

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

**Filtration Avoidance 6.1 Enforcement Actions
For the period October 1, 2020 through March 31, 2021**

April 2021

*Prepared in accordance with Section 6.1 of the NYSDOH
Revised 2017 Filtration Avoidance Determination*



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1. Introduction

Encompassing eight counties and 71 towns and villages, the New York City watershed is a politically, 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, inspectors, police and attorneys responsible for the protection of the watershed are detailed in the following report.

This semi-annual report on enforcement actions for the period October 1, 2020 through March 31, 2021 has been submitted as required by the 2017 FAD and provides valuable information about the 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 report first presents is an overview of the responsibilities of the Regulatory and Engineering Programs Division (REP) which administers Bureau enforcement activities and the associated City entities that assist in those efforts. Next, the report addresses new enforcement actions that have been undertaken during the above-mentioned reporting period and includes updates to ongoing violations.

The report is divided into sections relative to applicable FAD watershed areas. The **West of Hudson** (WOH) area is comprised of the following reservoir 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 which is comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.¹ Within each of these sections of the report, enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), or in connection with subsurface sewage treatment systems (SST Ss) and active construction sites, as well as with other regulated activities, such as solid waste management facilities. In addition, individual actions of the DEP police are included.

2. Enforcement Responsibilities

The Bureau is charged with implementation of the Watershed Regulations which 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

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 reservoir basins relevant to the 2017 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 New Croton water supply system.

WWTPs, new or altered SST Ss, construction activities that require stormwater pollution prevention plans (SWPPPs) and the construction of impervious surfaces within certain limiting distances to surface water features.

Following the approval of planned regulated activities, those activities are monitored to assure compliance with the conditions of the approval, the Watershed Regulations and any applicable state or federal standards. The Bureau also conducts inspections throughout the watershed to ensure that any violations of the Watershed Regulations or of local, state or federal law are identified and reported; citizen complaints are also routinely investigated. When an enforcement action is commenced, the Bureau works with DEP's Bureau of Legal Affairs and the New York City Law Department to resolve the identified violations. The Bureau will monitor the activity for compliance with the terms of any consent order or other enforcement document such as a Notice of Violation (NOVs).

The first portion of this report provides an overview of the responsibilities of REP and the duties specific to the identified Sections within REP. In addition, the Bureau's Water Quality (WQ) Directorate supports enforcement efforts by monitoring water quality throughout the watershed and alerting other Directorates of any adverse water quality conditions. Also, the Bureau coordinates with various other agencies on violations and enforcement actions; including the New York State Department of Health (DOH), the New York State Department of Environmental Conservation (DEC), the United States Environmental Protection Agency (EPA), the office of the Watershed Inspector General (WIG), as well as county and municipal regulatory entities.

2.1. The Regulatory & Engineering Programs Division

REP is divided into three (3) regional Sections: Arkville, Kingston & Valhalla. For the purposes of this report, the implementation tasks performed by staff in each regional Section are divided into wastewater and stormwater related activities.

2.1.1. Wastewater

The Sections review and approve sewer systems, WWTPs and SST Ss in accordance with the Watershed Regulations and applicable New York State standards. Engineering reports and facility plans are reviewed and technical standards are applied to all new and/or modified facilities prior to approval. Section staff are also responsible for the investigation of WWTP non-compliance events, sewer system overflows, and residential and commercial SST S failures. Upon determination of an SST S failure, as an example, a formal NOV procedure is initiated which includes review by DEP's Bureau of Legal Affairs and the New York City Law Department who remain involved should further legal steps become necessary.

There are several programs sponsored by DEP that fund the remediation of SST Ss that are documented to be in failure within certain areas of the watershed. The Catskill Watershed Corporation (CWC) "Septic Rehabilitation and Replacement Program" funds design and construction of such remedial actions. CWC solicits property owners within eligible areas, inspects the site and ensures the necessary SST S improvements are completed as designed. The review and approval of these repairs is performed and tracked by DEP. Program details and progress are reported in the FAD Report 3.1 "Septic Rehabilitation and Replacement Program."

DEP, thru the NYS Environmental Facilities Corporation, sponsors a similar SST S repair program in the watershed areas of the East of Hudson FAD reservoirs.

As the above programs are voluntary, DEP does not pursue enforcement actions on failing SST Ss where the owners are eligible for funding under in order to encourage property owners to participate and to self-report failing systems. DEP believes that pursuing enforcement actions in such cases would reduce the overall number of failing SST Ss being detected or repaired and thus minimize water quality benefits and reduce the overall effectiveness of these programs. DEP will issue an NOV and pursue appropriate enforcement on a case by case basis where significant progress within these program has not been made.

2.1.2. Stormwater

The Sections review and approve Stormwater Pollution Prevention Plans (SWPPPs); Individual Residential Stormwater Permits; Crossing, Piping or Diversion Permits and the construction of impervious surfaces within certain limiting distances. For all regulated construction activities, staff review engineering reports, drainage calculations and site plan drawings in accordance with DEP and NYS technical stormwater standards prior to approval.

Section staff conduct weekly inspections of all approved active construction sites from commencement of construction through final stabilization and file written reports of findings. Staff are also responsible for investigating possible violations of water quality standards including turbid discharges, illicit solid waste disposal, and discharges from improperly stored winter highway maintenance materials (road salt). Upon determination of non-compliance at any DEP permitted SWPPP or other stormwater-related site or confirmation of other sources of contamination to the Water Supply, a formal NOV procedure is initiated which includes review by DEP's Bureau of Legal Affairs and the New York City Law Department who remain involved should further legal steps become necessary.

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 Environmental Enforcement Division, is responsible for all patrol operations, protective functions and short-term investigations relating to environmental and criminal complaints. Additionally, the Detective Bureau and Intelligence Division is responsible for all long-term investigations relating to pollution, crime and terrorism.

Where necessary, close coordination between REP and these DEP Environmental Police divisions is crucial to ensuring that swift, proper and appropriate actions are taken when violations of environmental laws or regulations are discovered.

2.3. DEP's Bureau of Legal Affairs

The Bureau of Legal Affairs (BLA) provides legal support for enforcement of the Watershed Regulations. As noted previously, , BLA reviews all NOVs in advance to ensure that all pertinent issues have been addressed and fully documented and proper steps have been taken.

2.4. New York City Law Department

The New York City Law Department, in conjunction with BLA, 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; and, the federal Clean Water Act, to bring SPDES violators into compliance. The New York City Law Department also defends, where necessary, regulatory decisions rendered by REP and renders legal opinions, interpretations and advice on enforcement matters, as necessary.

3. Specific Enforcement Actions

3.1. Subsurface Treatment Systems and Stormwater

The following tables were established as a summary of the 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	39		33		35	
CONESVILLE	13		10		10	
GILBOA	19		15		17	
HUNTER	117		88		96	
HUNTER (V)	17		9		10	
HURLEY	49		50	1	47	
JEWETT	51		47		51	
LEXINGTON	48		45		46	
OLIVE	197		167		174	
PRATTSVILLE	33		24		33	
ROXBURY	31		23		27	
SHANDAKEN	146	1	133	1	140	
TANNERSVILLE (V)	7		2		7	
WINDHAM	84		66		81	
WOODSTOCK	61		53		51	
Total	912	1	764	2	826	

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		75		74	
ANDES (V)	4		2		2	
BOVINA	36		33		34	
COLCHESTER	5		6		8	
DELHI	71		65		74	
DELHI (V)	3		2		2	
DENNING	34		33		31	
FALLSBURGH	6		4		4	
FLEISCHMANN'S (V)	1		1		1	
FRANKLIN	6		4		4	
HALCOT	7		7		7	
HAMDEN	33		30		30	
HARDENBURGH	12		10		12	
HARPERSFIELD	8		6		6	
JEFFERSON	6		6		6	
KORTRIGHT	64		54		63	2

LIBERTY	1		1		1	
MASONVILLE	13		11		11	
MEREDITH	22		20		19	
MIDDLETOWN	119		106		112	
NEVERSINK	223		188		202	
ROCHESTER	1		1		1	
ROXBURY	34		29		38	
STAMFORD	36		34		36	
TOMPKINS	42		37		40	
WALTON	93		86		84	
WALTON (V)	1		1		1	
WAWARSING	35		32		31	
Total	999	0	884	0	936	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	0	10	0	13	0
EAST FISHKILL	1	0	0	0	0	0
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	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	0	0	0
HARRISON	0	0	0	0	0	0
MT. PLEASANT	0	0	0	0	0	0
NEW CASTLE	0	0	0	0	0	0
NORTH CASTLE	0	0	0	0	0	0
TOTAL	0	0	0	0	0	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 SST S; NOV for failure to construct an SST S.
Discovery Date: 12/11/2012
Status: Under Construction

Overview and Action:

DEP acquired a copy of the CO issued by the town on 11/26/17 for the trailer used for living quarters. DEP issued an email to SCDOH on 1/17/18 including copy of CO and DEP's Approval of the SCHD SST S design. DEP performed a site visit on 3/12/18; septic failure was not observed. The driveway was plowed and there was no visible effluent. DEP performed a site visit on 4/9/18; septic failure was not observed. There was no visible effluent or signs of pumping or of recent use. DEP performed a site visit on 5/1/18. There was no sign of recent inhabitation and the skirting has not been repaired. DEP performed a site visit on 5/15/18. There was some indication that the property was visited recently. The trailer skirting has been repaired and there were vehicle tracks in the access to the property. DEP performed a site visit on 9/6/18. The trailer appears to be used periodically. The grass was mowed at least once this summer. The septic tank has not been exposed. DEP performed a site visit on 5/28/19; septic failure was not observed; no sign of inhabitation. DEP performed a site visit on 12/26/19. Septic failure was not observed. No sign that the trailer has been used recently. No visible signs of pumping or effluent. DEP performed a site visit on 6/22/20, Septic Failure was not observed. DEP spoke with the owner and encouraged him to finish the system. On 8/17/20, DEP met with the owner to provide guidance to construct the SST S. Informed him he would need to hire an engineer to certify construction. DEP performed a site visit on 3/29/2021. Septic Failure: Not Observed. Trailer appears to be used on weekends due to the ruts in the driveway. No visible effluent or signs of a pump out.

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

Overview and Action:

DEP met with the applicant and engineer on the site for a pre-construction meeting on 9/14/18. DEP observed that construction commenced on or before 10/12/18. DEP performed site visits on 10/12 and 11/9/18. There were deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 11/16/18 due to winter. DEP exchanged emails with the owner on 11/16/18 regarding the winter shutdown of the retention pond and water bar. DEP sent an e-mail to the owner and engineer on 3/26/19 regarding setting up a meeting to go over the plan for this season. A site meeting is scheduled for 4/12/19 to discuss the work being performed

this season. DEP, CWC, the engineer and applicant will attend. DEP held a meeting with the applicant, original engineer and the new engineering firm on 4/12/19, which E&S inspections were performed. The applicant anticipates restarting within the next two weeks. DEP performed site visits on 6/5, 7/9 and 7/16/19; there were no deficiencies and there was no discharge. The site was vacant. DEP sent an e-mail to the owner on 7/24/19 regarding no further progress noticed at site visits. DEP would like to see this closed out by the end of summer. DEP received an e-mail from the owner on 7/25/19 stating that the project should be completed by the first part of September 2019. DEP spoke with the engineer and the applicant said they should be starting work next week. DEP performed a site visit on 9/10/19; there were deficiencies and there was no discharge. The site was vacant. DEP performed a site visit on 10/8/19. There were deficiencies, there was no discharge and the site was occupied. DEP observed that construction commenced on or before 10/8/19. DEP performed site visits on 10/16, 10/22, 10/30, and 11/19. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner and the engineer on 11/7/19 regarding the site visit on 11/1/19 and the deficiencies noted. DEP performed site visits on 11/8 and 11/22/19. There were no deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 03/26/20 regarding scheduling a site visit to get construction completed this season. DEP performed a site visit on 3/27/20. There were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/17, 5/28, 6/18 and 7/10/20. There were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 7/29/20 confirming that construction was put on hold. Owner plans on resuming and completing construction later this year. DEP sent an e-mail to the owner on 8/28/20 asking when work will resume. DEP performed a site visit on 9/3/20. There were no deficiencies, there was no discharge and the site was occupied. A meeting to discuss reimbursement was held with the project applicant and CWC on 9/3/20. According to the applicant, work is to resume next week. DEP performed a site visit on 9/15/20, there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 10/1/2020, there were no deficiencies, there was a discharge and the site was occupied. A meeting was held with the project engineer on 11/9/2020. No further work has occurred since the last site visit. The project will be going into winter shut down in the next couple of weeks.

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

A meeting was held with the project applicant on 6/6/18 to discuss the status of the IRSP by the Engineer. DEP exchanged emails with the engineer on 6/15/18 regarding the approved plans; waiting for owner to send to DEP. DEP received an e-mail from the owner on 6/28/18 asking how many plans to send and the address. He also asked about the Stormwater re-imbursement process. DEP replied to the owners e-mail on 6/28/18. DEP sent an e-mail to the owner on 8/7/18 again requesting the final SWPPP be sent to DEP so that construction can be completed this year. DEP received the signed plans from the engineer on 8/24/18. DEP sent an e-mail to the

owner on 9/20/18 regarding a timeframe for completing the work. DEP issued a Modified Approval Determination letter on 10/2/18 to the engineer along with the approved plans. DEP called the CWC on 3/26/19 regarding the project. CWC indicated now that the reimbursement program rules have changed and that the applicant is eligible for reimbursement. DEP sent an e-mail to the owner on 3/26/19 regarding CWC's program and asked him to reach out to them directly to see if he is eligible for a refund. DEP exchanged emails with the owner on 7/2/19 regarding a date when the rain gardens will be constructed. The owner responded that hopefully next month when it is dryer. DEP received an e-mail from the owner on 9/24/19 regarding the status of the work. He is looking for estimates, but is having difficulties finding someone. DEP exchanged e-mails with the owner on 11/26/19 regarding meeting in the spring to get the rain gardens in. DEP exchanged emails with the owner on 3/24/20 regarding contacting a contractor and getting the work done. DEP issued a letter to the applicant on 6/16/20 advising that the NOV was still outstanding, outlining what work is required to close out the NOV and requesting a construction schedule. DEP received an e-mail from the owner on 6/21/20 advising that a meeting is setup for the next day with a new contractor. DEP sent an e-mail to the owner on 6/23/20 setting up a site visit. DEP sent an e-mail to the CWC on 6/24/20 requesting that they attend the meeting. A meeting was held with the project applicant, contractor and CWC on 6/26/20. The site work will start in approximately three weeks. DEP sent an e-mail to the owner on 7/28/20 regarding starting the work. DEP responded to an email from the CWC on 8/17/20 regarding the contractor's estimate. DEP and the CWC responded to an email from the owner on 9/9/20 regarding cost estimates from the contractor. DEP has not heard back from the applicant or CWC in regard to new contractor estimate. DEP exchanged emails with CWC on 10/27/2020 regarding the owner doing the work himself. DEP exchanged emails with the owner on 11/16/2020 providing an update. He has contacted several nurseries in order to get the soil mix and is waiting for estimates. DEP sent an e-mail to the owner on 1/19/2021 regarding materials needed for spring construction. DEP received an e-mail from the owner 2/15/2021 stating that he has not heard back from the two contacts he had for supplying the media. DEP received an e-mail from the owner on 2/17/2021 regarding the planting media. DEP received an e-mail from the owner on 3/23/2021 stating that he is waiting for a full itemized quote from his supplier and will submit when he received it.

Project Name: 12 Regina's Way (2011-AS-0848)
 Town: Lexington
 Basin: Ashokan
 Type of Use: SST S Repair (RE)
 Type of Violation: RE.2 (2016): Failed repair. RE.1 (2011): Likely to Fail-Rock pit-CWC-60%. NOTE: Owner in WaLIS is Bather, Paul.
 Discovery Date: 12/12/19
 Status: Ongoing

Overview and Action:

On 11/04/19 DEP performed a follow-up inspection of the septic system. DEP called the CEO and received a call back on 12/10/19 regarding locating a proper address to resend the NOV. DEP also commented that there is a third house on the property which is not on tax rolls. DEP issued an NOV to the owner on 12/12/19 to three separate addresses, return receipt. DEP sent the NOV via email to CWC, and DEP attorneys on 12/12/19. The two NOV's that were sent to the Shandaken addresses were returned. On 12/23/19, DEP performed a follow-up inspection of the

septic system. DEP received signed return receipt requested on 12/31/19 that was sent to the Kentucky address. DEP sent an e-mail to the on building inspector for Lexington 1/10/20 regarding a request for information on the three homes and their addresses located at this one property. DEP sent an email to DEP attorneys on 2/5/20 that the draft NOV follow up letter to the owner, regarding lack of response to the DEP issued NOV. DEP received the NOV that was signed for on returned as the addressee is deceased 02/11/20. On 2/20/20 DEP performed a follow-up inspection of the septic system. DEP issued a copy of the former NOV to several new addresses on 9/23/20 in an attempt to gain resolution to the SST S failure. On 11/13/20 DEP performed a follow-up inspection of the septic system. On 11/23/20 DEP performed a follow-up inspection and spoke to the tenant regarding contact information for the owner. On 3/31/21 DEP performed a follow-up inspection of the septic system.

Project Name: 65 Mckenley Hollow (2019-AS-0701)
Town: Shandaken
Basin: Ashokan
Type of Use: Individual Residential SPPP (IR)
Type of Violation: Demolishing the old house and building new. Requires IRSP; DEP NOV
Discovery Date: 2/5/2021
Status: **New**

Overview and Action:

DEP issued an NOV to the owner on 2/5/2021 for 18-39(a)(5)(iii); limiting Distance. DEP sent an e-mail to involved parties on 2/16/2021 stating that DEP has not received a response from the owner regarding the NOV. DEP performed a site visit on 3/11 and 3/18/2021. There were deficiencies, there was no discharge and the site was vacant.

Project Name: 466-478 Oliverea Rd (2014-AS-0719)
Town: Shandaken
Basin: Ashokan
Type of Use: Intermediate Repair (CR.2)
Type of Violation: DEP NOV. Failed SST S serving 2 residential buildings. Originated as a complaint. Five foot deep cesspool intermittently overflowing into surrounding grass. 2019 - New DEP NOV & CWC for Small Business for 3 houses.
Discovery Date: 11/22/19
Status: **Ongoing**

Overview and Action:

DEP performed a site visit on 11/21/19; septic failure was observed. Backup of sewage into house, surfacing of sewage on ground. Sewage with strong odor pooling on the surface of the ground. Tenant stated that the septic was backing up into the house. Landlord did something, she didn't know what, and it's been better. DEP Police were called initially and forwarded it to REP septic group. DEP observed and prepared a violation report on 11/22/19. DEP initiated an Enforcement Action on 11/22/19. DEP issued an NOV to the owner on 11/25/19. DEP's Assistant Counsel issued a letter to the owner on 12/11/19 regarding the NOV and the need to contact DEP. DEP performed a follow-up site investigation on 12/23/19 and observed sewage puddled on the ground as noted on a prior inspection. On 1/23/20, DEP performed a follow-up inspection of the property and did not observe sewage on the surface as the ground was snow

covered. DEP received a call from the project engineer on 1/24/20 regarding the failing septic system and that he was contacted for engineering services. This project is funded under CWC Septic Repair Program. On 2/4/20, DEP received CWC's notice of likely to fail for all three houses listed as a Small Business. DEP called the Engineer on 2/25/20 to explain proper emergency repair procedures and note that there is no emergency repair paperwork on file, so this does not constitute emergency repair at this point. (This is in follow to the Engineers phone conversation with DEP project manager on 1/24/20 that the Engineer did an emergency repair). DEP explained we are aware the applicant is now in the CWC repair program but if the project does not progress DEP will work with NYC Law to pursue gaining compliance. DEP removed this project from the priority enforcement project list on 3/24/20. DEP sent an e-mail to the engineer on 6/2 and 6/17/20 requesting a status update. The engineer left a voicemail advising that a design was in the works. DEP called the project engineer on 6/19/20 regarding the project status and when DEP might see proposed plans for review. DEP performed a follow-up inspection on 6/25/20 and found no failure observed. DEP sent an e-mail to the engineer on 7/24 and on 8/27/20 requesting a status update. DEP received an e-mail from the engineer on 9/1/20 advising that design is nearly complete. DEP sent an e-mail to the engineer on 10/13 and 11/17/2020 requesting a status update. DEP received an e-mail from the engineer on 11/24/2020 advising that he may get the plans submitted next week. DEP performed a site inspection on 12/16/20 and did not observe a septic failure. DEP sent an e-mail to the engineer on 1/20 and 2/17/2021 requesting a status update. DEP received an e-mail from the engineer on 2/23/2021 advising that he is trying to submit the plans by the end of the week. DEP received an Application for a SST S on 3/16/2021 from the engineer. DEP sent an e-mail to the engineer on 3/25/2021 regarding project status.

Project Name: 5564 State Route 23 (2019-SC-0142)
 Town: Windham
 Basin: Schoharie
 Type of Use: Stormwater (SP)
 Type of Violation: DEP NOV for the clearing and grading of approximately 5.4 acres on steep slopes.
 Discovery Date: 4/9/19
 Status: Ongoing

Overview and Action:

DEP issued an Incident Referral Report to DEC on 4/4/19 with a map of the parcels and the area of disturbance. DEP initiated an Enforcement Action on 4/9/19. DEP issued an NOV to the owner on 4/16/19. DEP received a call from the land owner responding to the NOV on 4/22/19. A meeting was held with the landowner on 4/22/19. He acknowledged the NOV and suggested the next step of have a meeting with DEP, engineer and CWC to discuss the SWPPP. DEC issued a NOV on 5/3/19. DEP exchanged emails with DEC on 5/31/19 regarding the SWPPP and temporary stabilization. DEP received an e-mail from the engineer on 7/02/19 regarding target dates for the project. DEP received the site stabilization plan from the engineer on 7/23/19. DEP sent an e-mail to the engineer and DEC on 7/25/19 regarding comments on the interim stabilization plan. No check dams in the roadside swale have been installed. DEP exchanged emails with the engineer on 10/8/19 regarding the site conditions and the check dams. DEP sent an e-mail to the engineer on 11/26/19 regarding working on the SWPPP and asked if the check dams were put in. DEP discussed the project with the engineer. The applicant never had the

check dams installed and now there is too much snow to get the check dams in. The engineer will be working on the SWPPP over the winter and the site will be stabilized in the spring when weather permits. DEP sent an e-mail to the engineer on 2/25/20 regarding submission of the SWPPP. DEP called the engineer on 2/27/20 regarding the E&S plan. The engineer indicated the applicant has not responded to several attempts by the engineer to discuss the project. DEP received an e-mail response from the engineer on 6/2/20 advising that there are no updates on the project. DEP issued a letter to the applicant on 6/16/20 requesting a construction schedule and outlining the outstanding work necessary to close out the NOV. DEP sent an e-mail to the owner on 7/7/20 regarding the owner's plan to address the remaining work as soon as funding is received. DEP drove by the site and there are no changes. DEP performed a site visit on 11/24/2020. There were no deficiencies, there was no discharge and the site was vacant. No changes to the site. DEP issued a letter to the owner on 11/24/2020 regarding the outstanding NOV.

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 SST S. 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 exchanged emails with the engineer on 3/7/19 regarding the revised SWPPP. The engineer replied that he didn't want to revise the entire plans but to wait until spring and propose some tweaks to the approved plans. DEP performed a site visit on 3/15/19. There were deficiencies, there was no discharge and the site was occupied. DEP sent the latest field report to the engineer on 3/26/19. The engineer responded the same day that they should have something soon that addresses the deficiencies. DEP performed a site visit on 4/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP exchanges emails with the engineer on 4/9/19 regarding items discussed at the last meeting. DEP sent an e-mail to the engineer on 4/16/19 regarding the need for stabilization work to be completed. DEP received an e-mail from the engineer on 4/16/19 stating that most of the items in DEP's email of the same day have been completed. DEP performed a site visit on 4/19/19; there were deficiencies and there was no discharge. The site was occupied. A meeting was held with the project applicant and engineer on 5/03/19 to discuss site stabilization. DEP performed site visits on 5/10 and 5/24/19; there were deficiencies and there was no discharge. The site was occupied. DEP issued a letter to the owner on 5/30/19 regarding un-resolved issues at the site. A meeting was held with the project applicant on 5/31/19. There is a hold up with the engineer and NYS DOT. DEP will discuss the project with the engineer on 6/3/19. DEP performed a site visit on 6/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP received a call from the engineer on 6/13/19 regarding the redesign of the bioretention cells. DEP received modified plans and drainage sketch from the engineer on 7/2/19. DEP received Final Plans for approval by DEP from the engineer on 7/11/19 regarding SWPPP revisions. DEP issued a Modified Approval Determination letter on 7/15/19 to the engineer along with the approved plans. DEP performed a site visit on 8/15/19; there were deficiencies and there was no discharge. The site was occupied.

A meeting was held with the project engineer on 9/3/19 to discuss the project. The permit from NYSDOT has been issued. The engineer will stake out the stormwater controls in the next two weeks and construction will commence after. DEP performed a site visit on 9/12/19; there were deficiencies and there was no discharge. The site was occupied. DEP performed a site visits on 10/2, and 10/8/19. There were no deficiencies, there was no discharge and the site was occupied. DEP issued a letter to the owner on 10/10/19 regarding the punch list of items that still need to be addressed and requested the status for a winter shutdown. DEP performed site visits on 10/30, 11/8, and 11/22/19. There were no deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 12/1/19 due to winter shutdown. DEP performed a site visit on 2/27/20. There were deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 4/17 and 5/15/20. There were deficiencies there was no discharge and the site was occupied. DEP issued a letter to the applicant on 6/16/20 requesting a construction schedule and outlining the outstanding work necessary to close out the NOV. The applicant responded advising DEP that construction resumed on 6/8/20. DEP setup an inspection for 6/18/20. DEP performed site visits on 6/18 and 7/10/20. There were deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from DEC on 7/28/20 regarding the oil/water separator. DEP performed site visits on 7/30, 7/20, 9/3 and 9/15/20. There were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 10/2, 11/5 and 11/20/2020. There were no deficiencies there was no discharge and the site was occupied. Construction for this project is on hold as of 12/23/2020 due to winter shutdown.

3.1.2. Delaware District

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

Overview and Action:

DEP called the owner on 3/16/18 and spoke with the secretary. DEP requested that the owner call back for an update on the property status, plans, and ownership change, if applicable. DEP performed a site visit on 12/3/18. Septic failure was not observed. There was no visible failure. DEP performed a Follow-up site visit on 12/6/19. Septic failure was not observed; the residence is still unoccupied. DEP performed a site visit on 6/25/20; septic failure was not observed. The house is still unoccupied. DEP received a call from the adjoining property Owner on 9/9/20 regarding an active interest of prospective buyer(s) of the property. She is concerned about the possibility of the property becoming occupied without the SST S being fixed. She was informed that the T/Andes CEO was sent a copy of the DEP NOV from October 2015 that documents the condition of the existing septic system and the Town has authority to address sanitary issues. DEP performed a sit visit on 12/30/2020, septic failure was not observed. It does not appear as though anyone is living at the residence. It does appear as if the septic tank has been uncovered. Hard to tell because of snow and not trespassing.

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: Closed

DEP issued a letter to the owner on 12/5/19 regarding the location of the house and that it may deviate from the location shown on the approved plans. DEP exchanged emails with the owner on 3/26/20 regarding getting construction started this season and finished. DEP sent an e-mail to the owner on 6/16/20 requesting a construction schedule. DEP received a response e-mail from the owner on 6/26/20 advising that her contractor is awaiting an approval. DEP sent an email explaining that no additional approvals are required and received an e-mail response from the owner on 6/29/20 advising that plans to construct the house were abandoned. A meeting was held with the project applicant on 7/20/20. The applicant will be doing the work themselves and will notify DEP two weeks prior to starting. DEP responded to an e-mail from the owner on 7/20/20 advising that the contractor should email or provide a phone number to DEP. DEP sent an e-mail to the engineer on 8/28/20 requesting an update on construction. DEP received an e-mail from the owner on 8/30/20 advising that she will reach out to her contractor. DEP received an e-mail from the owner on 9/16/20 regarding materials that were ordered. DEP responded to the owners email on 9/16/20 requesting when the work will be started so that DEP can meet on-site. DEP received an e-mail from the owner on 10/5/2020 regarding setting up a meeting. DEP completed construction inspections on 11/20/2020. All site work has been performed and is stable. The violation was resolved and the case was closed on 12/11/2020 with DEP Closure letter dated 12/11/2020. DEP has resolved the Enforcement Action on 12/11/2020.

Project Name: Monroe Road (2003-CN-0722)
Town: Meredith
Basin: Cannonsville
Type of Use: Septic System (SS)
Type of Violation: New SST S; DEP NOV for the use of an unapproved septic system.
Discovery Date: 9/16/16
Status: New/Approved

Overview and Action:

DEP Legal issued a comment letter to the applicant on 7/2/18 in followup to the NOV due to lack of response. A meeting was held with DEP Regulatory Staff and DEP Legal staff on 1/17/19 to discuss how to proceed with the owner. The owner has no money and can't fix the SST S. He lives in the house alone. If DEP issues a Temporary Restraining Order (TRO) the owner cannot live in his house and DEP has no interest in removing someone from their home. DEP plans to monitor the SST S to ensure it does not travel off site. It currently does not reach the road side ditch or nearby watercourse. DEP will have further discussions with legal staff. DEP called the Owner on 2/12/20 to make him aware of the forthcoming Stipulation Agreement that he will be receiving from DEP. As anticipated, he became very upset and vocal about the situation. To summarize the conversation, he has no intention of cooperating with DEP. He was courteous

and civil but very adamant about his position. DEP received a phone message from the Owner on 10/05/2020 requesting information about selling development rights to NYC. DEP called the Owner on 10/14/2020 regarding his request for information about selling development rights. He wasn't interested in taking the contact information at this time and will call back after taking time to think things over. We had a good discussion about his current septic system issues. He indicated that nothing has changed on site. He indicated that he is having additional health problems. Also, he is considering the possibility of selling the property. He is still not receptive to DEP personnel visiting the site.

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

Overview and Action:

DEP called the Owner on 9/17/18 and left a message requesting an appointment to review the situation in the field. DEP performed a site visit on 9/17/18. There was a minor discharge; the site was stable; the site was occupied. DEP called the owner on 3/18/19 regarding scheduling a site visit. The owner indicated that there is still several inches of snow over the absorption area. DEP performed a site visit on 3/28/19. Septic failure was not observed. DEP called the owner on 11/14/19 and left a message regarding the new CWC program for 2nd time SST S replacements and requested that he/she contact CWC directly to determine if they qualify for the program. DEP left a message for the owner on 12/13/19 requesting a return call to set up a site visit. DEP called the owner on 3/16/20 was unable to leave a message on the answering machine. DEP called the Owner on 7/17/20 and scheduled a site visit for 7/21/20. DEP visited the site on 7/21/20. Septic failure was not observed. The CWC 2nd repair program was discussed with the Owner. DEP left a message for the owner on 1/13 and 3/10/2021 requesting permission to conduct a site inspection.

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 received a copy via email of DEP's Legal letter to the owner on 1/9/19 regarding the judgement awarded. DEP performed a site visit on 2/11, and 3/8/19; no work in progress. Temporary erosion controls have disintegrated and site is no longer secured, site snow covered.

DEP received an email from DEP Legal on 3/12/19 regarding a conversation they had with the owner and his unwillingness to comply with the judgment. DEP received an e-mail from DEP Legal on 3/12/19 regarding updated attorney information for the project. DEP performed site visits on 4/9, 5/3, and 6/7/19; there was no work in progress. Temporary erosion controls have disintegrated and site is no longer secured. Although temporary erosion controls have disintegrated the site is now vegetated. Discussions between DEP, DEP Legal and the County via email on 6/13/19 regarding status of the property. DEP received an e-mail from DEP Legal on 6/26/19 regarding an update on the bankruptcy situation. DEP performed a site visit on 7/8, 7/26, 8/8, and 9/3/19. No change, No work in progress. DEP performed site visits on 10/2, 11/13, 12/13/19, 1/9, and 2/12/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Discussions between DEP Legal and the Town Attorney as well as discussions between DEP Legal and the DEC via email 2/10 to 2/19/20. DEP performed a site visit on 3/9/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Site Visits on 4/14, 5/8, 5/26, 6/10/20, no work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. Site is no longer secured. Internal e-mail sent on 6/10/20 regarding 6/9/20 EOH Enforcement meeting. DEP received a copy of DEC's letter to the owner on 6/11/20 regarding cleanup responsibility. Site Visits on 7/13/20. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable Site is no longer secured. DEP received an email from the Law Department on 7/29/20 regarding recent correspondence among DEC Regional Director, Town Supervisor, and County Legislator. Site Visit on 8/10/2020. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. DEP received a copy of the deed and NYS Department of State entity information sheet from Legal via email on 9/3/20 which the property has been recently conveyed to a new entity (the owner sold the property). Site Visit on 9/8/20. No work in progress at the time of this inspection but site has been secured and vegetation has recently been cut down. Erosion controls must be maintained in multiple areas where it is devoid of vegetation. REP emailed field report to DEP Legal on 9/16/20. DEP received an update from the Law Department on 9/16/20 via email. DEP sent photos of site conditions to the Law Department via email on 9/17/20. Site Visit on 9/28/20. Site has been graded with hay and seed applied and a minimal amount of germination has occurred. Silt fence has been installed but is not keyed in. DEP received an update from the Law Department on 10/26/2020 via email. DEP received a Soil Removal Report from the DEC via email on 10/29/2020. DEP performed a site visit on 11/4/2020. Areas on site that have been seeded has germinated and the majority of site is now stable. DEP performed a site visit on 11/24/2020. No work in progress. The site has germinated and is stable. DEP received an update from the Law Department on 12/02/2020 via email. DEP performed site visits on 12/23/2020, 1/7, 1/26, 2/8, 2/25 and 3/8/2021. No work in progress. The site is partially snow covered and undisturbed. Internal email on 3/10/2021 that DEC obtained the access warrant for the project.

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:

Communication between NYC attorneys and the Watershed Inspector General 5/2/19 to 6/11/19. Correspondence received on 9/17/19 from the NYC Law Department. DEP received a copy of the owner's response to the Watershed Inspector General via email on 9/26/19. DEP received the Executed Certification for the On-Site Areas Remedial Work Plan from DEP Legal on 1/24/20 via email. DEP issued comments to the applicant's attorney on 3/4/20 regarding the On-Site Areas Remedial Work Plan. DEP received a letter from the applicant's attorney via email on 4/1/20 in response to comments regarding the Off-Site Areas Remedial Work Plan. DEP received a copy of the DEC comment letter to the applicant's attorney and applicant on 5/12/20 via email. REP sent an internal e-mail on 7/6/20 regarding property status from the engineer. DEP received DEC's approval of remedial work relative to the property on 7/23/20 via email. DEP received a copy of the SWPPP from the applicant's attorney via email on 7/31/20 for the removal of construction and debris material from the Property. DEP received a copy of the discussion between DEP Legal and the Watershed Inspector General on 8/11/20 in response to the 7/31/20 email received from the applicant's attorney. DEP issued a SWPPP Approval to the engineer via email on 8/25/20 for removal of construction and debris material from the property. DEP received the engineer's response to all outstanding Carmel and WIG SWPPP items on 12/15/2020 via email. DEP received a copy of an update via email from DEP Legal on 1/20/2021. REP sent an internal e-mail on 1/22/2021 regarding the application update. Internal email sent that REP attended the pre-construction meeting on 3/2/2021 for cleanup of the Prato property only.

3.1.4. Kensico Basin

No enforcement actions to report during this time frame.

3.2. DEP Police Actions

3.2.1. Catskill District

Name: Pangman Road

SJS 90142

Location: Conesville

Type of Use: Rural

Type of Violation: Stream Violation

Date Discovered: 10/13/20

Status: Closed

Overview and Action:

DEP Police received a walk-in complaint regarding a possible stream violation located at Pangman Road, T/Conesville. DEP Police followed up with a patrol to that location and observed that the tributary stream to the Manor Kill Creek had been dug out causing loose soil/mud in the bed/banks to create turbidity in the water course. When interviewed, land/homeowner stated that he had dug the tributary stream bed out using an excavator which was still on site. Subject was issued Two Summons for violation of ECL section 11-0503-4 (Deposit/Disturb Loose Soil in a Tributary to a CTS) and for violation of ECL section 71-

4001(a) (Pollute Waters in Contravention of Standards). The tickets are returnable to the T/Conesville Court. Subject was advised to cease all excavation along/in the stream bed until he receives further instruction on how to rectify the issues. Contact was made with NYC DEP Natural Resource Management and was advised that upon checking the site and the disturbed stream, NYC DEP NRM determined that the case would be handled by the Army Corp of Engineers given the amount of area disturbed and its effect on storm water runoff causing turbidity in the tributary of the Manor Kill Creek, which is a direct feed into the Schoharie Reservoir. DEP NRM made notification to the Army Corp of Engineers via email. Closed. DEP Police, Natural Resource Management, and Army Corp of Engineers involved.

Name: NYC Road #7 SJS 92465
Location: Gilboa
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/8/21
Status: Closed

Overview and Action:

While on patrol, DEP Police observed a large bag of household garbage that had been dumped along State Route 30, just south of NYC Road #7. Further investigation did not yield any traceable evidence. NYSDOT notified for cleanup. DEP Police and NYSDOT involved.

Name: Gate E-16 SJS 91604
Location: Hurley
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/11/21
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite consisting of a large construction bag filled with household garbage in the parking area across from gate E-16. Upon further investigation it appeared that the construction bag contained a newspaper with a name and mailing address belonging to a subject in the Town of Woodstock. Operations was notified for the removal of the dumping. Patrol interviewed suspect regarding his garbage that was found at Gate E-16. Suspect admitted to driving past Gate-16, off of Dike road in T/Hurley around 1700hrs. and losing bag off of his truck. Patrol issued the subject an appearance ticket for ECL-71-3501- (Putting Noisome or Unwholesome Substances On or Near Highway). Appearance Ticket (#005369) returnable to the T/Hurley. DEP Police and DEP Operations involved.

Name: County Route 23C SJS 90258
Location: Jewett
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/20/20
Status: Closed

Overview and Action:

While on sector patrol, DEP Police observed 2 bags of packing material in the roadway along

County Route 23C. Further investigation of dumping revealed a packing slip with name of possible suspect. When police interviewed the subject at his residence, he stated that he had hired a third party to haul his household garbage away and it had been picked up this morning. Officer was able to locate the subject and he stated that he did transport garbage this morning and that it was not covered. Subject was issued Notice of Warning (#2854) for violation of ECL section 27-0712-2 (Transport Solid Waste Without a Cover) and was advised of the NYS Laws pertaining to the transportation of solid waste. The homeowner returned to the scene and cleaned up the garbage. DEP Police involved.

Name: Gate E24 SJS 90715
Location: Marbletown
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 11/18/20
Status: CLOSED

Overview and Action:

DEP Patrol observed a children's motorized car on the side of State Route 28A, T/Marbletown, across from Gate E-24. The condition of the toy vehicle indicated that it was deliberately discarded at that location. DEP Operations contacted for removal. DEP Police and Operations involved.

Name: State Route 28A SJS 91054
Location: Olive
Type of Use: Municipal
Type of Violation: Dumping-Medical Waste
Date Discovered: 12/9/20
Status: Closed

Overview and Action:

DEP Police while patrolling the area of the Boiceville Rail Trail parking lot observed a discarded Hypodermic Syringe near fishing access gate. Syringe was placed into a sharps disposal container and transported to local hospital for disposal. DEP Police involved.

Name: State Route 28A, Gate W12 SJS 91125
Location: Olive
Type of Use: Municipal
Type of Violation: Dumping-Medical Waste
Date Discovered: 12/14/20
Status: Closed

Overview and Action:

DEP Police while patrolling in area of Gate W-12, observed a discarded Hypodermic Syringe near the portable toilets. Syringe was placed into a sharps disposal container and transported to local hospital for disposal. DEP Police involved.

Name: Gate W-34 SJS 91165
Location: Olive
Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 12/16/20

Status: Closed

Overview and Action:

DEP Police while on patrol, observed a small dumping, consisting of a large, black garbage bag filled with household items on the side of the road, just west of Gate W -34. Ashokan Communication Center contacted DEP maintainers to have the refuse removed. NYC DEP Police and Operations involved.

Name: Tannersville Laundromat

SJS 92514

Location: V/T annersville

Type of Use: Commercial

Type of Violation: Stream Violation

Date Discovered: 3/11/21

Status: Closed

Overview and Action:

DEP Police were requested to respond to a complaint from DEP Tannersville WWTP employee of possible digging in a stream near the Tannersville Laundromat on State Route 23A. Patrol responded to the TWWTP and spoke with employee who stated that he had seen equipment near the bridge near the laundromat and the river seemed to be turbid in that area. Patrol then went to the location and spoke with subject present who stated that he was at the site jackhammering away deteriorated cement blocks that sat on top of a poured cement wall, so that he would be able to pour a new cement wall on top of the existing one. There were no signs of the ground having been dug up nor any signs of turbid water entering the location in question. A little evidence of turbidity was observed in the stream as a whole above that location due to snow pack runoff into the Gooseberry Creek. Patrol went back to the TWWTP and advised employee of the same. At this time, no violations were observed and case was considered to be closed. DEP Police and DEP WWTP staff involved.

Name: Ohayo Mountain Road

SJS 90627

Location: Woodstock

Type of Use: Residential

Type of Violation: Sewage Discharge

Date Discovered: 11/13/20

Status: Closed

Overview and Action:

DEP Police were dispatched to Upper Ohayo Mt. Rd. for a called in report of a possible septic failure. The complainant, T/Woodstock Code Enforcement was contacted, and stated that the residence was being used as an illegal boarding house and the house was having septic issues. Complainant also stated that he had contacted NYS ENCON, who responded to the location and found no violations at the location. Patrol arrived on location and were able to make contact with the property owner. Property owner was able to show officers the location of the septic field and stated he was currently having issues with his system backing up and was getting the tank pumped on 11-14-2020. Property owner also stated the tank was concrete and had a capacity of 1000 gallons. The tank and field were replaced approximately 5 years ago. Patrol walked the septic field and surrounding area and was unable to find any noticeable signs of failure of the

field. No noticeable septic odors were present. Patrol also determined there were no water resources to be impacted by a possible future failure of the system. No enforceable violations observed. DEP Engineering contacted for follow-up. DEP Police, Engineering, and T/Woodstock Code Enforcement involved.

3.2.2. Delaware District

Name: Margaretville WWTP SJS 91756
Location: Middletown
Type of Use: Municipal
Type of Violation: Sewage Discharge
Date Discovered: 1/21/21
Status: Closed

Overview and Action:

DEP Police was contacted to investigate a complaint of a sewage discharge/spill at the Margaretville WWTP. Upon arrival on scene, officers interviewed DEP Chief Plant Operator, who advised that on the day prior (1/20/21), they pumped digested sludge into the sludge storage/drying beds to allow it to dry, as is normal practice. Leaving the facility @ 1600hrs, everything was copacetic. Upon arrival at the plant the next morning @ 0730hrs, he noticed that approximately 7,500-10,000 gallons of sludge spilled from one of the drying beds overnight. It appeared that the sand barrier used to dam the 2x12 used to block off the entrance to the sludge drying bed failed, allowing the sludge to spill out onto the roadway, some of which had made its way into the retention basin in front of the building. Plant Operator advised that all notifications had been made both within the department and with NYS DEC regarding the spill. Interview was conducted with DEP Operations Supervisor, who was on scene and advised that remediation efforts were completed for cleaning up the spill. Operations Supervisor advised that he had an excavator clean up the sludge that was in the retention basin and that the remaining liquid was pumped back into the drying bed. All sludge to be transported to the Delaware County Landfill for disposal. DEP Police, Sewage Plant Operations and DEC involved.

Name: Neversink Dam SJS 90244
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/19/20
Status: Closed

Overview and Action:

DEP Police patrolling the area of the Neversink Dam, observed a small dumpsite consisting of numerous black plastic bags. Contents were searched for any possible traceable evidence with negative results. DEP Operations cleaned the area of the dumped items. DEP Police and Operations involved.

Name: Rocky Hill Road SJS 90498
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping

Date Discovered: 11/5/20

Status: Closed

Overview and Action:

DEP Police, while on patrol came across multiple empty cardboard boxes from Wayfair dumped on the shoulder of the road at the intersection of County Route 55a and Rocky Hill Road. All the boxes still had shipping labels on them which were traced to a local residence. Patrol followed up with the subject who was very apologetic about the boxes that fell off the side of his truck. He stated that he was enroute to the transfer station with a large number of boxes and garbage with the tonneau cover over the load but it wasn't completely sealed all the way around. Subject seemed to think the boxes slipped out while going down the road. This officer gave him a verbal warning and cleared at 0708hrs. Subject removed the boxes from the area. DEP Police involved.

Name: Lindholm Road

SJS 90562

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 11/9/20

Status: Closed

Overview and Action:

DEP Police observed a small dumpsite consisting of tires and a mailbox that had been dumped on Lindholm Road near the intersection with Divine Corners Road. There was no traceable evidence on any of the items. Patrol moved the dumped items off the road. DEP Land Management was notified to clean up the items. DEP Police and Land Management involved.

Name: Aden Hill Road

SJS 90747

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 11/20/20

Status: Closed

Overview and Action:

DEP Police observed a small dump site consisting of hunting refuse. Patrol investigated contents and found the site contained several beer cans, a work glove and a spray can covered in a sort of foam material. There was no identifying material that could be used for further investigation. Patrol notified DEP Land Management for cleanup. DEP Police and Land Management involved.

Name: 7582 State Route 42

SJS 91216

Location: Neversink

Type of Use: Municipal

Type of Violation: Sewage Discharge

Date Discovered: 12/19/20

Status: Closed

Overview and Action:

Complainant and his plumber came to the Grahamsville Precinct to report a sewage leak at

complainant's residence (7582 State Route 42, Grahamsville). Complainant's plumber reported to patrol that he had inspected complainant's plumbing system and found the sewage leak was not coming from his house. Officers contacted Grahamsville Control room who alerted the Water Supply Control Center. A Watershed Maintainer was sent out and arrived on scene at approximately 20:50hrs. It was found that the DEP Pump Station had malfunctioned and the alarm failed, causing the sewage to overflow and back up approximately one quart of clear fluid, no solids, into the basement of residence. The pump station was manually reset and turned back on at approximately 21:10hrs. DEP Sewer Plant Operations staff responded to the residence to clean the overflow from the location. All material was contained on concrete floor of basement and posed no environmental threat. Closed. DEP Police, Operations, and Sewer Plant Operations staff involved.

Name: Low Road SJS 92240

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 2/20/21

Status: Closed

Overview and Action:

While on patrol DEP Police came across a black garbage bag located on State Route 42, just south of Low Road on the Red Brook Headwaters parcel. The bag was filled with housing insulation. No traceable evidence located at the site. DEP Land Management was contacted for cleanup. DEP Police and Land Management involved.

Name: State Route 55 and Myers Road SJS 92496

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/10/21

Status: Closed

Overview and Action:

While on patrol, DEP Police observed household debris strewn in the eastbound lane causing a traffic hazard on State Route 55 and Myers Road. Patrol removed a large box still bearing the shipping label along with other smaller material from the lane of traffic. Address on label led to a subject residing on State Route 55 in Neversink. Patrol arrived at the address and spoke to the subject's son who stated that his mother was working and he did not know who could have transported the trash. Son travelled to dumping location and removed all material from the roadway. Patrol remained on scene for traffic control to ensure safe

Name: County Route 47 SJS 92834

Location: Tompkins

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/29/21

Status: Closed

Overview and Action:

DEP Police investigated a complaint received via Land Management regarding a dumping of construction and demolition debris in two separate locations. Officer located first dump site containing wooden posts, piping, slats and an old section of roof with no traceable evidence present. Patrol was unable to locate a second dump site despite patrolling several other roads in the immediate area. DEP Land Management contacted with dumping location for cleanup. DEP Police and DEP Land Management involved.

Name: Houck Mountain Road SJS 91434
Location: Walton
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/1/21
Status: Closed

Overview and Action:

DEP Police, while on sector patrol of Sector 32, observed 10 tires, 4 of which were on rims, discarded along Houck Mountain Rd in the T/Walton. Walton DPW notified for removal. DEP Police and Walton Department of Public Works involved.

Name: Beers Brook Public Access Area SJS 91671
Location: Walton
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/15/21
Status: Closed

Overview and Action:

DEP Police was dispatched to SR10 T/Walton (Beers Brook PAA) for a report of a dumping with traceable evidence received via DEP Land Management. Upon arrival patrol was able to locate the area in question, finding various household items including crutches, paper plates / wrappers, a car battery and receipts. Patrol was able to retrieve a name from the receipts. After pictures were taken and receipts logged as evidence, patrol responded to residence of suspect for further investigation. Patrol interviewed suspect, who ultimately stated they had in fact thrown out paper / receipts from their vehicle but denied any knowledge of the crutches and battery at this time. Suspect was issued Notice of Warning (# 6950) for NYCRR 360-1.5(a) (Unlawful Disposal of Solid Waste). DEP Police and Land Management involved.

Name: NYC Route 55A SJS 90496
Location: Wawarsing
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 11/5/2020
Status: Closed

Overview and Action:

Police on patrol came across four Home Depot boxes filled with plastic shelving units dumped on the side of the road at the intersection of NYC Route 55a and State Route 55. Officers looked for any traceable evidence with negative results. Cleanup of location completed by DEP Operations. NYC DEP Police and Operations involved.

Name: Diamond Road SJS 92364
Location: Wawarsing
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/1/21
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite consisting of a single, black plastic bag filled with household refuse dumped on Sherman Road just north of Diamond Road. Upon investigation, it was determined there was no traceable evidence present. Cleanup of site completed by DEP Land Management. DEP Police and DEP Land Management involved.

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

Name: Croton Lake Road SJS 91617
Location: Bedford
Type of Use: Municipal
Type of Violation: Stream Violation
Date Discovered: 1/12/21
Status: Closed

Overview and Action:

DEP Police observed a Tree Service Company working within the boundaries of NYC property on Croton Lake Road. When officer stopped to ensure all was in order, he further observed a logging truck parked adjacent to a stream that feeds the Muscoot Reservoir, in which evidence of stream bed disturbance and turbidity were present. Interview with site foreman determined company has contract with NYSEG for tree removal in the area of power lines. Foreman did acknowledge disturbance and turbidity, offering alternatives to protect stream bed during crossing. DEP Project Manager for Stormwater Programs Section notified and will follow-up with DEP Police following his inquiry. 2/22/21: Per DEP Land Management, a letter was sent to NYSEG addressing this ongoing issue stating that should there be similar incidents in the future, further corrective actions should be taken. DEP Police, DEP Land Management and DEP Stormwater Programs involved.

Name: Route 138 SJS 90679
Location: Bedford
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 11/16/20
Status: Closed

Overview and Action:

DEP Police on patrol located a dumping along the access road next to the Muscoot East Unit. The dumping consisted of construction debris including bricks and concrete. Eastview was advised and DEP Field Crew notified for removal. DEP Police and DEP Field Crew involved.

Name: Magnetic Mine Road SJS 91344
Location: Carmel
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 12/27/20
Status: Closed

Overview and Action:

DEP Police observed a dumping which consisted of numerous paint cans wrapped in plastic garbage bags on the side of the road. No paint was observed leaking from the dumped bags. The dumping yielded no investigatory evidence. Eastview Communications notified and photos were taken for file. DEP Field Crew advised of location for earliest removal. DEP Police and DEP Field Crew involved.

Name: Croton Reservoir Boat Area #25 SJS 92508
Location: New Castle
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 3/11/21
Status: Closed

Overview and Action:

DEP Police located a dump site on Lake Road along the Croton Reservoir near Boat Area #25. The dumping consisted of lumber, one large pallet, one blue tarp and styrofoam. Eastview was notified and photos were emailed to dispatch. DEP Field Crew notified for removal. DEP Police and DEP Field Crew involved.

Name: Lake Road SJS 90948
Location: Somers
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 12/2/20
Status: Closed

Overview and Action:

DEP Police on patrol, observed a dumping of a couch and a reclining chair on NYC property. DEP Field Crew notified for removal. DEP Police and DEP Field Crew involved.

3.2.4. Kensico Basin

Name: Lake Road SJS 91467
Location: Mount Kisco
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/3/21
Status: Closed

Overview and Action:

NYC DEP Police on patrol observed two white garbage bags which were filled with household refuse consisting of food waste and multiple pieces of mail which did yield traceable evidence

leading to several subjects. Parking tickets from the City of Yonkers, a bank letter and Election Registry card along with other wet items were retrieved. Investigation led to interview of subject who claimed that “the garbage was most likely thrown onto DEP property by his ex-wife or her family”. Subject was issued Notice of Warning (#8449) for NYCRR 360-1(a)2, NYSECL (Unlawful Disposal of Solid Waste). DEP Police involved.

Name: Old Orchard Street/Route 22 SJS 90604
Location: North Castle
Type of Use: Residential
Type of Violation: Dumping
Date Discovered: 11/12/20
Status: Closed

Overview and Action:

While on patrol, DEP Police were dispatched to a dumping complaint called in by North Castle Police Dept. Arriving at the above location, officers observed a large dumping of garbage bags consisting of household refuse which yielded no traceable evidence. Photos were sent to Eastview and email sent to DEP Field Crew requesting clean-up. DEP Police, DEP Field Crew and North Castle PD involved.

Name: Route 22 SJS 91841
Location: North Castle
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/26/21
Status: Closed

Overview and Action:

While conducting aerial patrol of the Catskill Aqueduct, DEP Police observed a dumping of household furniture in the area of the Kensico Spillway, just north of the Kensico Dam. Road patrol responded to dumping location and confirmed items dumped off the roadway. Photos taken for file. DEP Field Crew notified for removal and disposal. DEP Police and DEP Field Crew involved.