide a schedule. DEP hopes that the project can be reviewed and approved in time for spring 2017 construction. DEP received a call from the engineer on 1/26/17; the engineer has left two messages for the owner and has not received a response. Thus, the engineer has not continued with any work and is wondering if the owner hired a different engineer. DEP sent an e-mail to the owner on 2/7/17 requesting an update on when the NOV will be satisfied. DEP's Bureau of Legal Affairs issued a letter to the owner on 5/5/17 regarding the outstanding NOV and the need to submit an approvable IRSP plan by 5/31/17. DEP received an e-mail from the owner on 6/10/17 regarding the letter from DEP Legal. He stated financial difficulties are holding him back from moving forward; he will contact his engineer. DEP exchanged emails with the owner on 8/1/17 regarding the status of the project. The owner responded the same day that they are looking into CWC assistance, but will work with the engineer to move forward by the end of the summer. DEP received an e-mail from the engineer on 9/20/17 stating that he received the retainer to do the stormwater modification.

Project Name: 316 Maverick Road (2001-AS-0923)
Town: Hurley
Basin: Ashokan
Type of Use: Intermediate SSTS (IS)
Type of Violation: Failed SSTS - New SSTS for commercial Apartments and office space - Joint Review with UCHD.
Discovery Date:
Status: Withdrawn
Overview and Action:

DEP returned a call to the owner on 5/13/11 regarding her complaint of non-compliant soils placed on her site by a contractor. The former engineer stated that the soil placed would not

allow for a compliant SSTS. There is no design approval in place so DEP can not regulate.

Project Name: Shabby Ranch, Inc., (2013-SC-0624)
Town: Jewett
Basin: Schoharie
Type of Use: Septic Failure, surcharged cesspool with a collapsed cover- Complaint;
DEP NOV
Type of Use: Intermediate Repair (CR)
Type of Violation: CR.2 (2016): 3 unit apartment discharging to an unknown destination;
DEP NOV for an alteration/modification of the SSTS.
Discovery Date: 8/23/16
Status: No Application

Overview and Action:

DEP issued an NOV to the owner on 1/11/17. DEP received a call from the engineer on 1/12/17 to schedule a site visit at the property. He received a copy of the NOV, and we scheduled a site visit for 1/17/17. DEP met with the owner's engineer on site on 1/17/17. The recently installed sewage pipe is directed from the 3 unit apartment building to a cesspool that reportedly served a dilapidated 3 bedroom cabin to the north. DEP spoke to the DOH on 1/17/17 regarding the NOV DEP issued for the site. DOH asked to be informed of what is found at the site visit. DEP left a voice mail for the CEO on 1/19/17, asking for any information regarding occupancy of the dilapidated cabin that, according to the engineer's conversation, is a 3 bedroom that was lived in 3 years ago. DEP met with the current CEO on 1/26/17 to review the files. DEP received a call from the engineer on 1/27/17 regarding the project. DEP drove by the site on 2/3/17, There doesn't appear to be any change since the last site visit. DEP spoke to the engineer about the perceived non-use of the shack cesspool. He will submit a letter from the manager regarding the intermittent use of the cesspool, thus regarding it as an NCRA. DEP received an e-mail from the engineer on 2/10/17 with a copy of the FOIL request he submitted. On 4/27/17, DEP drove by the property on 4/27/17. The waste pipe from the front apartment building is still visible from the road, it looks like it was recently covered with fresh mulch. A FOIL request #160525 was received by DEP on 4/28/17 and was satisfied by DEP on 5/4/17. DEP left a voice message for the engineer on 5/25/17 regarding the fulfillment of his FOIL request, and asked to discuss and move forward with the project. The owner is away until 6/5/17 and the engineer will discuss options with him after that date and contact DEP with a proposal. DEP issued a letter to the applicant on 7/6/17 regarding no action being taken to resolve the NOV and a plan needs to be submitted within 45 days. DEP received a letter from the engineer on 7/24/17.

Project Name: Route 23C (2006-SC-0464)
Town: Jewett
Basin: Schoharie
Type of Use: Intermediate Repair (CR)
Type of Violation: Failed/Non-maintained SSTS; little Infiltration and Inflow (I&I) work in progress; surcharged system. DEP NOV for surfacing of sewage on the ground.
Discovery Date: 8/4/99
Status: Ongoing

Overview and Action:

DEP performed the final scheduled site visit of the camp's season on 8/11/16; septic failure was not observed and the absorption field was dry. DEP received an e-mail from the Camp Director on 9/13/16 regarding additional details on the dosing design plan. DEP received revisions to the approved plans from the engineer on 9/14/16. DEP issued a letter to the Scout Executive on 10/12/16; design revisions were accepted and it was requested that the work be done promptly. DEP received notice on 11/2/16 that construction will begin. DEP performed a construction site visit on 11/2/16, which was the first meeting on-site of the flout install; septic failure was not observed. DEP performed a construction inspection on 11/9/16; septic failure was not observed. Following the install of flouts, camp staff had the fire department test system functionality. DEP performed a construction inspection on 11/21/16 to inspect the distribution boxes (d-boxes). A meeting was held with the camp representatives on 1/4/17; DEP staff received numerous photos and video of the recent installation of dosing flouts and discussed the need for dosing counters, which the camp will install in 2017. DEP issued an end-of-the-season letter to the Scout Executive on 3/28/17 detailing 2016 observations of the SSTS status and 2017 goals for completing the upgrade. DEP received an e-mail from the director on 4/13/17 regarding DEP's end of season letter. DEP called DOH on 4/19/17 regarding the status of the SSTS. DOH suggested that DEP and DOH coordinate the pre-operational inspection this spring. DEP received a call from the director on 4/27/17 regarding the proposed seasonal inspections and work to be conducted. DEP called and left a message for DOH on 5/31/17 regarding upcoming inspections. DEP sent an e-mail to DOH on 6/8/17 advising that an inspection is scheduled for next week and requesting a status check on the permits. DOH responded advising that they cannot accompany DEP on the inspection and will not be issuing permits until the camp opens in July 2017. DEP performed a site visit on 6/22/17; the staff is trickling in now as the camp will be open by next week. DEP performed a scheduled inspection on 6/29/17. DEP performed a scheduled site inspection on 7/13/17. There were no major issues noted with the exception of the pump station alarm still not functioning in the audible mode. DEP sent an e-mail to DOH on 7/14/17 advising of DEP's SSTS observations including a water main break that occurred at the camp. DEP also requested copies of DOH issued permits. DEP performed a site visit on 7/27/17 while the camp was in session. Pump #1 is still not working on auto and the pump alarm still only lights up but doesn't sound. On 8/10/17, DEP conducted an inspection of the SSTS. There was no evidence of sewage failing to the surface of the ground. DEP sent an e-mail to the FLOUT dosing technician on 8/11/17 regarding the malfunctioning alternating FLOUT observed. Based on the observations, the FLOUT is believed to be leaking which would disrupt to the alternating cycle. DEP sent an e-mail to camp director on 8/25/17 inquiring about the status of the malfunctioning FLOUT.

Project Name: 79-81 West Shokan Hgts Rd (2014-AS-0181)
Town: Olive
Basin: Ashokan
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - CWC - surfacing - 60% (Rental). DEP NOV for failed cesspool and the unapproved Alteration/Modification of the SSTS.
Discovery Date: 5/2/14
Status: Approved
Overview and Action:

DEP issued an NOV to the owner on 12/7/16; DEP also left a voicemail for the owner on this same date to notify him of the NOV and to request a call back, as detailed in the NOV. DEP performed a site visit on 12/14/16; septic failure was observed; the cesspool was still exposed on one side and was leaching out into the ditch; the ditch was still open and there was a large pool of effluent in it; a very strong odor was present. DEP called the owner on 12/16/16; he received a foreclosure notice from Ulster County; he also cannot currently pay for a repair due to more pressing financial obligations; he cannot submit a bid to CWC until he pays his engineer for the design, which expires in July 2017. DEP received a call from the engineer on 12/27/16; he has not heard from the owner. DEP updated the engineer on the conversation DEP had with the owner on 12/16/16. DEP performed a site visit on 3/9/17; septic failure was observed; the septic tank was collapsed and the cesspool and drywell were in poor condition; sewage was observed in the ditch. DEP sent an e-mail to the owner on 3/17/17 and stated that the enforcement status may be elevated if he does not make a commitment or respond. DEP received an e-mail from the owner on 3/20/17 stating that he will pay the engineer by end of March 2017. DEP sent the owner an e-mail on 3/22/17 and requested that the plans be renewed and that an update be provided by 4/7/17. DEP sent an email to the owner on 4/14/17 requesting an update on the status of the SSTS. DEP received an email on 4/17/17 from the owner stating that he is waiting for a response from his engineer. DEP sent an email to the owner on 5/17/17, requesting update on when project will move forward. DEP reminded him that his approval will expire in July 2017. DEP sent the owner an email on 6/19/17 stating that if significant progress is not achieved, then the project may be referred to DEP Legal or NYC Law Dept. DEP received a call from the engineer on 6/20/17 stating that the owner called him and wants to move forward. The engineer stated that the owner wants the force main to be four feet deep, so there may be an addendum to the approved plan. DEP emailed the owner on 6/20/17 requesting his commitment to the milestone completion dates. On 6/22/17, septic failure was observed in a ditch. DEP received copies of the Site Layout & Details plans from the engineer on 7/12/17 solely to include force main specific information on the Sewer Line Trench Detail. DEP issued a Modified Approval Determination letter on 7/24/17 to the engineer along with the approved plans. DEP called CWC on 8/11/17 for the project status. They are waiting for bids to be submitted by the contractor, and are awaiting a copy of approved plan from the engineer. DEP redirected an email from the owner requesting reimbursement for engineering fees. A pre-construction meeting is scheduled for 8/29/17. DEP performed a site visit on 8/29/17; septic failure was observed. Sewage was still spilling into a dug ditch from the cesspool. DEP sent an email to the owner on 9/20/17 requesting construction schedule status and status of bid approval with CWC.

Project Name: 68 Ridge Road (2001-AS-0759)
Town: Olive
Basin: Ashokan
Type of Use: SSTS Repair (RE)
Type of Violation: RE.2: Possible failure of repair. RE.1: Replacement SSTS-CWC. DEP NOV in RE.2 for surface failure.
Discovery Date: 12/18/15
Status: Closed
Overview and Action:
DEP performed a site visit on 9/15/16; septic failure was not observed, the area was dry, and photos were taken. DEP sent an e-mail to the owner on 9/15/16 encouraging him to contact

CWC for water-saving and surface water drainage solutions. DEP sent an e-mail to the owner on 10/14/16 to follow-up on the failure status and water saving fixture/runoff efforts with CWC. DEP performed site visits on 10/24, 11/9, and 12/4/16, and on 2/3/17; septic failure was not observed; the site was snow covered during the December 2016 and February 2017 inspections. DEP performed a site visit on 4/10/17; septic failure was not observed but the area was soft to walk on. DEP performed a site visit on 6/7/17; septic failure was not observed. After several days of rain, the area was found to be dry. The violation was resolved and the case was closed on 7/14/17 with DEP Closure letter dated 7/14/17. DEP has resolved the Enforcement Action on 7/14/17.

Project Name: 1 Crosswell Manor (1997-AS-0221)
Town: Olive
Basin: Ashokan
Type of Use: SSTS Repair (RE)
Type of Violation: Three unit apartment complex with Failed SSTS. The Failed SSTS appears to serve just one of three apartments. DEP NOV and NOF. Repair/Replacement of tank.
Discovery Date: 10/31/06
Status: Ongoing

Overview and Action:

DEP met with the engineer on 5/10/16 to review his project file; copies of as-builts were provided. DEP received a call from the engineer on 7/6/16 stating that the two septic tanks were pumped out during the week of 6/27/16. The owner is currently away for a few months, so he did not leave the tanks accessible, nor did he have the failing drywell pumped out, as he wants to do that the same day it is decommissioned. DEP left a voicemail for the engineer on 1/19/17 regarding the need to move forward on the project. DEP performed a site visit on 3/30/17; septic failure was not observed and it appears that someone is staying there. On 5/9/17, DEP met at the site with the owner. He is waiting for the engineer to finish the soils investigation and submit a proposal to DEP.

Project Name: Schrader Rd (2010-SC-0611)
Town: Prattsville
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: SP.1: DEP NOV and DEC NOV. Land clearing, grading, and grubbing on slopes over 15% resulting in greater than 5 acres of disturbance. RE.1: 1500 gallon tank to replace the existing 1250 gallon tank. SS.1: New SSTS.
Discovery Date: 10/2/15
Status: Under Construction

Overview and Action:

DEP sent an e-mail to the contractor on 11/7/16 regarding extreme tracking at the site, which must be swept immediately. DEP performed a site visit on 11/10/16; there were deficiencies; there was no discharge; the site was occupied; the bioretention cell in the driveway near the house has been split in two. DEP performed site visits on 12/1, 12/2, 12/8, and 12/14/16; there were deficiencies; there was no discharge; the site was occupied. DEP performed site visits on

12/23/16, and on 1/5 and 1/18/17; there were deficiencies; there was no discharge; the site was vacant. DEP performed site visits on 2/2 and 2/15/17; there were no deficiencies; there was no discharge; the site was occupied. DEP performed a site visit on 3/1/17; there were deficiencies; there was no discharge; the site was occupied. DEP performed site visits on 3/17 and 3/30/17; there were no deficiencies; there was no discharge; the site was occupied. DEP performed site visits on 4/14, 4/28, 5/11, 5/18 and 5/31/17; there were deficiencies, there was no discharge and the site was vacant. The driveway should have water bars installed or be resurfaced with stone. In addition, the swale and check dams along the driveway should be improved. DEP sent an e-mail to the contractor on 6/8/17 asking when the bioretention cells will be planted. Also the driveway needs repair an additional water bars and the swale needs reshaping and check dams. DEP performed site visits on 6/12, 6/26, 7/20, 8/18, 8/25, 9/7 and 9/22/17; there were no deficiencies, there was no discharge and the site was occupied.

Project Name: 37 Albert Slater Road (2006-SC-0779)
Town: Prattsville
Basin: Schoharie
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS; DEP NOF. Also DEP NOV for unapproved use of a holding tank.
Discovery Date: 7/5/06
Status: Ongoing

Overview and Action:

DEP performed a site visit on 6/27/16; septic failure was not observed; the house is vacant and is posted for sale; there is no sign of use. DEP performed site visits on 12/27/16 and 1/3/17; septic failure was not observed; the house remains vacant and appears to be abandoned, as of the latter date. DEP performed a site visit on 7/12/17; septic failure was not observed. There was no sign that the house is being used. DEP has put the Enforcement Status on hold as of 9/22/17 due to the property not being inhabited. Project will be monitored by tasks every six months for re-inhabitation and will deal with possible loss of NCRA status and compliance with regulations time of re-inhabitation. DEP is monitoring this project site for inhabitation/failure.

Project Name: Etta Post Road (2006-SC-0578)
Town: Prattsville
Basin: Schoharie
Type of Use: Septic System (SS)
Type of Violation: New SSTS; DEP NOV issued for unapproved construction of an SSTS.
Discovery Date: 11/13/15
Status: New

Overview and Action:

DEP issued an NOV to the owner on 12/6/16 and called him as notification that it was on the way. He has arranged to have a 1500 gallon holding tank installed in the spring of 2017, as he cannot afford a permanent system and may start to use the property seasonally. Once the owner calls to confirm receipt of the NOV, DEP can discuss a holding tank proposal with him. DEP received a call from the owner on 12/9/16 in response to the recently issued NOV; due to weather forecasts, he does not believe soils will be done in 2016. DEP spoke with the owner on 12/14/16 and requested that he write a letter supporting his claim of seasonal property use. DEP

will review the letter to determine if a holding tank is an option, per Appendix 75A Regulations (75A). DEP does not review or approve holding tank designs or construction and will defer the project to DOH for enforcement if something does not comply with 75A. DEP left a voicemail for the owner on 2/17/17 regarding a seasonal use submittal. DEP spoke with the owner on 5/11/17 who stated he has an engineer who has already visited the site and will be in touch with DEP. He also stated that he plans on installing a full system. DEP spoke with the owner on 5/24/17 and an engineer has been hired. The contractor plans on digging a hole on 6/5/17. The plumber will also be there to do waste line plumbing under the dwelling, and will terminate outside house with a cap. DEP informed the owner that putting in a septic tank prior to plan approval would have to follow the emergency procedures of the regulations. He said he is going to cap the waste pipe so there will be no discharge and that he is using the neighbors shower. DEP received a request for a pre-application meeting from the engineer on 6/2/17. DEP received a call from the engineer on 6/2/17 regarding soil testing. A soil/site evaluation was performed on 6/6/17. DEP issued a letter to the owner on 8/4/17 stating that plans have not yet been received. DEP received call from owner on 8/4/17, inquiring whether his engineer has submitted plans yet. DEP stated no plans have been received to date. DEP called the engineer on 8/11/17 and left message with receptionist to call back with status of plans and whether he received DEP's letter from last week. She stated he'd call back mid to late afternoon. DEP re-sent the 8/4/17 letter to the owner and engineer on 8/16/17 as they claimed they did not receive it. DEP left a voicemail for the engineer on 8/18/17, requesting a date when plans will be submitted. DEP received a call from owner on 8/23/17 stating he hasn't heard back from engineer. DEP received plans from the engineer on 9/1/17. DEP received a call from the owner on 9/26/17 stating that engineer was sending in revised plans on 9/11/17. DEP received an Application for a non-conventional individual SSTs on 9/29/17.

Project Name: 4924/44/48 State Rt. 23 (2014-SC-0628)
Town: Windham
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: IS.1: Intermediate SSTs for Crown Fuels. SP.1: DEP NOV and DEC NOV. Greater than two acres of disturbance within 100 feet of a watercourse.
Discovery Date: 9/17/15
Status: Under Construction

Overview and Action:

DEP issued an Approval Determination letter on 11/1/16. DEP performed a site visit on 12/6/16; there were deficiencies; there was no discharge; the site was vacant. DEP sent an e-mail to the owner on 12/7/16 stating that a pre-construction meeting should have taken place before any site work began. DEP also provided a list of items which need to be addressed, several of which DEC will also check. DEP received notice on 12/15/16 that construction began. DEP sent an e-mail to DEC on 1/31/17; DEP is attempting to set-up a site meeting on 2/2/17. DEP performed a site visit on 2/2/17; there were deficiencies; there was no discharge; the site was vacant. DEP sent an e-mail to the owner on 2/8/17 regarding the lack of erosion and sediment controls at the site; wastewater concerns were also expressed. A meeting was set-up on 2/10/17 to discuss these issues. DEP received a notice issued by DEC to the owner on 2/13/17 stating that the owner is in violation of the Order on Consent. DEC requested that the owner respond within ten days of

receiving the notice; financial penalties are also possible. DEP exchanged e-mails with the owner on 3/7/17; it appears that site conditions have improved; DEP would like to meet with the owner on 3/10/17 to discuss items which still must be addressed. DEP exchanged e-mails with the owner on 3/13/17 regarding the site meeting; a new date/time was agreed upon on 3/16/17. DEP performed site visits on 3/16 and 3/30/17; there were no deficiencies; there was no discharge; the site was vacant. DEP exchanged e-mails with the applicant on 4/5/17 regarding hiring an Erosion and Sediment Control (E&SC) inspector and putting up document storage boxes at the site for the SWPPP and inspection reports. DEP performed a site visit on 4/12/17; there were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/26, 5/11, 5/18 and 5/31/17; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owners on 6/8/17 with a list of expectations to be met and requested that the issues be addressed. DEP performed a site visit on 7/7/17; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the representatives on 7/7/17 regarding DEP's email of 6/8/17 and the lack of response to it. DEP received a response from the owner on 7/7/17 regarding the need to change their inspecting engineer. DEP assessed the site and the site condition has not changed. DEP performed site visits on 7/27 and 8/11/17; there were deficiencies, there was no discharge and the site was vacant. A tentative site meeting is set for 9/7/17 with the applicant, contractor and engineer. A meeting was held with the project applicant and new engineer on 9/7/17. DEP received an e-mail from the applicant on 9/21/17 indicating the construction stake-out will proceed next week. DEP performed a site visit on 9/28/17; there were deficiencies, there was no discharge and the site was vacant.

Project Name: 165 Mill St (2012-SC-0251)
Town: Windham
Basin: Schoharie
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - DEP NOV for sewage discharging to a road-side ditch.
Discovery Date: 5/3/12
Status: Approved

Overview and Action:

NYC Law sent an e-mail to the owner's representative on 9/20/16 requesting the status of the septic work. NYC Law sent a letter to owner on 9/28/16 stating that plans must be received by 10/12/16. NYC Law forwarded an e-mail to DEP from the owner on 10/17/16; the owner stated that plans should be submitted within a few days and the well should be fixed soon; regular pump-outs will be scheduled thereafter. DEP received an Application for a non-conventional individual SSTS on 10/28/16. DEP issued a NOCA on 11/3/16. DEP issued an Approval Determination letter on 11/3/16. DEP performed a site visit on 12/19/16; septic failure was not observed; the house was recently decorated for the holidays and appears to be used on weekends; there were two cars in the driveway on 12/16/16. DEP performed site visits on 1/9 and 2/8/17; septic failure was not observed; the house appears to be used on weekends; there was no sign of pumping on 1/9/17. To avoid possible further enforcement proceedings, DEP Legal issued a letter to the owner on 2/22/17 with the following installation compliance schedule: a contractor must be hired by 4/1/17; the site must be cleared and SSTS construction must start by 5/1/17; and the SSTS must be finished by 6/1/17. DEP performed a site visit on 3/22/17; septic failure was not observed; the property is being maintained. DEP sent update request to NYC Law on 4/13/17. NYC Law spoke with the owner on 4/17/17 who has received two quotes and plans on

doing the work himself. DEP performed a site visit on 4/24/17; septic failure was not observed. The property appears to be used on weekends. There is a new fire pit and yard furniture. DEP performed a site visit on 6/12/17; septic failure was not observed. There was no visible failure or signs of pumping. NYC Law Department called the owner on 7/19/17 and left a message to call back. DEP performed a site visit on 7/26/17; septic failure was not observed, there was no visible effluent. NYC Law Department sent the owner an email on 7/28/17, requesting start of construction to commence as soon as possible, and to call in response to receiving the email. DEP received a voicemail from the owner on 7/28/17, who stated construction startup is imminent. DEP performed a site visit on 8/21/17; septic failure was not observed. There was no visible effluent or signs of pumping. The lot was recently mowed and weeded. NYC Law Department received a call from CWC's attorney and a copy of his letter, stating that this project is not going to be funded because the structure was not a residence before 1995, which is the cutoff date. Additionally, it is not fundable due to the illegal conversion from barn to residence and outstanding violations with the town.

3.1.2. Delaware District

Project Name: 1102 County Highway 1 (2014-PE-0154)
Town: Andes
Basin: Pepacton
Type of Use: SSTS Repair (RE)
Type of Violation: Sewage discharging to roadside ditch; originated as a complaint. DEP NOV. Failing SSTS - CWC- surfacing of sewage on the ground; 60%.
Discovery Date: 4/21/14
Status: Ongoing

Overview and Action:

DEP issued an Approval Determination letter on 3/16/16. DEP contacted CWC on 4/15 and 4/20/16 regarding the bid status; bids have not been received. DEP performed a site visit on 4/20/16; septic failure was observed to be entering a watercourse/wetland and there was surfacing of sewage on the ground. DEP contacted CWC on 4/25 and 5/18/16 regarding the bid status; bids have not been received, nor has the engineer submitted a plan. DEP exchanged e-mails with the engineer on 5/20/16 regarding moving forward with the project; the engineer stated that he had not yet been paid for the work he has completed. DEP called CWC on 6/16/16 regarding the bid status; CWC paid for a pump out and sent the project to an engineer, but they have not yet paid for the design. DEP returned a call to a neighbor, who is concerned about the SSTS location, on 6/24/16; DEP requested that the neighbor submit a list of concerns, which was received on 6/27/16. DEP performed site visits on 7/11 and 7/18/16; septic failure was not observed. DEP met with the concerned neighbor on 7/18/16 regarding the location of spring lines which six homes supposedly use; these spring lines were not shown on the plans. DEP issued a letter to the engineer on 7/21/16 requesting a revised design which addresses domestic water supply issues. DEP left a message for the engineer on 8/10/16 to discuss DEP's 7/21/16 letter. DEP called CWC on 8/11/16 and informed them that the current design will either be modified or revoked. CWC stated that bids have not been received and the engineer has not been paid. DEP performed a site visit on 10/28/16; septic failure was not observed and the site was vacant. DEP Legal issued a Notice of Intent to Revoke Approval letter to the owners on 11/28/16 via certified/return receipt mail; if plans showing the required information are not received by

12/9/16, DEP intends to revoke the 3/16/16 design approval. DEP performed a site visit on 1/11/17; septic failure was not observed and the site was uninhabited. On 2/13/17, NYC Law notified DEP that the 11/28/16 legal letter was re-sent to the owner at two different addresses via return receipt mail. On 2/12/17, one of the receipts was returned from one address, without a signature, but the letter was not returned. DEP Legal issued another Notice of Intent to Revoke Approval letter to the owners on 3/24/17; DEP intends to revoke the 3/16/16 design approval on 5/8/17, unless certain written statements are provided within 15 calendar days of the date the owners receive the letter. Affidavit of service was completed for Notice of Intent to Revoke Approval on 4/6/17. DEP performed a site visit on 4/7/17. Paperwork on the door indicates that the property may have fallen into a foreclosure status. The date could not be made out during the site visit. DEP issued a Revocation of the Approval letter to the applicant on 6/19/17 effective 5/8/17 the date specified in the Notice of Intent dated 3/24/17.

Project Name: County Hwy 6 (2017-CN-0234)
Town: Bovina
Basin: Cannonsville
Type of Use: Stormwater (SP)
Type of Violation: DEP SWPPP NOV for construction that has created new impervious surfaces within 100 feet of Coulter Brook without prior approval.
Discovery Date: 5/23/17
Status: New/Approved

Overview and Action:

DEP initiated an Enforcement Action on 5/23/17. DEP issued an NOV to the owner on 5/23/17. DEP received a call from the owner of the property on 5/30/17 regarding the NOV received. The owner will contact an engineer and pursue a variance. DEP received an e-mail from the owner on 6/5/17 regarding hiring an engineer and moving forward with design. DEP received a call from the engineer on 6/7/17 regarding the project. DEP told the engineer that a meeting was scheduled for 6/9/17 to discuss the level of detail needed for the stormwater treatment design submission. DEP told the engineer that this should not delay scheduling the soil testing or collecting site information to develop a base map of the site. DEP called the engineer on 6/12/17 notifying him that the meeting was postponed and that he should continue with scheduling the soil testing. A soil/site evaluation was performed on 6/20/17 with the engineer and CWC. DEP sent an e-mail to the engineer on 6/22/17 regarding mitigation options based on the soil testing results and required information for the variance submission. DEP exchanged e-mails with the applicant on 6/27/17 regarding the status of the project. DEP sent an e-mail to the engineer on 7/7/17 requesting an update on the project. DEP sent an e-mail to the engineer on 7/17/17 requesting an update on the project. DEP received a call from the engineer on 7/18/17 regarding the preliminary design. The engineer is planning to send the preliminary design (sketch and Hydro CAD) in on 7/19/17. DEP received an e-mail from the engineer on 7/18/17 regarding preliminary design. The email included a site plan sketch and the Hydro CAD per and post calculations. DEP sent an e-mail to the engineer on 7/21/17 regarding the preliminary calculations and design. DEP notified the engineer that the preliminary information looks good and to keep moving forward with the design. DEP called the engineer on 7/21/17 regarding a small change to the drainage area delineation map. DEP received an Application for a Variance that coincides with the SWPPP on 8/9/17 from the engineer. DEP issued a NOCA on 8/21/17. DEP issued an Approval Determination letter on 9/19/17. DEP received the signed Variance

Determination from the owner on 9/25/17. DEP met with the contractor, engineer and the applicant's representative on the site for a pre-construction meeting on 9/27/17. DEP sent an e-mail to CWC on 9/27/17 with a copy of the variance determination.

Project Name: State Highway 10 (2009-CN-0363)
Town: Delhi
Basin: Cannonsville
Type of Use: Stormwater (SP)
Type of Violation: Proposal in 2009 for a 50x90 foot addition to the church. Proposal in 2014 to add a 30x30 foot addition to the existing church within 100 feet of Elk Creek with no DEP SWPPP approval. DEP NOV issued for such.
Discovery Date: 9/21/16
Status: Closed

Overview and Action:

DEP received an Application for a SWPPP on 10/18/16 from the engineer with a letter of intent from the owner. DEP met with the contractor, engineer, CWC, and applicant on the site for a pre-construction meeting on 10/20/16. DEP issued a NOCA on 10/20/16. DEP issued an Approval Determination letter on 10/20/16. DEP received the Contractor's Certification from the engineer on 10/20/16. DEP performed site visits on 10/26, 11/7, 11/16, and 11/28/16; there were no deficiencies; there was no discharge; the site was vacant on 10/26 and 11/7, but occupied on 11/16 and 11/28/16. DEP received a call from the engineer on 12/5/16 regarding the installation of the gutters and associated drainage piping to the rain garden. The contractor will install the pipe from the downspouts to the rain garden, weather permitting. If the roof gutters are connected to the rain garden, DEP requested that the rain garden be mulched and a splash pad be installed at the pipe outlet, as per the SWPPP. This project is on CWC's Board meeting agenda scheduled for 12/6/16 for future stormwater program approval. DEP performed a site visit on 12/9/16; there were no deficiencies; there was no discharge; the site was occupied. DEP exchanged e-mails with the engineer on 12/23/16 regarding work at the site. DEP performed site visits on 12/28/16, and on 1/11, 1/30, and 2/27/17; there were no deficiencies; there was no discharge; the site was occupied on all dates except for on 2/27/17 when it was vacant. DEP received a call from the engineer on 4/4/17 regarding beaver activity along the stream bank. Construction should resume in May 2017 to finish installing the gutters and plants in the rain garden. DEP performed a site visit on 4/11/17. There were no deficiencies. There was no discharge. The site was vacant. DEP performed site visits on 5/3 and 5/18/17; there were no deficiencies, there was no discharge and the site was occupied. DEP received and responded to an e-mail from the engineer on 6/6/17 regarding planting the rain garden and final items that need to be addressed before signing off on the project and closing the NOV. DEP performed a site visit on 6/8/17; there were deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 6/13/17 notifying DEP that the rain garden has been planted, however the gutters have not been installed because the brick work on the building is not complete. DEP performed site visits on 6/16, and 6/27/17; there were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 7/8/17 regarding the status of construction. The gutters have been tied into the rain garden and the only item left is final grading, seeded and mulching around the addition, which will be completed after the mason is finished with installing the brick. DEP performed site visits on 7/11, 7/17, 8/3,

8/10, 8/21 and 9/7/17; there were no deficiencies, there was no discharge and the site was vacant. DEP completed construction inspections on 9/7/17. DEP received As-Built plans and an engineer's certification letter from the engineer on 9/25/17. DEP issued a letter of Construction Compliance on 9/26/17. The violation was resolved and the case was closed on 9/26/17 with DEP Closure letter dated 9/26/17. DEP has resolved the Enforcement Action on 9/26/17.

Project Name: 1245 Main St. (2014-PE-0670)
Town: Village of Fleischmanns
Basin: Pepacton
Type of Use: Stormwater (SP)
Type of Violation: DEP NOV for failure to obtain approval of a SWPPP prior to construction of an impervious surface within 100 feet of a watercourse.
Discovery Date: 12/2/14
Status: Under Construction

Overview and Action:

DEP sent an e-mail to the owner on 10/24/16 regarding items which need to be addressed before the winter arrives, per a site visit during the week of 10/17/16. DEP received an e-mail from the engineer on 11/2/16 with soil test data attached; an update on soil enhancement, the rain garden, and the bioretention area were also provided. DEP performed site visits on 11/3 and 11/7/16; there were no deficiencies; there was no discharge; the site was occupied on 11/3 and vacant on 11/7/16. DEP exchanged e-mails with the engineer on 11/7/16 regarding the planting media; DEP also asked when gutters will be installed. DEP performed a site visit on 11/17/16; there were no deficiencies; there was no discharge; the site was occupied. DEP sent an e-mail to the engineer on 11/17/16 stating that the media used for the bioretention cell must be approved by DEP before it is put in place; the gutters also need to be installed and directed to the bioretention cell. DEP exchanged e-mails with the engineer on 11/17 and 11/18/16; the engineer will keep DEP in the loop regarding any work that is to be done and will supply samples of any material intended to be installed. DEP performed a site visit on 12/8/16; there were no deficiencies; there was no discharge; the site was vacant. DEP performed a site visit on 12/22/16; there were deficiencies; there was no discharge; the site was occupied. DEP sent an e-mail to the engineer on 12/23/16 stating that the SWPPP must be adjusted and resubmitted with regard to the bioretention cell and planting media. DEP received an e-mail from the engineer on 12/27/16; the engineer reviewed DEP's e-mail comments dated 12/23/16 and subsequently observed the installation at the site. Based on this observation, the gutters of the new building will be modified. DEP sent an e-mail to the engineer on 1/5/17 stating that the engineer's proposed modifications are unacceptable; the engineer must either reinstall the gutters to ensure proper drainage to comply with the SWPPP or modify the SWPPP to provide stormwater treatment for the runoff. DEP received an e-mail from the engineer on 1/5/17 regarding the parking lot layout. DEP performed a site visit on 1/6/17; there were deficiencies; there was no discharge; the site was occupied. DEP issued a letter to the Village of Fleischmanns Planning Board Chairperson (PB Chair) on 1/12/17 regarding issues with the amended site plan dated 3/23/16, and options for resolution. DEP exchanged e-mails with the engineer on 1/12/17; the engineer stated that the owner has decided to reset the gutters and discharge roof rainwater into the rain garden; a soil analysis will be provided of the material used. DEP advised to wait until the spring of 2017 to complete the rain garden. DEP exchanged e-mails with the PB Chair on 1/12/17 regarding the large parking lot; the PB Chair provided a master plan and documents received from the engineer

and DEP provided a copy of the SWPPP Approval for reference. DEP performed site visits on 1/20 and 3/2/17; there were deficiencies; there was no discharge; the site was occupied on 1/20 and vacant on 3/2/17. DEP sent an e-mail to the engineer on 3/3/17 regarding the gutter alignment, seeding and mulching, and bioretention completion. DEP performed a site visit on 4/20/17; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 4/20/17 regarding the need to finish realigning the gutters and construct the bioretention cell. DEP questioned his plan to finish. DEP received a call from the engineer on 4/28/17 regarding work to be done. DEP performed site visits on 5/3 and 5/8/17; there were deficiencies, there was no discharge and the site was vacant. DEP exchanged emails with the engineer on 5/11/17 regarding confirmation of who will be providing the planting media and who will be building the bio retention cell. DEP received an e-mail from the engineer on 5/11/17 stating that a rain garden will not be required. DEP performed site visits on 5/15 and 5/26/17; there were no deficiencies, there was no discharge and the site was occupied. DEP received a copy of the project review notes that the engineer sent to the V/Fleischmanns Planning Board on 5/30/17. DEP sent an e-mail to the engineer on 6/1/17 regarding road and parking lot reconstruction requires a permit as it is considered disturbance per the DEC website. DEP performed site visits on 6/8, 6/13 and 6/15/17; there were no deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 6/15/17 regarding the weir not being necessary as well as additional stone. DEP performed site visits on 6/19, 6/22, 6/27 and 7/3/17; there were deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 7/6/17 regarding items discussed that need to be addressed. DEP performed a site visit on 7/11/17; there were deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 8/3/17 regarding when the bioretention cell will be scarified and planted. DEP performed site visits on 8/25 and 9/21/17; there were deficiencies, there was no discharge and the site was vacant. DEP issued a letter to the engineer on 9/28/17 regarding 9/14/17 site inspection and the observation that the bioretention cell is still not completed, does not drain adequately and the area around the cell is not stabilized.

Project Name: 1324 Coles Clove Rd (2010-PE-0797)
 Town: Hamden
 Basin: Pepacton
 Type of Use: SSTS Repair (RE)
 Type of Violation: Failing SSTS - CWC - surfacing - DEP NOV for sewage surfacing onto the ground
 Discovery Date: 5/4/17
 Status: New

Overview and Action:

The owner stopped into the field office with regards to his septic system. He complained that the system is in failure. He stated that he cleans the effluent filter every year. DEP performed a site visit on 5/4/17; septic failure was observed. Absorption field, surfacing of sewage on ground. DEP talked to the owner who said that there is eight or nine people living at the house. The owner and his wife, his daughter and mother, his son and his wife and two kids. The house has five bedrooms and four bathrooms. Effluent is surfacing with septic odor but seems to return into the ground. DEP initiated an Enforcement Action on 5/4/17. DEP attempted to call the Code Enforcement Officer (CEO) on 5/10/17 regarding the increase in bedroom count. DEP called the CEO again on 5/17/17 regarding the number of bedrooms reported by the owner. The CEO

stated that they had applied for the following building permits: a permit to construct a septic system in 9/2011; a permit to construct an addition to the existing house, living room/dining room with a foundation underneath with no living space permitted under the living space in 5/2012; a permit to construct a detached garage in 10/2013. The CEO has no records indicating an increase in bedroom count. DEP received a call from the owner on 5/30/17 regarding changing the effluent housing from a 50 gallon plastic tank to a concrete tank. DEP called and left a message for the owner on 5/31/17 regarding the message that was left on 5/30/17. DEP received an internal e-mail on 6/5/17 regarding the owner stopping in at the field office to discuss his septic system issues. DEP issued an NOV to the owner on 6/6/17. DEP called and left a message for the owner on 6/7/17 asking for a call back. The owner stopped in at the field office looking for the DEP engineer who issued the NOV. DEP tried to explain that this individual does not work out of this office and pointed out his contact information in the letter. DEP showed the owners what they needed to do per the NOV; pump out and increase the tank and SSTS field for a five bedroom residence, to close out the NOV. They stated that what was installed was incorrect, that the effluent filter should have been inside the 1500 gallon tank. DEP tried to explain that the system was designed for a three bedroom residence, per the paperwork received from CWC and indicated on the engineer's plans that the owners had brought with them. The owners stated that the designer of the addition, the contractor, nor the CEO had told them that they needed to increase the size of the system because of the increase in the bedroom count. DEP received a phone call from the owner on 6/13/17. DEP explained that he has 2 more bedrooms than septic system was approved for and they have to hire an engineer to submit plans. DEP will contact the owner to meet onsite to discuss the review/approval process. DEP performed a site visit on 6/15/17; septic failure was observed. The owner will contact his new contractor to find a new engineer to complete the necessary work. DEP also advised the owner to not park vehicles on the absorption area of the SSTS. DEP received a call from an engineer on 6/28/17 asking for a few details on the existing replacement system. The engineer met with the owner onsite to discuss the issues. The engineer thinks that the garage will need a new stand-alone system if the owner wishes to convert a portion of it to living space. Due to the failure of the replaced system, the engineer thinks that the bed may need to be completely replaced due to the parking situation, as well as a larger septic tank. DEP received a request for a pre-application meeting from the engineer on 7/19/17. A soil/site evaluation was performed on 8/8/17. DEP Section Chief received a call from the engineer on 8/4/17 regarding a design for the alt/mod. He was advised to submit a design and reach out to CWC for potential reimbursement in the new side agreement.

Project Name: 7019 County Highway 26 (2007-CN-0751)
Town: Hamden
Basin: Cannonsville
Type of Use: SSTS Repair (RE)
Type of Violation: SSTS Replacement-CWC-Failing-dye recovered. DEP NOV.
Discovery Date: 12/8/09
Status: Under Construction

Overview and Action:

DEP issued a renewed Approval determination on 10/13/16. DEP performed a site visit on 10/13/16; septic failure was not observed; the site was already under construction. DEP received a call from the engineer on 10/13/16; the engineer had told the contractor to start construction,

but they neglected to alert DEP prior to it beginning. DEP performed construction site visits on 10/18 and 10/19/16; the distribution box has been set and the swale has been installed. DEP performed construction site visits on 10/21, 10/24, 10/25, 10/26, 11/2, 11/3, 11/14, 11/17, 11/18, and 11/22/16; there was no activity on any of the dates, other than on 11/22/16 when there was machinery on site. DEP performed a site visit on 2/1/17; septic failure was not observed; photos were taken; the site is inhabited, but no one was present at the time of the inspection. DEP performed a construction site visit on 2/7/17; there was no activity. DEP performed a site visit on 3/9/17; septic failure was not observed; the owner's representative and owner's mother were present. DEP performed a construction site visit on 3/13/17; there was no activity. DEP performed site visits on 4/3 and 4/4/17; septic failure was not observed. There was no one there at this time but there were cars in driveway. DEP called the town CEO on 4/4/17 and left a message asking about a building permit for this property. DEP issued a letter to the owner on 4/5/17 requesting that construction, which began in late 2016, recommence as soon as weather conditions permit. It was also noted that work on the barn was observed; if bedrooms are being added, a new design and re-approval are required. A response was requested upon the owner's receipt of the letter. DEP called the town CEO and left a message with the town clerk on 4/26/17. DEP received a call from the owner on 5/1/17 regarding the letter that was sent about the start of construction and the concern of additional bedrooms. DEP called the owner back the same day. The owner states that the contractor will be back after the site has dried out. Additionally, the owner addressed the concern about the additional bedrooms. She stated that she has always had an office and open space in the barn. There is water in the barn from when the previous owner housed animals which is now utilized as a sink and an outside spigot (no additional bathrooms). DEP called the CEO on 5/3/17 regarding the possible conversion of the barn to residential space. The CEO stated that the only items in the file are with regards to the replacement SSTS for the home. The CEO stated that he would investigate the matter. DEP called the CEO on 5/17/17 to follow up on the situation with the barn. He spoke with the contractor who stated that they are not living in the barn. DEP performed a site visit on 6/12/17; septic failure was not observed. The mother of the owner is living in the house full time. DEP received a call from the owner on 6/12/17 regarding the status of construction. The owner stated that the contractor will call 48 hours in advance of starting construction up again. DEP performed a site visit on 7/13/17; there are three new cars in driveway but could not get anyone to answer the door. DEP issued a letter to the owner on 7/13/17 stating that construction has not yet commenced. DEP performed a site visit on 9/7/17; no one was at home and failure was not observed.

Project Name: 650 Swantak Rd (2015-CN-0477)
Town: Kortright
Basin: Cannonsville
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - CWC - Sewage surfacing on ground. Initially part of the Swantak Subdivision; DEP NOV.
Discovery Date: 8/19/15
Status: Approved

Overview and Action:

DEP issued an Approval Determination letter on 11/4/15. DEP issued a letter to the owner on 4/15/16 stating that construction has not yet commenced. On 5/3/16, DEP returned the owner's call from the week of 4/25/16; the owner's husband has recently passed away. She is awaiting a

clear title before progressing with the SSTS; then a bid will be submitted to CWC by the contractor. DEP performed a site visit type on 9/12/16; septic failure was not observed; spoke with the owner and she is waiting for the contractor to start construction. DEP called CWC on 12/16/16; CWC has not yet received a bid and is waiting for a clear title in the owner's name, which is needed before they can approve a submitted bid. CWC will call the owner to inform her of this. DEP called CWC on 2/17/17; they are getting paperwork together so that the owner can move forward with soliciting quotes for construction. DEP sent an email to CWC on 8/18/17 requesting bid status. DEP performed a site visit on 9/14/17; the site of the failure is overgrown with weeds and cannot see the failure at this time and there is no odor. DEP called and left a message for the engineer on 9/21/17 asking for a call back regarding the status of the property line issues. DEP received a call from the engineer on 9/27/17 regarding the message that was left. The engineer does not know why the system is not under construction since plans have been approved.

Project Name: McMurdy Brook Rd (2010-CN-0500)
Town: Kortright
Basin: Cannonsville
Type of Use: Stormwater (SP)
Type of Violation: Lot number of the proposed 15 lot subdivision. Failure to obtain prior approved SWPPP - DEP NOV.
Discovery Date: 1/13/11
Status: Ongoing

DEP issued an Approval Determination letter on 4/9/15. DEP issued a letter to the owner on 10/15/15 stating that construction has not yet commenced. DEP received a voice-mail from the owner's husband on 10/28/15 stating that he has been waiting for over three months for an estimate on the driveway and expects one soon, possibly on 10/30/15. DEP called the applicant on 5/5/16; the applicant has signed a contract and the contractor intends to start construction within two weeks. DEP called the applicant on 7/12 and 7/13/16 regarding the site work for the SWPPP. The contractor provided a very high estimate and as such was denied. The applicant is waiting on a new estimate. DEP exchanged e-mails with the applicant on 2/8/17 regarding a new contractor to implement the approved SWPPP; the applicant has hired someone, but he or she is not available until after 3/17/17; DEP will follow-up to set up a site meeting. DEP sent an e-mail to the owner on 6/7/17 requesting the status of construction. Also requested a time to meet at the site with the contractor. The owner responded the same day that she will get in touch with her contractor to see when he can start the work. DEP exchanged emails with the owner and set up a time to meet at the site on 6/8/17. DEP received a call from the applicant on 6/28/17. The applicant is reworking the SWPPP with the engineer. DEP received a call from the engineer on 7/13/17 regarding the owner wanting to move the house another 500 feet from originally planned and wanted to touch base. DEP responded the same day stating that they will need to revise the SWPP indicating the new house location. DEP received a call from the applicant on 8/2/17 regarding the relocation of the house. DEP received a sketch plan of the house layout from the engineer on 8/8/17. DEP called the applicant on 8/22/17 regarding the relocation of the house.

Project Name: 462 Blueberry Rd (2015-CN-0378)
Town: Masonville
Basin: Cannonsville

Type of Use: Septic System (SS)
Type of Violation: Waste/Sewage reported to be on surface of the ground. DEP NOV.
Discovery Date: 7/7/15
Status: Ongoing

Overview and Action:

DEP Legal issued a new letter to the owner at three additional addresses via certified and regular mail on 11/7/16 regarding his lack of compliance in resolving the NOV; terms were provided to be promptly implemented by the owner to avoid referral of the project to NYC Law. The owner was requested to respond by 11/17/16 to schedule a review of the SSTS. DEP received a voicemail from the owner on 11/10/16; DEP called the owner on 11/15/16. The owner stated that he showed pump-out receipts to three individuals he claimed were recently on-site; he is planning on installing a composting toilet and an outdoor shower and kitchen, so that he can discharge greywater on to the ground. DEP called the owner on 11/16/16; the owner stated that he has been removing a tank from the camper and dumping wastewater himself. DEP stated that per the NOV, a DEC licensed septic hauler should be doing pump-outs. The owner offered to send photos of the pump-out receipts mentioned previously to DEP. There is no water connection in the cabin; the owner has been transporting water to the site and plans on storing it inside the cabin to pump outside for usage in the outdoor kitchen and shower. DEP stated that he would still need an SSTS for the greywater, as it is considered to be wastewater. The owner expressed his dissatisfaction; DEP explained that his property is within the New York City Watershed; thus, all of the water on his property eventually reaches the Cannonsville Reservoir. The owner reiterated that he “cannot afford the architect’s stamp” and would have a local contractor do the work if DEP “waives” this rule. DEP explained that the design is a requirement which cannot be waived. The owner also stated that he could not obtain CWC’s assistance because there is no permanent residence, which is why he is building the cabin. The owner is not on site and will not be there during the winter, as his water keeps freezing up; he usually returns to the site sometime in May. DEP left a voicemail for the owner on 12/19/16 and called on 2/17/17; he plans on requesting funding from CWC after his cabin is completed. DEP informed him that CWC has certain requirements for qualification in their program. The owner still plans on installing a composting toilet and asked about using an outhouse. The initial use of his property is seasonal, but he eventually plans for it to be year-round. The owner requested that DEP contact him in April 2017 to plan a meeting on-site to discuss all issues. A warning for the site was opened on 5/12/17. DEP staff should be accompanied by DEP Police when visiting this site until further notice. DEP called the owner on 5/17/17 to set up an appointment at the site. DEP contacted CWC on 6/7/17 regarding project eligibility for funding. CWC stated that the structure is new and therefore not eligible. DEP met on the owner on site on 6/13/17. DEP explained to the owner that he has two options. He can hire an engineer to design a compliant system following approval process of DEP. Or his second option is to install a holding tank and comply with DOH requirements. DEP will follow up on this meeting by sending the owner documents. DEP received a return call from DOH on 6/21/17, who stated they are unaware of any other funding source for SSTS construction other than CWC in the Watershed. Additional project information and history was sent from DEP to DOH via email in case this project is brought to their attention. DEP called the CEO on 6/22/17 regarding information on the property. DEP received a call from the CEO on 6/27/17 regarding the property. He stated that nothing was ever on file regarding a structure or septic system on the property. It has always been on file as rural vacant land. A building permit was issued for a structure with no running water.

Project Name: 46 Batavia Hgts Cir (2017-PE-0196)
Town: Middletown
Basin: Pepacton
Type of Use: SSTS Repair (RE)
Type of Violation: RE - Complaint - DEP NOV for sewage surfacing onto the ground.
Discovery Date: 5/8/17
Status: New

Overview and Action:

DEP received an e-mail from the DEP Police on 5/5/17 regarding a complaint of a septic failure. DEP called the tenant on 5/5/17 regarding the complaint that was received and requested a call back. DEP sent a reply back to the DEP Police on 5/5/17 once it was determined that more information was needed to follow up on the complaint. DEP received an e-mail from the DEP Police on 5/6/17 regarding the additional information requested. A full address of the property with photos of the failure were provided. DEP initiated an Enforcement Action on 5/8/17. DEP reporting officer stopped in the field office to discuss the project. The officer stated that the failure is located in an enclosed area, a four foot high chain link fence topped with barbed wire. The tenant told the officer that they had dogs, but the officer did not see any dogs at the time of the visit. The officer attempted to reach out to the tenant again, but was unsuccessful. DEP called the tenant on 5/8/17 regarding the complaint and left a message asking for a call back. The tenant called back the same day: The sewage is backing up around a white pipe that was sticking up out of the ground and has completely covered the pipe. They had made the owner aware of the situation. The tenant is willing to show DEP the failure and explain everything while on site. The tenant provided the name and cell phone number for the owner of the property. DEP called the tenant on 5/11/17 to set up a site visit with a DEP inspector. DEP called and left a message for the tenant on 5/24/17 letting them know that DEP was going to inspect the property mid to late morning on 5/25/17. DEP performed a site visit on 5/25/17; obvious failure; sewage/effluent at surface under large bush, odors, etc. Appears to be contained in the area of vegetation. DEP received a request for a pre-application meeting from the applicant on 5/25/17. DEP observed and prepared a violation report on 5/25/17. DEP issued an NOV to the owner on 6/6/17. DEP called and left a message for the owner on 6/7 and again on 6/12/17 regarding the property. A Notice of Violation has been issued due to a septic failure found at this property. DEP asked for a call back to discuss this issue. DEP re-issued the NOV to the applicant on 8/4/17 via return receipt. DEP called the tenant on 9/21/17 regarding the mailing address for the owner. The tenant does not have any other address; the address provided is what was listed on the lease agreement. DEP performed a site visit on 9/25/17; surfacing effluent was unchanged from prior site visit. DEP Legal called the owner on 9/29/17 and discussed the NOV, which the owner never received. The owner stated that the home is going to foreclosure. DEP asked the owner to provide foreclosure party information so they can be contacted with status of SSTS.

Project Name: 79 Rennison Road (1998-RO-0131)
Town: Neversink
Basin: Rondout
Type of Use: SSTS Repair (RE)
Type of Violation: Replacement SSTS for three bedrooms. RE.1: CWC. RE.2: Non-CWC project with a DEP NOF and NOV.
Discovery Date: 7/12/13
Status: New

Overview and Action:

DEP performed a site visit on 4/27/17; septic failure was observed in the absorption field. First and second laterals, which were previous repaired, are failing. Effluent is surfacing and draining back into the ground. Effluent is not leaving the area of the bed. DEP contacted CWC on 5/8/17, who said they do not have a way to pay for this second time repair, but that they are eligible for the 50% reimbursement pump out program every 3 to 5 years. DEP issued an NOV to the owner on 6/19/17. DEP received a call from the owner on 6/30/17. He is planning on pumping out the septic tank on 7/7/17. Then he will start working on repairing other 3 laterals by adding crushed stone around them. DEP to contact owner on 7/5/17 to confirm septic tank pump out schedule and attend if possible. The owner was informed that continued failure will elevate enforcement actions, and recommended he communicate regularly with DEP regarding his efforts. DEP called the owner and left a message on 7/5/17 regarding the date and time of the pump out that he wishes to do. DEP received a call from the owner on 7/10/17 regarding the date and time of the pump out. The tank will be pumped on 7/12/17. DEP performed a site visit on 7/12/17; septic failure was observed. The owner was having the tank pumped out. The tank looked good after the pump out. There were no sounds of water flow coming into the tank after the pump out was completed.

Project Name: 4 Schumway Road (2001-NV-0181)
Town: Neversink
Basin: Neversink
Type of Use: Intermediate Repair (CR)
Type of Violation: Proposal for two frame buildings, including a gas station. DEP NOV for a surface discharge.
Discovery Date: 7/15/16
Status: Ongoing

Overview and Action:

DEP issued a letter to the owner on 1/12/17 detailing items which much be satisfactorily addressed in order for DEP to accept the construction of the replacement SSTS and to close the NOV. DEP exchanged e-mails with the owner on 1/12/17 regarding the letter issued on this same date and setting up a meeting to discuss the items therein. DEP exchanged e-mails with the owner and engineer on 1/17/17 regarding scheduling a meeting. DEP received an e-mail from the engineer on 1/21/17; once the owner has returned from travelling overseas, the engineer will have the dosing counter set-up and will advise the owner on tasks to complete prior to scheduling final inspections. DEP corresponded with the engineer on 2/3/17 regarding the installation of the

dosing counter; he is waiting for the temperature to rise above freezing, as the work will be done in the parking lot (which has been covered in snow and ice). DEP sent an e-mail to the owner on 3/30/17 requesting water meter readings from 12/9/16 to the present. DEP sent an e-mail to the engineer on 3/30/17 to schedule an inspection of punch list item progress for construction approval. DEP received water meter readings dated 8/8/16 through 3/28/17 via e-mail from the owner. DEP received the water meter readings on 5/5/17. DEP corresponded by e-mail with the engineer on 5/16/17 regarding the pending inspections and verifications needed to close the construction. DEP corresponded by e-mail with the CEO on 5/24/17 regarding some tanks that are stored across the street from the property. DEP sent an e-mail to the owner on 6/6/17 requesting up to date water meter readings. DEP corresponded via e-mail with the owner on 6/6/17 regarding a final inspection, which is pending the engineer's coordination. DEP received water meter readings on 6/6/17. DEP performed a site visit on 6/23/17. The absorption field showed no signs of over use, it is vegetated and stable. DEP received a phone call from DOH on 7/11/17 regarding an application the owner has submitted for a food service permit so he can begin catering at a local spa. DOH is interested in the SSTS capacity. On 7/11/17, DEP sent the water use info to DOH and requested a copy of the foods service correspondence between DOH and the owner. DEP requested the water meter readings for the facility via email on 7/12/17. DEP received a copy of the food service permit from the applicant to DOH on 7/12/17 from DOH. DEP exchanged emails with DOH on 7/18/17 regarding their pre-operational inspection. DEP sent an e-mail to the owner and the engineer on 7/24/17 requesting a site visit for the final inspection and the water meter readings. DEP received an e-mail reply from both the owner and the engineer on 7/24/17 regarding the preparation for a final inspection. No water meter readings were received. DEP spoke to the owner on 7/26/17 regarding the work accomplished on the SSTS punch list. He said the engineer was on site to set the floats to the correct dose and verified the dose with a liquid measurement. He will get elevation readings for the stray septic tank that had been installed for the second building that was never built, so we can determine if it can be connected to the existing septic tank and/or pump chamber. DEP corresponded by email with the engineer on 7/27/17, and gave a tentative final inspection date for 8/4/17. On 8/7/17, DEP met with the owner and engineer for the dose volume and dose counter verification. Elevations were checked, the installed stray tank can be connected to the in-use septic tank with the minimum required pitch. DEP called the store owner on 8/15/17 regarding the DEP Police observed sewage discharge the previous day. He said that when the police told the store manager, about the discharge, she was surprised and called him for advice. He told her to check the pump circuit breakers, which were off, as was the alarm circuit breaker. He also said that the stray tank was the source of the discharge into the parking lot. DEP called the DEP Police on 8/15/17 regarding the incident and the information given to DEP. DEP received a copy of the incident report that was filed by DEP Police on 8/12/17. Site Visit type: Followup. Date: 08/19/2017. Septic Failure: Not observed. Site was inspected for septic failure following manhole overflow the week prior. There was no failure observed, all appeared to be working well. An outdoor tent with seating for at least 10 was observed as well as a farmers market. DEP sent e-mail to the owner on 8/21/17 requesting the meter readings from May 2017 forward and the dosing counter readings. DEP sent an e-mail to DOH on 8/21/17 regarding the sewage overflow and catering at the site. DEP issued a letter to the owners on 9/01/17 regarding the NOV and the need for daily dosing counter and water meter readings. DEP received the water meter readings on 9/15/17.

Project Name: 667 County Hwy 41 (2012-PE-0464)
Town: Roxbury
Basin: Pepacton
Type of Use: Stormwater (SP)
Type of Violation: The site is a mixed residential/commercial site. Failed SWPP. DEP NOV.
Discovery Date: 5/22/14
Status: Closed

DEP exchanged e-mails with the applicant on 11/10 and 11/15/16 regarding the construction status. DEP performed a site visit on 11/16/16; there were no deficiencies; there was no discharge; the site was vacant. DEP sent an e-mail to the engineer on 11/21/16 regarding rain garden issues that will need to be addressed prior to the closeout of construction; DEP received a response from the landscaper on 11/22/16. DEP performed site visits on 11/28, 12/14, and 12/28/16, and on 1/10/17; there were deficiencies; there was no discharge; the site was vacant on 11/28 and 12/14/16, but was occupied on 12/28/16 and 1/10/17. DEP sent an e-mail to the applicant, engineer, CWC, and contractor on 3/6/17 regarding the project completion schedule. DEP received an e-mail from the landscaper on 3/27/17; she plans on checking the site and may finish installing the rain garden. DEP received an e-mail from the landscaper on 5/3/17 regarding scheduling an onsite meeting to discuss the final punch list items. A meeting was held on site with the project applicant, engineer, CWC and landscaper on 5/12/17 to discuss stormwater issues that need to be corrected before project closure. The rain garden needs to be leveled up so the runoff entering the garden is dispersed evenly. The berm needs to be raised to provide 6" of ponding, the inlet pipe to the garden needs some stone protection or plunge pool and needs additional bark mulch. Once the work is completed, DEP will evaluate the function of the rain garden after a rain event. DEP performed a site visit on 6/16/17; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 6/26/17 asking if the improvements to the stormwater system are acceptable. DEP received As-Built plans and an engineer's certification letter from the engineer on 7/13/17. DEP sent an e-mail to the engineer on 7/13/17 regarding the construction certification letter and as-built drawing. DEP issued a letter of Construction Compliance on 7/14/17. The violation was resolved and the case was closed on 7/14/17 with DEP Closure letter dated 7/14/17. DEP has resolved the Enforcement Action on 9/5/17 based upon former NOV closure.

Project Name: Upper Meeker Hollow Road (2006-PE-1174)
Town: Roxbury
Basin: Pepacton
Type of Use: Intermediate Repair (CR.4)
Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence. 2013 NOV is for violating the conditions of approval.

Project Type: Intermediate Repair (CR.3)

Status:

DEP performed a site visit on 12/15/16 to determine if the seasonal holding tank is in

compliance; the alarm was flashing, DEP could not access the room where the plumbing exists, and no one was on-site. DEP performed a site visit on 12/28/16; the plumbing and holding tank for the barn were inspected; the site was in compliance with the Consent Order for the winter season. DEP exchanged e-mails with DEP Legal and NYC Law between 12/9 and 12/30/16 concerning the inspection and re-inspection; an NOV for non-compliance with the consent order will not be issued. DEP called the site manager on 4/21/17 regarding the seasonal holding tank use. The water supply in the horse barn will not be turned on until the middle of May, and DEP will be contacted to inspect prior to the first wedding of the season, scheduled for 5/28/17. DEP performed a scheduled spring start up inspection with the site manager on 5/19/17. The liquid level of the horse barn holding tank was about 10 inches from the top cover of the riser, and the alarm was flashing. The manager said the hauler had been called the previous day. DEP called the site manager on 5/23/17 regarding the overfull holding tank observed on 5/19/17, he said the hauler came on the morning of 5/20/17. DEP performed a site visit on 6/16/17. The alarm was not flashing, and it was observed on the hauler's chart that 3000 gallons had been pumped on both 6/14/17 and after the previous DEP site visit, on 5/20/17. DEP performed a site visit on 7/27/17. The alarm for the holding tank was not flashing. DEP performed a site visit on 8/18/17. The alarm for the holding tank was blinking and the audible alarm was off.

Project Name: County Highway 18 (2008-CN-0263)
Town: Stamford
Basin: Cannonsville
Type of Use: Intermediate Repair (CR)
Type of Violation: DEP NOV for failed SSTs; Proposal to complete interior and exterior improvements, build a caterer's kitchens, add one bathroom and subdivide the existing parcel for their existing reception hall business.
Discovery Date: 7/15/08
Status: Ongoing

Overview and Action:

DEP received a call from NYC Law on 5/3/16; NYC Law is hoping to speak with the owner during her scheduled meeting with her attorney on 5/11/16. In preparation for that discussion, NYC Law asked specifically when DEP is available for a site visit, how long it would take, and what would be required. DEP provided availability and timing; the manhole in the garage would need to be inspected, as well as the septic tank to see if it is leaking and the manhole following the tank to check for effluent. DEP asked if a dye test can be requested and if subsequent visits can be scheduled to check for dye. DEP received an e-mail from NYC Law on 6/22/16; NYC Law will contact the owner's attorney closer to the foreclosure trial, which is upcoming. DEP performed a site visit on 7/22/16 by driving by the property; it appears to be uninhabited. DEP received an update from DEP Legal and NYC Law on 9/29/16; there has been no change in foreclosure status. DEP received an e-mail from DEP Legal on 11/23/16 stating that per NYC Law, a trial date has not yet been set for the foreclosure. It was also confirmed that the owner is still in a nursing home. DEP drove by the site on 4/4/17. The house looks vacant and the property looks un-kept. Three horses were in the field to the rear of the property by the red barn. DEP drove by the site on 6/28/17. The grass has been recently cut, and a small maroon SUV was parked in the driveway. Nothing else has appeared to change.

Project Name: River Road (2004-CN-0718)

Town: Stamford
Basin: Cannonsville
Type of Use: Intermediate Repair (CR)
Type of Violation: SSTS Failure; DEP NOV surface failure.
Status: On going

Overview and Action:

DEP exchanged e-mails with DEC on 11/19/15 regarding the existing SPDES permit for the site, which authorizes operations "for an indefinite period" or until DEC states otherwise. DEP issued a refresher letter to the owner on 11/23/15 regarding the current status of the NOV; potential buyers are encouraged to contact DEP. DEP performed a site visit on 4/22/16; there was no sign of recent activity and no "For Sale" signs posted. DEP called the Director and sent him an e-mail on 5/6/16 inquiring about the ownership of the property. DEP called the Delaware County Real Property Tax Office on 5/24/16 and was informed that the property ownership has not changed. DEP performed a site visit on 7/22/16; the property is still vacant but is being maintained. DEP performed a site visit on 12/28/16 by driving through the property; it remains vacant yet maintained; the porch lights were on and the driveways have been plowed. DEP drove through the property on 4/4/17. The porch lights were on and the property appears to be maintained. DEP drove through the property on 6/28/17. The maintenance truck was not on the property, and none of the porch/door entrance lights were on. The grass mowing has been kept up, and there was a small bucket at the main entrance filled with wood scraps. DEP drove by the site on 7/6/17 and noticed some activity. A meeting and walk around with the caretaker followed. The new owner intends to keep the premises private for his personal use. DEP issued a letter to the new owner on 7/25/17 regarding the outstanding NOV's on the property. DEP has resolved the Enforcement Action on 8/17/17. Applicant is no longer pursuing a new absorption field.

Project Name: Miller Drive (2016-CN-0694)
Town: Walton
Basin: Cannonsville
Type of Use: Septic System (SS)
Type of Violation: Garage converted to a single family residence without a Certificate of Occupancy. DEP NOV for use of an unapproved SSTS.
Discovery Date: 11/22/16
Status: New/Approved

Overview and Action:

DEP issued an NOV to the owner on 12/7/16. DEP received a voicemail from the owner on 12/14/16 in response to the NOV; the owner stated that soils were done and plans should be submitted by 12/16/16, but construction cannot start until spring 2017 due to the snow/weather. DEP called the owner back and reiterated that plans are due by 12/16/16. DEP received an Application for a non-conventional individual SSTS on 12/20/16. DEP received a voicemail from the buyer's attorney on 12/21/16; DEP returned the call and stated that the Reviewer will provide comments to the engineer on 12/22/16, as plans will need to be resubmitted with changes. DEP issued a NOCA on 12/22/16. DEP issued a comment letter on 12/22/16 to the engineer. DEP spoke with buyer's attorney on 12/23/16 and stated that plans need to be resubmitted. DEP continued that it is uncertain which plans will be approvable for this property until a final review has taken place. DEP received an e-mail from the owner stating that DEP can share information regarding the property with the buyer's attorney. DEP received revised plans

from the engineer on 1/3/17. DEP issued an Approval Determination letter on 1/3/17. DEP spoke with the buyer's attorney on 1/3/17 to inform her that plans have been approved. DEP issued a letter to the owner on 6/20/17 stating that construction has not yet commenced. DEP received a call from previous owner on 6/28/17, stating that he sold the house, and the new owner is just waiting for the contractor to get started. DEP sent engineer an email on 6/28/17 requesting new owner name and contact information. DEP issued a letter to the new owner on 8/18/17 stating that construction has not yet commenced. DEP received notice on 8/28/17 that construction will begin on 8/29/17. DEP completed construction inspections on 9/19/17.

Project Name: 1227 East River Road (1999-CN-1022)
Town: Walton
Basin: Cannonsville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #734 - CWC - DEP NOF and DEP NOV for spongy ground; not gross surface failure.
Discovery Date: 5/20/98
Status: Ongoing

Overview and Action:

DEP called CWC on 11/9/16; bids have not been received to-date; they have paid for the redesign of the SSTS. DEP Legal reissued a letter to owner on 11/28/16 due to an incorrect date listed regarding several years of non-compliance and a consistent failure. To avoid possible referral to NYC Law for litigation, the owner must stop the discharge, hire a contractor, and submit a bid to CWC by 12/14/16; the SSTS must also be fully constructed by 6/1/17. DEP called CWC on 12/16/16; bids have not been received to-date. DEP performed a site visit on 1/4/17; septic failure was not observed; DEP knocked on the door but no one was at home; the previously failing area was inspected; no failure was witnessed, but the ground was very soft and spongy; photos were taken. DEP received a call from CWC on 2/15/17; the new owner has signed a program agreement and was given a brief overview of the program. DEP performed a site visit on 4/27/17; septic failure was observed, surfacing of sewage on ground. DEP Gained permission from the new owner to look on property. The owner is aware and is moving forward with rehab project.

Project Name: 15 Sholam Road (2001-RO-0730)
Town: Wawarsing
Basin: Rondout
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1570 - CWC-surfacing - DEP NOV for surface discharge.
Discovery Date: 11/30/01
Status: Ongoing

Overview and Action:

DEP received a call and e-mail from the owner on 12/7/16; he provided a copy of a 2011 bid from a local contractor, stating that it was similar in price range to the other bids he submitted. DEP spoke with CWC on 12/8/16; the owner and/or contractors need to provide detailed quotes to CWC and hopefully a quote which is agreeable to all can be decided upon. DEP left a voicemail for the owner on 12/12/16 to follow-up on his new bid submission status. DEP received an e-mail from NYC Law on 12/16/16 regarding the status of the motion judgement.

DEP Legal sent an e-mail to NYC Law on 2/3/17 to determine the status of the paperwork; NYC Law replied that the paperwork is being revised, based on review. DEP left a voicemail for the owner on 2/13/17 to follow-up on his new bid submission status; DEP requested a return call. DEP called CWC on 2/17/17; new bids have not yet been received. DEP received an e-mail from NYC Law on 3/1/17 with the motion for default judgment paperwork for review; DEP Legal sent comments to NYC Law on 3/22/17. DEP performed a site visit on 3/31/17; septic failure was observed; odors were present at the outlet of the pipe and at the end of the ditch. The owner stated that plans were provided to another contractor for a bid submission; he also said that he would be travelling for the next two weeks. The owner was advised to have the tank pumped out to prevent the watered down effluent from possibly migrating off of the property; DEP asked for a copy of the pump-out receipt. NYC Law sent clean copy of motion papers to DEP for final review/signature on 4/7/17. DEP received an e-mail from NYC Law on 5/19/17 with the documents that were sent to the court. DEP received an e-mail from NYC Law on 6/13/17 regarding the signed paperwork from the Ulster County Courts. DEP contacted CWC for any updates on 6/14/17. CWC expects a quote to be submitted before the end of the day. DEP sent email to CWC on 6/19/17 requesting update on bid status. DEP performed a site visit on 6/22/17; septic failure was observed. Sewage was evident in the ditch, no odors. This project is on the CWC Septic Committee meeting agenda scheduled for 6/23/17 for project approval. DEP sent CWC an email on 7/14/17 requesting bid approval status. DEP received an email from CWC on 7/17/17 stating that they plan to write the notice to proceed on 7/20/17, as they are waiting for the right of objection period to end. DEP received an e-mail from NYC Law on 7/18/17 sent to DEP Legal attorney. The Attorney sent the order to the Ulster County Clerk on 7/6/17 to be entered and is waiting to get a copy of the entered order sent back. Once that is in hand, DEP can serve notice of entry on the owner. NYC Law heard from DEP upstate Law that CWC was considering funding for a septic repair at their July board meeting so he may be moving forward with repairs on a parallel path. DEP emailed CWC on 7/21/17 requesting to be notified when notice to proceed has been issued. CWC email DEP back the same day stating that the notice to proceed was issued. On 7/26/17, the NYC Law reported they have received a copy of entered order (entered 7/13/17), and will begin the process to serve it to the owner, along with a letter stating that he should continue with the CWC bid approved construction process. DEP called CWC on 8/11/17 to obtain the contractor's name and contact information. DEP called the contractor on 8/11/17 regarding the start of construction. The contractor is working on the schedule currently and hopes to start later this month. The contractor was provided the inspector's name and contact information and advised to call 48 hours in advance of construction. DEP performed site visits on 8/24, 8/30, 9/13, 9/21, 9/22, 9/25, 9/26 and 9/29/17.

3.1.3. West Branch, Boyd Corners, Croton Falls, Cross River Basins

Project Name:	1 Fowler Ave (2014-WB-0599)
Town:	Carmel
Basin:	West Branch
Type of Use:	Stormwater (SP)
Type of Violation:	A new gas station is proposed within 500 feet of a controlled lake. DEP NOV.
Discovery Date:	10/21/14
Status:	Ongoing

Overview and Action:

DEP performed site visits on 6/29, 7/6, 7/13, 7/25, and 8/4/16; there was no work in progress, the site was closed, and there has been no change; the installation for erosion controls has not been not corrected; a minimal about of vegetation has germinated on the stock pile. DEP performed site visits on 8/19, 8/24, 9/1, 9/8, and 9/27/16; there was no work in progress, the site was closed, and there has been no change. DEP performed site visits on 10/14, 10/25, 11/10, 12/6, and 12/15/16, and on 1/3, 1/19, 2/6, 2/23, 3/2, and 3/13/17. There was no work in progress, the site was closed, and there have been no changes. DEP performed a site visit on 4/11, 5/2, 5/24 and 6/12/17. Erosion controls have completely deteriorated and are not functional. Silt fence must be replaced and stock pile must be stabilized. DEP performed a site visit on 7/3/17. The site is undisturbed and erosion controls have not been maintained. DEP performed a site visit on 7/17/17. , No stabilization work has been done on site but the majority of site is now covered with vegetation. DEP performed a site visit on 8/8, 8/25, 9/20 and 9/27/17. No work is in progress and the site is vegetated.

Project Name: 737 Croton Falls Rd (2010-CF-0892)
Town: Carmel
Basin: Croton Falls
Type of Use: Solid Waste (SO)
Type of Violation: Fill section. Failure to comply with Rules and Regulations. Land Use Permit for survey and eventual remediation. DEP NOV.
Discovery Date: 10/14/10
Status: Ongoing

Overview and Action:

DEP REP sent an e-mail to DEP Employee Health and Safety (EH&S) and DEP Legal on 1/20/16 regarding when and where initial sampling was performed. On 2/29/16, DEP received a copy of the compliance letter DEC sent to the applicant. DEP received the Monitor Well Installation and Groundwater Monitoring Report on 4/22/16 and the final results from the 5/11/16 groundwater sampling on 5/27/16. DEP received DEC's enforcement letter on 11/1/16. DEP received an e-mail from the Watershed Inspector General (WIG) on 11/28/16 regarding a revised cost estimate for the site cleanup. DEP received the engineer's status update letter on 12/14/16. DEP issued an e-mail to WIG and DEC with comments and concerns on the pending closure plan. DEP received NYC Law's letter to the applicant's attorneys on 12/23/16. DEP received a Site Remediation Work Plan from the engineer on 2/14/17. DEP received a Stormwater Addendum from the engineer on 8/10/17. DEP received a copy of the Revised Site Remediation Work Plan from the geo tech engineer on 8/25/17.

3.1.4. Kensico Basin

3.2. DEP Police Actions

3.2.1. Catskill District

Name: 295 South Mountain Road **CS-161-17, SJS 67626**
Location: Conesville
Type of Use: Rural

Type of Violation: Stream Violation
Date Discovered: 5/29/17
Status: Closed

Overview and Action:

DEP Police on patrol, observed fresh excavation in and around a stream which is a direct tributary to the Manor Kill Creek classified as a C(T)S. Officer identified current land owners (one of whom is owner of Blue Mountain Excavation) but initial attempts to contact were met with negative results requiring follow-up at a later date. Officer's investigation continued with phone call to U.S. Army Corps of Engineers (USACE) to discuss potential stream violation and set up meeting to perform site check. At site inspection with two USACAE employees, subject /land owner stated he was attempting to build up the banks to create a dam to restore old water pools that had washed away. Subject was informed by USACE that work he had performed was in a wet land and any attempts to remove soil he had placed would cause further damage. Subject was further advised to place seed on the banks he created and to contact USACE prior to future work to obtain permit outlining parameters. Subject was issued ticket for violation of NYS ECL Dispose / Place Soil In or On Banks of a Tributary. DEP Police and US Army Corps of Engineers involved.

Name: 168 Minwawa Road **CS-144-17, SJS 67351**
Location: Hunter **Spill # 1701522**
Type of Use: Residential
Type of Violation: HazMat Spill
Date Discovered: 5/17/17
Status: Closed

Overview and Action:

DEP Police was notified by DEC HazMat of a home heating fuel oil spill of approximately 100 gallons at the above address. Clean-up to be handled by NYS spill contractor America Petroleum who was in-route. Officer arrived on scene and observed that remediation was complete with no impact to the watershed. DEP Police and DEC HazMat involved.

Name: Scribner Hollow Road, NYC Parcel #937 **CS-154-17, SJS 67544**
Location: Hunter
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 5/25/17
Status: Closed

Overview and Action:

DEP Police on patrol observed 9 bags of household refuse along with carpet and boxes dumped on NYC property which did yield traceable evidence. When contacted, subject stated that he had paid an acquaintance to dispose of his garbage the previous day. Subject was issued ticket for violation of NYCRR Unlawful Disposal of Solid Waste. Officer continued investigation and located 2nd subject responsible for actual dumping to whom officer also issued ticket for violation of NYCRR Unlawful Disposal of Solid Waste after confirming that all of the garbage had been removed from parcel. DEP Police involved.

Name: Dike Road, Gate E-17 **CA-567-17, SJS 69641**

Location: Hurley
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 8/27/17
Status: Closed

Overview and Action:

DEP Police observed two tires discarded over an embankment with only the barcode and serial numbers located on sidewall of tires as possible lead to ownership and responsibility. Follow-up search determined that information on tires would not reveal identity of owner. DEP Police involved.

Name: Mallory Road **CS-0072-17, SJS 65971**
Location: Jewett
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/9/17
Status: Closed

Overview and Action:

DEP Police on patrol observed two couches dumped over an embankment. No traceable evidence recovered at site. Officer stopped at Town of Jewett Highway Department to advise them of dumping which they will remove as it is located on a town road. All materials removed from location by Town of Jewett Highway Department. DEP Police and Town of Jewett Highway Department involved.

3.2.2. Delaware District

Name: 3075 County Route 1 **CB-170-17, SJS 66857**
Location: Andes
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 4/22/17
Status: Closed

Overview and Action:

DEP Police patrolled to the site of a dumping complaint at the above address. Upon arrival, they observed a dump site over a steep embankment next to the Tremperskill Stream and directly adjacent to NYC property. The dumping consisted of general household refuse including Styrofoam egg cartons and plastic and glass recyclables but a detailed investigation of the site was hampered by the steep angle of the embankment and current high water levels. Subsequent re-check of area determined site is still inaccessible. Area will be monitored by property owner whom was also advised of trail camera placement and posting signage. DEP Police involved.

Name: Little Dingle Hill Road, NYC Parcel #2623 **CB-403-17, SJS 70126**
Location: Andes
Type of Use: Rural
Type of Violation: Dumping

Date Discovered: 9/19/17

Status: Closed

Overview and Action:

DEP Police responded to NYC Parcel #2623 to investigate a dumping complaint received from DEP Land Management Downsville. On scene, officer located old sleeper couch and rug remains dumped over an embankment which did not yield any traceable evidence. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: State Route 30

CB-236-17, SJS 67867

Location: Colchester

Spill # 1702372

Type of Use: Municipal

Type of Violation: HazMat Spill

Date Discovered: 6/9/17

Status: Closed

Overview and Action:

DEP Police was approached by bridge construction worker and advised of a DEP Operations truck travelling northbound across bridge construction leaking fluid onto the roadway. The majority of the spill, approximately 35 gallons of hydraulic fluid, occurred at the traffic light before the bridge. Spill was outside of the watershed, not on NYC property and confined to the roadway. DEP Operations supervisor contacted DEC for spill number and completed NYC spill report. DEP HazMat contacted and assumed responsibility for clean-up by following prescribed instructions from DEC. DEP Operations truck made two passes of the affected area with sand to assist with traction which was deemed to be sufficient by DEC. DEP Police, DEP Operations, DEP HazMat and DEC involved.

Name: Back River Road

CB-002-17, SJS 64638

Location: Delhi

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 1/4/17

Status: Closed

Overview and Action:

DEP Police while on sector patrol, observed a large dumpsite consisting of furniture, appliances, mattresses, food and recyclables and piles of brush. No current activity at the seasonal residences in the immediate area and no traceable evidence located at site. Investigation continuing to determine property owner and boundary lines, possibly through WaLIS. Location slated for potential camera placement due to recurring dumping activity. Continued checks of the property revealed no further dumping activity, and determination made that the property is privately owned. No further actionable leads developed. DEP Police involved.

Name: 3525 State Highway 10

CB-320-17, SJS 68890

Location: Deposit

Spill # 1703998

Type of Use: Municipal

Type of Violation: HazMat Spill

Date Discovered: 7/24/17

Status: Closed

Overview and Action:

DEP Police was notified of a hydraulic fluid spill at the West Delaware Release Chamber which occurred when a seal broke on the polyjet line #1. DEC contacted for spill number. Incident Report completed by Watershed Operations stated approximately 12 gallons of hydraulic fluid leaked with 10 gallons flowing into the containment catch basin and 2 gallons reaching the valve chamber floor and facility sump. None of the fluid was discharged from the facility. DEP Police, DEP Watershed Operations and DEC involved.

Name: 6116 Catskill Turnpike **CB-181-17, SJS 67048**
Location: Meredith
Type of Use: Rural
Type of Violation: Stream Violation
Date Discovered: 5/1/17
Status: Closed

Overview and Action:

DEP Police was dispatched to investigate an anonymous complaint of an excavator digging within a stream. Upon arrival, officer observed a parked excavator in a livestock pasture but initial attempt to contact landowner was unsuccessful. Officer contacted DEC to determine stream classification and possible existence of standing permits and learned that stream is Class C (TS), designated as cold water trout spawning fishery and land is classified as a DL-3 wetland. No permits were issued for this property despite their requirement for any stream modifications. DEC Law Enforcement notified and after examining the work site, landowner was issued violations for Disturbing a Protected Stream and Altering a Fresh Water Wetlands Without a Permit. DEP Police and DEC involved.

Name: 45 Batavia Heights Circle **CB-191-17, SJS 67138**
Location: Middletown
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 5/5/17
Status: Closed

Overview and Action:

DEP Police investigated a complaint of possible septic failure at the above address where officer observed a sunken-in hole at the back of the house and what appeared to be sewage leaking into the bushes and down the hill. Although the sewage does not appear to make contact, the Batavia Kill lies at the bottom of the hill approximately 500 yards away. Complainant stated that situation has been ongoing for nearly a year. Case referred to DEP Regulatory Engineering Program (Downsville) for further investigation and remediation. DEP Police and DEP REP involved.

Name: State Route 55 **CG-234-17, SJS 66735**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/16/17
Status: Closed

Overview and Action:

DEP Police while on patrol came upon a large vinyl bag containing a Christmas tree placed on the side of the road. No traceable evidence present. Land Management notified for removal. DEP Police involved.

Name:	Hasbrouck Road	CG-318-17, SJS 67561
Location:	Neversink	Spill # 1701894
Type of Use:	Municipal	
Type of Violation:	HazMat Spill	
Date Discovered:	5/26/17	
Status:	Closed	

Overview and Action:

DEP Police investigated a complaint of HazMat spillage on roadway which initially yielded negative results. Later, while on patrol, officer observed minor spillage of oil/gasoline at an intersection but determined there was no affect or impact to the watershed. Officer contacted NYS HazMat, obtained spill number, informed them of details and was advised that there was no need for substance response at the location. DEP Police and NYS HazMat involved.

Name:	7870 State Route 42	CG-500-17, SJS 68837
Location:	Neversink	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	7/22/17	
Status:	OPEN	

Overview and Action:

DEP Police observed three bags of household refuse, two buckets filled with aerosol cans, tire and oil dispenser dumped in the vicinity of the Grahamsville Annex. No traceable evidence found but further investigation of available video footage may yield evidence leading to subject responsible. Photos taken for case file. DEP Police involved.

Name:	882 City Route 55A	CG-509-17, SJS 68926
Location:	Neversink	
Type of Use:	Rural	
Type of Violation:	Dumping	
Date Discovered:	7/26/17	
Status:	OPEN	

Overview and Action:

DEP Police observed trash dumped along the side of the road and examined 40 pieces of trash which did yield traceable evidence. Initial attempts to contact met with negative results. Officer will further investigate and attempt to contact subject to determine responsible party. DEP Police involved.

Name:	City Route 55A	CG-623-17, SJS 69789
Location:	Neversink	
Type of Use:	Municipal	
Type of Violation:	Dumping	

Date Discovered: 9/2/17
Status: Closed

Overview and Action:

DEP Police on patrol, observed a large black trash bag dumped on NYC property in pull-off leading to the Rondout Reservoir. Officer checked contents of bag but was unable to obtain any traceable evidence. Officer removed the bag for proper disposal. DEP Police involved.

Name: West Shields Road **CG-631-17, SJS 69851**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 9/5/17
Status: OPEN

Overview and Action:

DEP Police observed several shopping bags of trash dumped on city property. Officer examined trash and found traceable evidence. Further investigation to follow in any attempt to locate responsible subject. DEP Police involved.

Name: 4474 Roses Brook Road **CS-145-17, SJS 67352**
Location: Stamford
Type of Use: Rural
Type of Violation: Stream Violation
Date Discovered: 5/17/17
Status: Closed

Overview and Action:

DEP Police on patrol observed a log landing near the roadway with deep skidder ruts leading down a hill towards a watercourse. Further inspection revealed a bridge way crossing with no turbidity controls in place and evidence of sediment entering the stream. Officer contacted DEC and determined that a Temporary Bridge General Permit had been issued to Green Lumber Company for logging activity at location. Permit holder contacted and met with officer for site inspection to discuss best practices and remediation of stream violation. Officer advised subject that he was in violation of permit stipulations and all work must cease until violations were corrected and permit conditions met. Next day follow-up to location determined that partial revisions (installation of water bars, grading, hay bales, anchoring of temporary bridge and positioning of silt fence) had been made in part but were incomplete. Five days later, officer issued subject tickets for violation of NYS ECL Violate Terms and Conditions of Permit and NYS ECL Disturb Bed and Banks of a Protected Stream without Permit. Co-worker was also issued tickets for NYS ECL Disposing Soil In or On the Banks of a Trout Stream and NYS ECL Pollute Waters in Contravention of Standards. At court date, both subjects agreed to plead guilty to one count of NYS ECL Violate Terms and Conditions of Permit, incurring a fine of \$500.00 and \$75.00 court surcharge imposed on each defendant. DEP Police and DEC involved.

Name: Mormon Hollow Access **CB-251-17, SJS 68158**
Location: Tompkins
Type of Use: Rural
Type of Violation: Dumping

Date Discovered: 6/21/17

Status: Closed

Overview and Action:

DEP Police found a bag of household refuse dumped on NYC property that did not yield any traceable evidence. DEP Land Management contacted for removal and disposal. DEP Police and DEP Land Management involved.

Name: Cannonsville Reservoir shoreline

CB-327-17, SJS 69053

Location: Tompkins

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 8/1/17

Status: Closed

Overview and Action:

DEP Police on marine patrol, observed two car tires along the shoreline halfway between the Trout Creek Bridge and Mormon Hollow Public Access Area. No traceable evidence recovered; photo taken for documentation. DEP Land Management notified of location for removal. DEP Police and DEP Land Management involved.

Name: Seeley Wood Road

CB-116-17, SJS 65987

Location: Walton

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/10/17

Status: Closed

Overview and Action:

DEP Police investigated an anonymous dumping complaint in the town of Walton. On location, officer observed two large clear bags of household garbage dumped over the embankment. Search of bags revealed traceable evidence in the form of a labeled prescription bottle associated with a subject from surrounding area town. Subject located and was issued summons for Unlawful Disposal of Solid waste. Section 360-1.5a1 NYCRR title 6. DEP Police involved.

Name: State Highway 10

CB-180-17, SJS 67035

Location: Walton

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 4/30/17

Status: Closed

Overview and Action:

DEP Police received a complaint through local police department regarding homemade kayak spotted in the brush on the Cannonsville Reservoir near the side of the roadway. Patrol located kayak which had no traceable markings and appeared to have been floating and windblown for quite some time. Land Management contacted for removal and disposal. DEP Police involved.

Name: South Street

CB-202-17, SJS 67233

Location: Walton – Wastewater Treatment Plant

Type of Use: Municipal
Type of Violation: HazMat Spill
Date Discovered: 5/11/17
Status: Closed

Overview and Action:

DEP Police responded to a hazmat incident in which driver for Slack Chemical accidentally placed 50-100 gallons of aluminum sulfate in a tank with sodium hydrochloride at the Walton Wastewater Treatment Plant. Walton Fire Department, Walton Police Department, Delaware County HazMat, Chenango County HazMat and DEC responded to the scene. Wastewater Treatment Plant and Walton Industrial Park evacuated and Incident Command set up although no safety concerns were present. DEP Water Supply Control Center notified. Slack Chemical Hazardous Response Team arrived on scene with truck containing 1200 gallons of peroxide which was added to neutralize the chemical mix. DEC charged Slack Chemical truck driver with NYS ECL Reckless Release of Substance Hazardous to Public Health, Safety or the Environment. DEP Police, Walton Fire and Police, Del County HazMat, Chenango County HazMat and DEC involved.

Name: State Route 10 **CB-204-17, SJS 67259**
Location: Walton
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 5/12/17
Status: Closed

Overview and Action:

DEP Police on patrol discovered a large garbage bag along the shoulder of the road which was found to contain discarded housing insulation. No traceable evidence recovered. Town of Walton Highway Department notified of location for removal. DEP Police involved.

Name: County Route 55A **CG-343-17, SJS 67741**
Location: Wawarsing
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 6/4/17
Status: Closed

Overview and Action:

DEP Police while on patrol, observed items dumped on NYC property just east of the Merriam Dam. Further investigation revealed tent, five gallon bucket, vacuum and Rubbermaid storage bin containing packing materials and several glass bottles had been dumped. No traceable evidence recovered. DEP Land Management notified for removal. DEP Police and DEP Land Management involved.

3.2.3. West Branch, Boyd Corners, Croton Falls, Cross River Basins

Name: Maple Ave, DEP Boat Area 13 **CE-878-17, SJS 67825**
Location: Bedford
Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 5/14/17

Status: Closed

Overview and Action:

DEP Police observed a dumping consisting of desk / nightstand, collapsible chair, used tire and sand bucket scattered around the boat area. No traceable evidence recovered, DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: Reservoir Road

CE-915-17, SJS 67386

Location: Bedford

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 5/19/17

Status: Closed

Overview and Action:

DEP Police observed a dumping on NYC property consisting of toilet bowl and sink with pedestal. No traceable evidence found. DEP Operations notified for removal. DEP Police and DEP Operation involved.

Name: 11 Sunset Blvd.

CE-216-17, SJS 65362

Location: Carmel

Type of Use: Residential

Type of Violation: Sewage Discharge

Date Discovered: 2/8/17

Status: Closed

Overview and Action:

DEP Police were dispatched to investigate a report of septic discharge onto wetland property in the watershed. Upon arrival at the residential address, officers observed no discharge on the surface and there was no odor of fecal matter in the area. House and septic (septic located in close proximity to house without area for leach field) are located approximately 20 yards from the wetland. Photos taken for documentation. Home sale listed on www.zillow.com indicates *house is being sold as-is; buyer is responsible for necessary septic repairs to property*. DOH, DEP Haz Mat and DEP WTP notified. Once BWS-WTP follow-up is conducted, parties will be notified of findings. BWS-WTP responsible for follow up, DEP Police investigation closed. DEP Police, DEP BWS-WTP involved.

Name: Drewville Road

CE-689-17D, SJS 66762

Location: Carmel

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 4/17/17

Status: Closed

Overview and Action:

DEP Police on patrol observed a dumping consisting of a large cardboard box which did yield minimal traceable evidence. Follow-up at local Home Depot could only determine what item the box had contained but no information that would lead to subject responsible for the dumping.

Box removed for disposal. DEP Police involved.

Name: Hemlock Road, Croton Falls Reservoir **CE-696-17, SJS 66780**
Location: Carmel
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/18/17
Status: Closed

Overview and Action:

DEP Police while dispatched to investigate a report of a motor boat on the Croton Falls Reservoir, came upon a dumping which consisted of disassembled toilet discarded in a cardboard box. No traceable evidence recovered. DEP Operations notified for removal and disposal. DEP Police and DEP Operations involved.

Name: West Shore Drive **CE-1473-17, SJS 69078**
Location: Carmel
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 8/2/17
Status: Closed

Overview and Action:

DEP Police was dispatched to investigate a dumping complaint. Upon arrival, officer observed a refrigerator with doors intact, which did have a serial number for possible identification of owner / subject responsible for dumping. For safety purposes, officer removed the doors from the refrigerator and notified DEP Operations for proper removal and disposal. Tracking of serial number through Hotpoint Customer Service determined that no customer warranty card / registration had been filed for this appliance thus, officer was unable to locate owner. DEP Police and DEP Operations involved.

Name: South Lake Road, North Putnam Unit **CE-1450-17, SJS 69011**
Location: Kent
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 7/31/17
Status: Closed

Overview and Action:

DEP Police observed a dumping consisting of yard debris, black tarp, chicken wire, garden hose, pallet, broken 5 gallon bucket, logs and empty returnables at the North Putnam Unit which did not yield traceable evidence. DEP Operations notified for clean-up. Patrol advised to conduct follow-up checks of the area to monitor any further dumping activity. DEP Police and DEP Operations involved.

Name: Cherry Street, Muscote Spillway **CE-1118-17, SJS 67952**
Location: Lewisboro
Type of Use: Municipal
Type of Violation: Dumping

Date Discovered: 6/12/17

Status: Closed

Overview and Action:

DEP Police patrolling the Muscoot Spillway identified a dumping of small dishwasher, basketball hoop and pet cage. Officer checked for traceable evidence with negative results. DEP Operations notified of location for removal. DEP Police and DEP Operations involved.

Name: 1450 Route 22

CE-604-17, SJS 66507

Location: Southeast

Spill # 1700189

Type of Use: Commercial

Type of Violation: HazMat Spill

Date Discovered: 4/6/17

Status: Closed

Overview and Action:

DEP Police was dispatched to the location of a reported spill of #6 diesel fuel. Upon arrival, manager of gas station reported that less than a quart of fuel had spilled and all was captured inside of a containment tank used for oil. The small amount of fuel was cleaned up by manager and staff. No further investigation needed; no impact to the watershed. DEP Police involved.

Name: Mine Road

CE-628-17, SJS 66586

Location: Southeast

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 4/9/17

Status: Closed

Overview and Action:

DEP Police reported the dumping of one half of a Jacuzzi on NYC property on Mine Road along the Croton Falls Reservoir. No traceable evidence recovered. DEP Operations notified for removal and disposal. DEP Police and DEP Operations involved.

3.2.4. Kensico Basin

Name: Route 120

CE-732-17, SJS 66876

Location: Harrison

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 4/23/17

Status: Closed

Overview and Action:

DEP Police on foot patrol behind the Harrison Pump found three large black garbage bags filled with household refuse. No traceable evidence recovered; DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: Nannyhagen Road

CE-1365-17, SJS 68742

Location: Mt. Pleasant

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 7/18/17

Status: Closed

Overview and Action:

DEP Police found a dumping at the Co Ed bar gate consisting of one gas can, two tires, two snow shovels, bag of sand and wheelbarrow. No traceable evidence found; DEP Operations notified for disposal. DEP Police and DEP Operations involved.

Name: Route 120, DEP Boat Area 2

CE-1543-17, SJS 69358

Location: North Castle

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 8/14/17

Status: Closed

Overview and Action:

DEP Police on patrol, observed a dumping of one high chair and two white garbage bags containing household refuse at boat area on Kensico Reservoir. No traceable evidence recovered; DEP Operations contacted with location for removal. DEP Police and DEP Operations involved.