

**New York City
Department of Environmental Protection**

Bureau of Water Supply

**Filtration Avoidance 6.1 Enforcement Actions
For the period April 1, 2014 through October 30, 2014**

October 2014

*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 a politically, economically and geographically diverse landscape covering nearly 2000 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 actions from April 1, 2014 through September 30, 2014, first presents an overview of the responsibilities of those sections within the Bureau charged with enforcement activities. The report then addresses specific enforcement actions that occurred during the reporting period. Included are new violations as well as 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 of the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Also 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 also 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 thresholds are also subject to DEP review and approval.

Following the approval of proposed regulated activities, those activities are monitored to assure

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.

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 the 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 fastest and most effective manner.

The following provides an overview of the specific responsibilities of various groups within the Bureau to enforce the appropriate laws and regulations. In addition to the 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 a number of other agencies on enforcement issues, including the New York State Departments of Health (DOH) and 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 Section

The Regulatory & Engineering Programs Section is divided into two (2) programs: Wastewater Treatment Programs and Stormwater Programs. Both of these programs consist of a Compliance and Inspection Section. 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 Regulatory & Engineering Programs 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 an NOV or other enforcement action. At the conclusion of any enforcement actions, Regulatory & Engineering Programs staff again conducts inspections 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 Unit reviews and approves sewer systems, WWTPs and SSTs, which are regulated by the Watershed Regulations. In addition to the review of wastewater treatment systems, they 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 are 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 sections 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 SSTSs in failure or likely to fail, or pay for the review and approval of remediations within certain areas of the watershed. The Catskill Watershed Corporation (CWC) "Septic Rehabilitation and Replacement Program" funds the remediation (design and construction) of individual SSTSs 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 SSTS improvements. The review and approval of these repairs is performed by DEP, and progress is tracked by DEP and entered in the Engineering 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 SSTS repairs by Putnam County. This supplements the delegation agreement for the review and approval of new SSTSs. The delegation agreement for repairs includes the review and approval of failing commercial and individual SSTSs. The existing Putnam County Sanitary Code requires that a permit be issued by the County for all repairs or modifications to any SSTS. 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 SSTSs 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 1999 MOA. This, like the CWC program, is a voluntary program, and has phased 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 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 SSTSs 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 SSTSs. This repair delegation agreement is similar to the Putnam County repair delegation agreement.

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. A semi-annual summary of these NOVs will be reported in FAD Report 6.1.2.

2.1.1.1. Regulatory Compliance and Inspection Unit (located only WOH)

This unit consists of the Field Staff in the field offices of the WOH Watershed. The Field Staff's responsibilities include individual household septic system site evaluations, pre-application conferences, soils tests and construction inspections and enforcing the Watershed Regulations for individual residences. 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 NOF is issued. Also before an NOF 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 sections within the Bureau for corrective action or further investigation and/or legal action.

2.1.1.2. Wastewater Treatment Plant Compliance and Inspection Unit

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 of on all wastewater spills from sewer collection systems, pump stations and WWTPs. This unit is also 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 unit are reported within FAD Report 3.4. The enforcement activities at the existing WWTPs in the watershed are reported in FAD Report 6.2.

2.1.2. Stormwater Programs Unit

This unit reviews 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 include activities such as 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 Unit

The staff of this unit monitors construction sites to ensure compliance with approved SWPPPs. This unit also initiates enforcement actions when there is site construction or the creation of impervious surfaces without a DEP approved SWPPP. This unit issues NOVs with the assistance of the Stormwater Programs unit, 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 Unit

The SEQRA Coordination Unit was relocated to the Compliance and Administrative Manager in January 2010 to facilitate coordination with other sections within the Bureau and other DEP Bureaus. The SEQRA Coordination Unit ensures that the Bureau's responsibilities as an Involved Agency under SEQRA are fully complied with and 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 unit ensures that all necessary procedures and protocols are established and followed. Activities of this unit are not included in this report. The SEQRA activity will continue to be reported within FAD Report 6.1.1 as it was in the past.

2.2. DEP Police

The 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, located in Gilboa, Downsville, Beerston, Olive, Grahamsville, Yorktown and Yonkers.

The 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 are 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 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 Section and the 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 service 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. Wastewater Treatment Plants (See 6.2 FAD Report from now on)

3.2. 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	37	0	31	0	31	0
CONESVILLE	13	0	10	0	9	0
GILBOA	19	0	15	0	16	0
HUNTER	110	3	81	1	85	2
HUNTER (V)	17	0	9	0	10	0
HURLEY	49	0	48	0	47	0
JEWETT	51	0	47	1	50	1
LEXINGTON	47	0	45	0	44	0
OLIVE	194	0	165	0	171	0
PRATTSVILLE	29	0	22	0	29	2
ROXBURY	31	0	23	0	26	0
SHANDAKEN	143	1	129	0	134	1
TANNERSVILLE (V)	7	0	2	1	6	0
WINDHAM	79	0	65	0	74	0
WOODSTOCK	59	1	52	0	48	0
Total	885	5	744	3	780	6

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	81	0	74	0	74	0
ANDES (V)	4	0	2	0	2	0
BOVINA	35	0	32	0	33	0
COLCHESTER	4	0	5	0	6	0
DELHI	70	0	64	0	70	1
DELHI (V)	3	0	2	0	2	0
DENNING	34	0	33	0	31	0
FALLSBURGH	6	0	4	0	4	0
FLEISCHMANN'S (V)	1	0	0	0	0	0
FRANKLIN	6	0	4	0	4	0
HALCOT	7	0	7	0	7	0
HAMDEN	31	0	29	0	29	0

HARDENBURGH	12	0	10	0	12	0
HARPERSFIELD	8	0	6	0	6	0
JEFFERSON	6	0	6	0	6	0
KORTRIGHT	62	0	53	1	60	1
LIBERTY	1	0	1	0	1	0
MASONVILLE	12	0	10	0	10	0
MEREDITH	20	0	18	0	18	0
MIDDLETOWN	117	2	105	1	106	1
NEVERSINK	221	0	187	0	201	0
ROCHESTER	1	0	1	0	1	0
ROXBURY	34	0	28	0	33	1
STAMFORD	36	0	33	0	34	0
TOMPKINS	42	0	37	0	40	0
WALTON	89	0	82	0	79	0
WALTON (V)	1	0	1	0	1	0
WAWARSING	35	1	32	0	30	0
Total	979	3	866	2	900	4

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	1	12	1
EAST FISHKILL	1	1	0	0	0	0
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	0	0	0
TOTAL	16	1	14	1	16	1

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	1	0	0	0	0	0
MT. PLEASANT	0	0	0	0	0	0
NEW CASTLE	1	0	1	0	1	0
NORTH CASTLE	3	0	1	0	1	0
TOTAL	5	0	2	0	2	0

3.2.1. Catskill District

Project Name: Campbell Road (2007-SC-0941)
Town: Ashland
Type of Use: Septic System (SS)
Type of Violation: New SSTS; NOV for failure of wastewater not being treated by a DEP approved SSTS.
Discovery Date: 1/20/09
Status: No Application

Overview and Action:

DEP issued a NOV to the owner on 2/22/13. DEP received a call on 2/27/13 from owner, in response to NOV. DEP received a call back from the owner on 2/28/13 and 3/1/13 regarding the NOV received. The owner has spoken with an Engineer and will coordinate completion of a 2 bedroom design and construction. DEP performed a site visit on 4/1/13; septic failure was not observed. The tank showed no signs of overflowing. The house appears to be used on weekends. The driveway was plowed and there were no signs of construction activity. On 4/11/13, DEP called the engineer as a follow-up to the discussion with him, where he proposed subdividing off the property where the current trailer is so that this parcel would not have enough property to support a fully compliant SSTS. DEP informed the engineer that this would not be approved. DEP further explained that since there is a 6 bedroom design that was approved that met current code for new construction, that the 2 bedroom design must meet current code because it has been proven possible. Subdividing the land to destroy full compliance potential was discouraged. The engineer will discuss with the owner and contact DEP design review staff. DEP performed a site visit on 4/23/13; septic failure was not observed. There was no visible effluent and no changes at this site. DEP sent an email to the engineer on 5/21/13 requesting update on plan for this site. DEP also called and left a message with the CEO to call back and discuss SSTS concerns and enforcement status on this site. Also should discuss possibility of land being subdivided and resulting SSTS implications. The engineer replied stating he will be meeting with the owner. The owner wants to install peat filters to serve a 2 bedroom trailer and build a full raised system for a 6 bedroom design in the future after the house is built. DEP sent the engineer an email on 6/12/13 stating that peat system alone will not be approvable by DEP because there is room for a compliant system. DEP received a call from the owner on 8/13/13, who said he will contact CWC to refresh himself on funding available. DEP reiterated that the design must meet current code. The owner has been in touch with his attorney as well. The owner will contact DEP with updates and his plans. DEP performed a site visit on 9/30/13; septic failure was not observed. There was no visible effluent from the tank. The septic area has not changed as more clearing needs to be done. The owner appears to be at the site regularly. The lawn was freshly mowed and there are well used ATV paths around the property. DEP called the owner on 10/11/13 and stated that due to no progress project may be referred to DEP Legal. DEP gave owner his engineer's email address and he was going to contact him to discuss how they will move forward. DEP performed site visits on 10/25/13 and 1/22/14; there are still no changes. DEP issued a Notice of Intent of Revocation of the Approval letter to the applicant on 2/4/14 by Certified/Return Receipt. On 2/15/14, DEP received the signed certified mail-return receipt requested signed by the owner. DEP issued a Revocation of the Approval letter to the applicant on 3/18/14 by Certified/Return Receipt. On 3/27/14 DEP received the signed certified mail-return receipt requested signed by the owner. DEP performed a site visit on 4/21/14; septic failure was not

observed. DEP checked the tank and surrounding woods for effluent, none was found. The property is well maintained with a new garage being built. DEP performed a site visit on 5/2/14; there were no changes at this site. DEP performed a site visit on 7/11/14; septic failure was not observed and there was no visible effluent. DEP performed a site visit on 7/25/14; septic failure was not observed and there were no visible signs of failure. The tank had been disturbed (tarp was removed). The lawn is well kept and the new garage nearly finished. The site appears to be used frequently. DEP performed a site visit on 9/5/14; septic failure was not observed and there were no changes.

Town: Ashland
Basin: Schoharie
Project Name: Tallo, Leonard, (Log #2007-SC-0689)
Project Description: New SSTS; DEP and DEC NOV for SWPPP
Project Type: Stormwater (SP)

Status:

DEP issued an NOV to the owner on 4/22/11. A meeting was held with DEC and CWC on 5/6/11. DEC will be issuing an NOV and will be looking into if a dam permit is required. DEP received a letter responding to the NOV on 5/24/11 from the engineer requesting an extension for the SWPPP submission until 6/30/11. DEC issued a NOV to the homeowner on 6/14/11. DEP received a letter from the engineer responding to the DEC NOV. On 6/25/11, DEP received the engineers' field notes showing the pond's volume and the entire site disturbance; the site will require a dam permit. DEP received a letter and drawings from the engineer to DEC on 7/13/11 regarding the NOV. DEP received call on 8/25/11 from the engineer regarding the SWPPP design. The engineer is trying to schedule a meeting with the owner to discuss the design and how it will impact the property. The engineer is also waiting for a response from DEC regarding the sketch plan design. A meeting was held with the project engineer on 9/15/11 to discuss the design of the SWPPP. DEP received an e-mail from the engineer on 2/1/12 stating that he expects to finish and submit the plans within three weeks. DEP received a call on 2/08/12 from the engineer regarding clarification on treating the volume of the one year storm in the filter strip or the pond. DEP received an e-mail from the engineer on 2/24/12 stating the design is 80 - 90% complete. DEP received a copy of the Consent Order and the schedule of compliance from DEC on 1/7/13. DEC forwarded the letter to the owner on 1/11/13 regarding the agreement to extend the SWPPP submittal and engineer's assessment of the dam about six months. DEP Legal contacted DEC legal and inquired about the CO and schedule of compliance on 2/5/13. A six month extension was granted to the owner; however an engineer's assessment of the site is due by 4/15/13. DEP received the pond evaluation report from the engineer on 4/23/13. DEP received an e-mail exchange between the engineer and DEC on 7/18/13 regarding the April 2013 Pond Earth Impoundment Structure.

DEP received an e-mail from DEC stating that they sent an email to the engineer on 10/3/13 regarding the SWPPP submittal. The engineer replied that a SWPPP would be submitted. A consent order was not issued. A meeting was held with the project engineer on 7/11/14 and discussed setting up a date for a site visit. DEP sent an e-mail to the engineer on 8/5/14 regarding scheduling a meeting to discuss the SWPPP design. DEP sent an e-mail to the engineer on 9/8/14 regarding no response to the meeting request from 8/5/14. DEP requested a meeting with the engineer. DEP received an e-mail from the engineer on 9/15/14 requesting a site meeting for 9/19/14. DEP received an e-mail from the engineer on 9/18/14 regarding rescheduling the site

meeting for 9/26/14. DEP performed a site visit on 9/26/14. There were deficiencies. There was no discharge. The site was vacant.

Project Name: 231 Bear Kill Road (2005-SC-1143)
Town: Conesville
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 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 and 8/21/14; septic failure was not observed. There was no visible effluent and no sign that the trailer is being used.

Project Name: 1083 Potter Mtn. Road (2005-SC-0233)
Town: Conesville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1703 - Unapproved Construction of Septic System
Discovery Date: 11/13/2002
Status: Closed

Overview and Action:

DEP performed a site visit on 1/3/13; septic failure was not observed. There is a sign posted in the front yard declaring that Schoharie County has started foreclosure proceedings. DEP issued a letter to the homeowner on 1/22/13 regarding the loss of the NCRA status. DEP received a message from the Schoharie County Treasurer's Office on 3/12/13 regarding the receipt of the recent DEP letter. DEP called the county office on 3/13/13. They stated that the property with TMN 204.-2-14 will be auctioned off in the future, and is now and always has been vacant land. The adjacent lot, TMN 204.-2-15 used to have a trailer and garage which have been removed and this land is now vacant as well, and was auctioned off to new owner in May 2011. DEP issued a letter to the new owner on 3/13/13 regarding the outstanding issues with the SSTS and that a new SSTS design must be submitted and approved for final construction prior to wastewater being generated on the site. DEP received a call from new owner in response to recent DEP letter on 3/19/13. He will provide dates of when property went on the market for sale and the date he purchased the property to help determine if NCRA was actually lost. DEP performed a site visit

on 3/29/13; septic failure was not observed; no activity at this site. DEP performed a site visit on 7/1/13; septic failure was not observed. Property Status: Currently uninhabited. The violation was resolved and the case was closed on 8/23/13 internally, as structure has been demolished for months and nothing has been rebuilt in its place. DEP has resolved the Enforcement Action on 8/23/13. DEP performed a site visit on 2/25/14; septic failure was not observed; the lot is still vacant. DEP performed a site visit on 9/3/14 for septic failure; none was observed; the property is vacant.

Project Name: 465 Bull Hill Road (2003-SC-0917)
Town: Conesville
Type of Use: Septic System (SS)
Type of Violation: Failed SSTS; New SSTS
Discovery Date: 10/4/05
Status: Under Construction

Overview and Action:

DEP issued an email to the owner on 11/15/12 requesting pump out receipts to be faxed to DEP for pump outs since last submission. DEP emailed the owner on 1/11/13 requesting pump out receipts. Owner called DEP back and stated that he has not been using the house, but may go there in February. DEP will re-contact owner if receipts are not received by the end of February 2013. DEP performed a site visit on 2/1/13; septic failure was not observed. The house appears to be used sparingly. DEP performed a site visit on 3/15/13; septic failure was not observed. There was no visible discharge from the tank. DEP sent an email to the owner on 3/15/13 requesting pump out receipts, as follow-up to January phone call. DEP issued a NOV to the owner on 3/25/13. DEP received a call from the owner on 3/28/13 in response to the recent NOV. DEP reviewed the NOV with him, and stated that generation of wastewater on the site could lead to further enforcement action. DEP performed a site visit on 4/18/13 for septic failure; none was observed; there was no visible effluent. The septic area has not been cleared. DEP sent an e-mail to the owner on 5/21/13 for an update on construction schedule. DEP called the owner on 6/11/13 for construction schedule update. The owner said that he plans to have the rest of the trees cut around the July 4th holiday. He will contact DEP inspector to assist in setting up stakes for the height of the fill material. DEP sent the owner an e-mail on 7/11/13 requesting construction status and recent work done update. DEP also requested staff to inspect site prior to 7/17/13. DEP called the owner on 8/15/13 to ask for an update on any tree clearing progress and septic system construction schedule. DEP performed a site visit on 9/9/13 for septic failure; none was observed. No work has been done on the absorption area. There was no effluent visible or signs of pumping. The house appears to be used on weekends. DEP left a message for the owner on 9/11/13 to call back with commitment on construction this 2013 season. DEP informed him that the lack of progress will lead to deferral to DEP Legal. DEP called the owner on 10/11/13 and stated that due to no progress, the project may be referred to DEP Legal. The owner stated that he will call DEP inspector if he does any work this season, maybe during hunting season. He will try to schedule a site visit with DEP to layout the system. DEP stated that the owner's previous commitments to do this back in July 2013 have not been done to date. The owner did state that his son is coming up to the property to put away outside furniture. The owner repeated that he is having financial troubles right now. DEP reiterated that this has been in violation since 2006. DEP called DOH and left a message on 11/14/13 regarding how they will be able to provide engineering certification of this project once it is constructed. DEP received a call from

the owner on 1/30/14, requesting an update as to the enforcement status. DEP informed him that the matter has been referred to the Law Department, and offered to give him their contact information. The owner stated that he would call the Law Department to discuss. DEP sent an email on 1/31/14 to the owner with the Law Department contact information. DEP received a response email from DOH regarding their involvement in this project. They will do inspections when the project is finished and get certification letter submitted by an engineer to DEP. DEP performed a site visit on 5/2/14 for septic failure; none was observed. Found possible septic tank residue between the tank and SSTS clearing. The tank may have been pumped out onto the ground but the residue was weathered from the recent rain and there appeared to be remnants of toilet paper. DEP performed a site visit on 7/1/14 for septic failure; none was observed and there was no visible effluent. No progress with clearing for construction. DEP performed site visits on 7/16, 8/21 and 9/8/14 for septic failure; none was observed and there was no visible effluent. No progress with construction.

Town: Gilboa
Basin: Schoharie
Project Name: Pine Island - Lot #31 (Oliveri), (Log #2006-SC-1026)
Project Description: New SSTS for Lot #31
Project Type: Stormwater (SP)
Status: Closed

DEP issued a letter to the applicant on 2/22/10 stating that they are not in compliance with the approved SWPPP. DEP performed a site visit on 6/24/10; the site was stable; there was no discharge; the site was occupied. DEP initiated an Enforcement Action on 1/21/11. DEP issued a NOV to the owner on 1/21/11. DEP received call on 2/4/11 from the applicant regarding the NOV. DEP called the applicant on 2/9/11 regarding the NOV. The applicant agreed to contact DEP in early April to set up a meeting at the site. DEP called on 4/18/11 to set a time for a site meeting; tentatively scheduled for 5/6/11. DEP called the owner on 9/22/11 regarding a potential site meeting on 10/7/11. DEP called the engineer on 12/7/11 regarding stormwater controls. DEP performed a site visit on 5/18/12; there were no deficiencies, there was no discharge and the site was occupied. The violation was resolved and the case was closed on 8/1/12 with DEP Closure letter dated 8/1/12. DEP has resolved the Enforcement Action on 8/1/12. DEP sent an e-mail to the owner on 10/10/12 requesting a meeting date. DEP sent an e-mail to the owner on 12/5/12 stating all that is needed is a revised deed for the property indicating the areas shown on the drawing as filter strips will remain as such and not be developed. DEP sent an e-mail to the owner on 4/1/13 regarding incorporating natural areas as treatment areas into the deed. A meeting was held with the property owner on 6/24/13. The owner agreed to designate an area below the house and driveway as a filter strip in perpetuity. DEP sent an e-mail to the owner on 12/3/13 requesting the status. DEP called the applicant on 4/14/14 regarding the SWPPP. The applicant indicated he would send a sketch in showing the filter strips.

Project Name: 31850 State Highway #23 (Log #2007-SC-0677)
Town: Gilboa
Type of Use: Residence
Type of Violation: Failed SSTS – DEP NOF
Discovery Date: 7/26/07

Status: Approved

Overview and Action:

DEP performed a site visit on 10/4/12; septic failure was not observed. The owner expressed desire to have the system re-designed without the pump. DEP called the owner and engineer for an update on this project, and to catalyze the project getting constructed in the spring of 2013. DEP called the owner on 8/19/13. She stated that her brother-in-law will call DEP back to discuss this matter. DEP inspections assigned and due 9/6/13. DEP performed an enforcement inspection on 9/6/13 for septic failure; none was observed. The owner plans to start construction this in fall 2013. DEP performed a site visit on 3/27/14; septic failure was not observed. The owner reports that there is only a problem with the tank so he is hoping to just replace the tank. DEP will discuss and contact CWC. DEP will do several post tank installation inspections to verify that the field is not failing. DEP spoke to CWC about a tank replacement at this property. The property is in the CWC program and will be willing to pay for a tank replacement. CWC wishes to inspect the tank before final approval is made. DEP called the homeowner to let them know that they must contact CWC and set up appointment with them so the tank can be inspected by the CWC field inspectors and at that time they will determine if the tank needs to be replaced.

Project Name: 26 Beecher Rd (2014-AS-0319)

Town: Hunter

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: New

Overview and Action:

DEP initiated an Enforcement Action on 6/19/14. DEP issued a NOV to the owner on 6/19/14. A meeting was held with the project applicant and CWC on 6/20/14. DEP received a call on 6/27/14 from the owner acknowledging the NOV. DEP received a call on 7/23/14 from the engineer regarding enforcement and what constitutes the violation. A meeting was held with the project engineer on 8/4/14. DEP exchanged e-mails with the engineer on 9/25/14 regarding the site and where it stands.

Project Name: Clum Hill (2006-SC-0852)

Town: Hunter

Type of Use: Stormwater (SP)

Type of Violation: SWPPP for four lots, lot 11, 13, 17 and 23, all disturbed areas from the 2004 construction season for the road and stormwater pond per DEC Consent Order 3/06. This is the Interim Plan for the NOV issued on 8/13/04; SP.2 95 unit subdivision; failure

Discovery Date: 5/22/14

Status: New/Approved/Closed

Overview and Action:

DEP performed a site visit on 4/14/14. There were deficiencies. There was no discharge. The site was vacant. DEP initiated an Enforcement Action on 5/22/14. DEP issued a NOV to the owner on 5/22/14. A meeting was held with the owner of parcels 182.00-7-4 & 5 in the Cortina Mtn.

Estates subdivision on 6/5/14 to discuss the NOV. DEP and the owner agreed that once the disturbed area is seeded and mulched and 80% grass cover is achieved the NOV will be lifted. DEP received a letter from Cortina's representative on 6/5/14 to the owner of the parcels named in the NOV stating that Cortina had no involvement with the activities that caused the issuance of the NOV. DEP received a call on 6/13/14 from the property owner notifying DEP that a portion of the disturbed area has been seeded and mulched and that he will finish seeding and mulching the site once it dries up. DEP performed a site visit on 6/20/14; there were deficiencies; there was no discharge and the site was vacant. DEP called the property owner on 7/1/14 regarding finishing the seed and mulch and the owner stated that he will have the disturbed area stabilized by 7/21/14. DEP performed a site visit on 7/14/14; there were deficiencies; there was no discharge and the site was vacant. DEP received a call on 7/19/14 from the owner that the disturbed areas on his property have been seeded and mulched. DEP performed site visits on 7/28, 8/21 and 9/4/14; there were no deficiencies, there was no discharge and the site was vacant. The violation was resolved and the case was closed on 9/11/14 with DEP Closure letter dated 9/11/14. DEP has resolved the Enforcement Action on 9/11/14.

Project Name: Clum Hill Rd (2012-SC-0043)
Town: Hunter
Type of Use: Stormwater (SP)
Type of Violation: Proposal for a storage unit for trucks; with 1 bathroom; Former owner: Fromer, Jeffrey. Failed SWPPP - DEP NOV
Discovery Date: 7/10/14
Status: New

Overview and Action:

DEP received a request for a pre-application meeting from the engineer/applicant on 7/7/14. DEP initiated an Enforcement Action on 7/10/14. DEP issued a NOV to the owner on 7/10/14. DEP received a phone call and acknowledged the NOV on 7/29/14. DEP performed a site visit on 8/8/14; there were no deficiencies observed. DEP exchanged e-mails with the owner and CWC on 8/21/14 regarding reimbursement.

Project Name: 1681 Platte Clove Road (2008-SC-1035)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS
Discovery Date: 4/13/2005
Status: No Application

Overview and Action:

DEP called the owner on 10/12/12 and left message to call back with SSTS re-certification status and owner's plans/schedule to do the repair. DEP called the owner on 1/18/13 and left message to call back and discuss SSTS replacement project status and failure status. Five inspections assigned to DEP inspector during 2013 to watch for failure. DEP called on 2/4/13 regarding replacement septic for failed system. Also advised the owner that routine inspections will be conducted to verify system is not failing to the surface of the ground. DEP performed a site visit on 3/18/13; septic failure was not observed. DEP spoke with the tenant who stated that there were no current septic issues. DEP sent CWC an e-mail on 5/14/13 asking whether the project is fully or partially fundable. CWC responded that property is fully fundable. DEP called the owner

on 5/15/13, and asked him to move forward with replacement project. The owner asked for information needed to do so. DEP sent an e-mail to owner explaining that the plans need to be recertified and re-approved by DEP prior to construction. DEP included engineer's number and CWC's number in the e-mail so that the owner can contact and revitalize the project. DEP performed a site visit on 6/4/13; the house does not appear to be occupied at this time. The lawn is overgrown and no vehicles were in the driveway. DEP performed a site visit on 8/13/13; DEP was unable to determine if the house is currently occupied. The lawn has been mowed, but there were no vehicles in driveway and no signs of activity. DEP sent the owner an e-mail on 9/11/13, which included steps to move forward with the project. DEP performed a follow-up site visit on 10/9/13; septic failure was not observed. There was no evidence of septic failure. The house does not appear to be a full time residence at this time. Currently uninhabited, house appears empty; possible weekend usage. DEP performed a site visit on 3/26/14; septic failure was not observed; possible runoff/overflow from the cesspool into a roadside ditch; no odor and clear water. DEP recommended contacting the owner to set up dye test. DEP called the owner on 6/13/14 and requested dye test based on last DEP visit in March 2014. DEP received a call on 6/17/14 from the owner who cancelled the 6/19/14 dye test due to death of a friend and requested to reschedule. DEP scheduled dye test with owner for 6/25/14. DEP also contacted CWC on 6/19/14 who confirmed construction is fully fundable (as if primary residence) but the recertification of engineering plans is not covered by CWC. DEP received a call from the owner on 6/24/14 cancelling 6/25 dye test due to car trouble. DEP received a call on 7/21/14 from the owner cancelling the dye test. She stated it was ok for DEP to do test at property without her. She also stated that she will pursue replacement of the SSTS but was apparently confused in the message she left. DEP sent the owner an email on 7/22/14 with contact information for engineer (for recertification of plans) and CWC (for funding); requested owner reply when email received. DEP received a message from the owner on 8/5/14 extending invitation to schedule dye test since she is currently at the property. DEP called the owner on 8/7/14 who said she just met with DEP Inspector earlier that day. DEP acquired a different email address and forwarded the contact information for the engineer and CWC to the owner.

Town: Hunter
Basin: Schoharie
Project Name: Legg, Dwane E., (Log #2012-SC-0647)
Project Description: Failed SWPPP; NOV for failure to obtain an approved SWPPP prior to start of land clearing activities
Project Type: Stormwater (SP)
Status:

DEP issued a NOV to the owner on 10/10/12. A meeting was held with the project owner on 10/23/12; an Interim erosion control plan was requested. A meeting was held with the project applicant and engineer on 11/16/12. DEP sent an e-mail to the engineer on 11/28/12 with a recap of what was discussed at the property. DEP sent an e-mail to DEC on 11/29/12 regarding the property. DEC issued a NOV on 11/29/12. DEP received an e-mail from the engineer on 12/5/12 regarding site disturbance and the submittal for the interim plan. DEP sent an e-mail to the engineer on 12/19/12 regarding the status of the interim plan. DEP received the interim erosion control plan from the engineer on 12/21/12. DEP received the revised plans from the engineer on 12/27/12. DEP sent an e-mail to the engineer on 12/28/12 regarding the revised plans. DEP sent an e-mail to the engineer on 1/3/13 regarding additional water bars to prevent flow from

accumulating along the roads from direct rain and snow melt. DEP received call on 1/7/13 from the engineer regarding the interim E&SC plan. The engineer indicated the plan would be emailed to DEP. DEP received call on 1/7/13 from the applicant regarding the status of the interim E&SC plan. DEP called the engineer on 1/7/13 regarding the status of the interim E&SC plan. DEP received an e-mail from the engineer on 1/24/13 with the revised interim E&SC Plan. DEP issued an interim letter of acceptance on 1/29/13 for the E&SC Plan. A meeting was held with the project applicant on 2/5/13. The site was snow-covered and frozen. As soon as there's a thaw, the owner will be installing water bars across most of the access roads throughout the site. DEP received a letter from the engineer on 2/6/13 regarding the site and the Interim E&SC Plan. DEP sent an e-mail to the engineer on 4/1/13 requesting the status of the SWPPP. DEP performed site visits on 4/10, 5/6 and 5/9/13; there were no deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 5/28/13 asking when the SWPPP would be ready for review. DEP issued a letter to the owner on 7/8/13 regarding the current site conditions and the outstanding violation. DEP performed a site visit on 8/5/13; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from DEC on 10/3/13 stating that an email was sent to the engineer regarding a SWPPP submittal. DEP performed a site visit on 12/4/13; there were deficiencies, there was no discharge and the site was vacant. DEP received DEC's letter to the owner on 1/15/14 regarding the outstanding NOV and the need to retain an engineer to assess the current site conditions and identify actions needed to bring the site into compliance. DEP sent an e-mail to the engineer on 1/29/14 requesting copies of the SWPPP to review. DEP received a letter from the engineer to DEC on 2/19/14 in response to their letter of 1/15/14. DEP received an Application for a SWPPP on 4/23/14 from the engineer with NOI, report and plans. DEP issued a NOICA to the engineer on 5/21/14 requesting additional information. A meeting was held with the project engineer on 6/26 and 7/11/14.

Town: Hunter
Basin: Schoharie
Project Name: Leach, Matthew (Wiltse, Jim), (Log #2007-SC-1080)
Project Description: Initiated as a single lot; will develop into a 4 lot subdivision Failing SWPPP
Project Type: Stormwater (SP)
Status: Closed

DEP received notice on 1/7/13 that construction will begin on 1/9/13. DEP received an e-mail from the engineer on 1/14/13 stating that they encountered rock shelf in the lower basin and requested making it into a two bay basin being split by the rock shelf. DEP performed site visits on 2/6 and 3/11/13; there were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/9 and 6/19/13; there were no deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner on 4/2/14 requesting a site meeting to assess the site and discuss the next steps in construction. A meeting was held with the project applicant and engineer on 4/14/14. The applicant intends to complete construction of the road this summer and that is it. The necessary stormwater controls will also be installed. DEP performed a site visit on 4/14/14; there were deficiencies, there was no discharge and the site was vacant. DEP received a letter from the engineer on 4/22/14 addressing issues from DEP's 4/14/14 site visit. Included were copies of the Engineering Plan and calculations, to supplement the existing SWPPP, for DEP's review. DEP exchanged e-mails with the owner on 4/28/14 regarding the road not being mulched and the check dams not being in. The owner stated that he

will have it done by the weeks end. DEP performed a site visit on 7/28/14; there were deficiencies, there was no discharge and the site was vacant. DEP met the design engineer and was informed the applicant no longer plans to build on the parcel and is likely going to sell it.

Project Type: SEQRA (SQ)

Status:

DEP emailed T/Hunter Planning Board On 1/19/10 to see if this project will undergo a coordinated review prior to DEP initiating an uncoordinated review. The Planning Board responded that this project underwent uncoordinated review and a Neg Dec was issued on 4/7/09. DEP issued comment request to Tech Team with comments due to SEQRA Director on 2/2/10. DEP received a Short EAF on 1/19/10. DEP issued a comment letter on 2/1/10 to the engineer. DEP received a response letter from the contractor on 2/22/10 regarding DEP's comment letter. SCS called the Town of Hunter Planning Board secretary on 6/8/10 and asked for a copy of the Town's Neg Dec for the uncoordinated review. DEP issued a Neg. Dec. on 6/10/10 to the applicant.

Town: Hunter

Basin: Schoharie

Project Name: Gilbert, Ben, (Log #2007-SC-0887)

Project Description: New SSTS requiring an IRSP

Project Type: Individual Residential SPPP (IR)

Status:

Construction for this project is on hold as of 12/10/12 due to the homeowner waiting until spring 2013. DEP performed a site visit on 1/31/13; there were no deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner on 4/3/13 touching base as to getting the site finished up. DEP performed a site visit on 4/9/13; there were deficiencies, there was a discharge and the site was occupied. DEP sent an e-mail to the owner on 5/28/13 regarding completion of stabilizing the stream down through the woods; asked when this might be done. DEP issued a letter to the owner on 7/30/13 regarding site stabilization work. DEP received an e-mail from the owner regarding the completion of the site work. DEP called the applicant and left a message on 9/3/13 regarding the site. DEP performed a site visit on 9/11/13; there were deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the owner on 1/7/14. He is looking into the Land Acquisition Program to see if they are interested in one or two of his lots. DEP sent an e-mail to the owner on 4/1/14 regarding his plans for the implementation of the SWPPP.

Town: Hunter

Basin: Schoharie

Project Name: Onteora Club, (Log #1990-SC-0005)

Project Description: 14 Lot Residential Subdivision on 64 acres, Proposal to connect Field House to Onteora Club Wastewater System; install a grease trap & septic tank & connect to existing 4" gravity line

Project Type: Intermediate SSTS (IS)

Status:

DEP corresponded by email with the manager on 1/5/13; the club will decide which contractor to hire, depending on price. DEP received an e-mail from the facility manager on 2/6/13, advising

that work will begin on the pump station on 2/7/13. On 2/21/13, DEP met with the new manager and the maintenance staff on 2/21/13. DEP received an e-mail reply from the engineer on 3/1/13, who thinks a weep hole should be installed. DEP sent an e-mail to the engineer and club staff on 3/1/13, with the "as built" draw down for the pump station and questioned the installation of a weep hole in the new piping. DEP sent an e-mail to the maintenance shop on 4/22/13 inquiring about the pump house repair work and to schedule an inspection of the SSTS. DEP received a reply e-mail from the maintenance supervisor on 4/30/13. He said the pump contractor came by late in the afternoon on 4/26/13 and installed the flow meter and the update for the pump chamber work is now complete. On 5/1/13, DEP met with site managers for a spring inspection of the septic system; the pump station work is done. DEP issued a letter to the President of the Club on 5/8/13 regarding a few outstanding items that need to be addressed prior to DEP closing out the NOV. DEP sent an e-mail to the maintenance staff and the site manager on 5/14/13 regarding the need to contact DEP prior to backfill of any future work that will be performed on the SSTS. On 5/31/13, DEP stopped to talk to the superintendent. He wanted an updated map of connections to the collection system and said the club has not begun recording flow data. He also said there is no time to repair any of the items mentioned in the most recent letter from DEP. On 5/31/13, DEP stopped at the pump house to perform an inspection and get a flow reading. The door has had a padlock installed and no key was left with the door key, so DEP could not gain access to the building. On 7/15/13, DEP performed an inspection of the pump house. The staff has been recording the daily flow since 6/3/13. The padlock key is now attached to the door key so DEP was able to gain access. On 7/25/13, DEP performed an inspection of the pump house and recorded the flow from the daily chart; no problems were noted. The slab and generator have not yet been installed. On 9/4/13, DEP met with a member of the Onteora Club Board of Directors to discuss what items need to be addressed to satisfy the NOV. The pump chamber was inspected and the daily flows recorded were discussed. The hole in the concrete wall has been patched, but only from the outside. The generator and pad have been installed, most likely over the force main. DEP sent an e-mail to the engineer on 9/10/13 regarding the need to prepare and submit an Operation and Maintenance Plan for the SSTS, as a requirement in the NOV. DEP received the pump house log for June, July, August and September 2013 to date on 9/10/13. DEP sent an e-mail to the club and the engineer on 9/23/13 regarding the required work to be performed to close the NOV, with some available dates for DEP inspections. DEP received a return phone call on 9/23/13 from the maintenance staff. The risers have been installed on the dosing chamber and the gravity pipe is scheduled to be buried. On 10/1/13, DEP performed a scheduled inspection of the risers installed on the dosing chamber, the siphons, and the backfill of the existing gravity pipe from the field house and theatre to the dosing chamber. DEP received the pump out logs for Sept. and Oct. 2013 from the General Manager on 11/27/13. DEP received the O&M draft plan from the engineer on 12/2/13. On 1/31/14, DEP performed a drive by inspection of the pump house and the stream crossing; no problems were noted. DEP received the pump out logs for Jan. and Feb. 2014 from the General Manager on 3/11/14. DEP received a letter from DOH to the engineer on 3/24/14 regarding the proposed replacement pool. On 3/27/14, DEP performed a site visit to observe the current discharge pit that accepts the backwash water from the swimming pool. The pit is a re-purposed metal drum with what looks like an earthen bottom and no permanent cover. DEP sent an e-mail to the engineer on 6/5/14 regarding the outstanding O&M manual. On 6/11/14, DEP met with the Onteora maintenance staff to look at the possible relocation of both the golf shop and the tennis shop. They are requesting to demolish the existing shops, construct two new shops and connect them to the

existing SSTS that serves the restaurant, theatre, etc. DEP received the revised O&M manual from the engineer on 7/21/14. The engineer had no objections to comments and corrections provided by DEP and they have been incorporated. DEP received a call from the engineer on 8/7/14 regarding the possible connection of the library to the existing SSTS. On 8/15/14, DEP met with one of the board members and looked at the stream crossing/force main replacement and discussed the requirements for future connections to the SSTS once the NOV is lifted. DEP received an e-mail from the engineer on 8/25/14 concerning the revised O&M manual required per NOV; proposal to connect the Library and Pro Shop to the existing SSTS and input on forming a DEC required transportation corp. DEP sent an e-mail to DEC on 9/3/14 regarding the need for clarification concerning the DEC requirement for a transportation corporation for the SSTS. DEP received a reply from DEC on 9/5/14 stating that they should already have had one formed.

Project Name: 4102 CR 16 (1997-SC-0512)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS – Replacement of existing 2-Bedroom House
Discovery Date:

Status:

Overview and Action:

DEP performed site visits on 1/4/13 and 2/14/13; septic failure was not observed; this site remains inactive. DEP spoke with the Hunter CEO regarding the destruction of part of the septic field and the need for a new septic design before the issuance of a CO. DEP performed a follow-up site visit on 4/17/13; septic failure was not observed. The house is not occupied and the site continues to be inactive. DEP issued a letter to the homeowner on 5/2/13 regarding the SSTS that was destroyed during foundation related construction. DEP stated that the SSTS must be approved prior to construction. DEP received a call from the owner on 5/23/13, in response to DEP's recent letter. DEP will schedule a meeting on site with the owner in the near future to discuss work that was done and what needs to be done in order to be in compliance. DEP performed a site visit on 5/31/13; the owner has not repaired the damaged SSTS (bed) area yet. He will wait for direction from DEP on three issues: (1) whether septic tank needs to be moved, as it is only a few feet from foundation/footing drain; (2) whether the bed can be reconstructed completely per previous 1997 design and not involve engineer; (3) verification of number of bedrooms; 1997 repair was for (2 or 3). DEP sent an e-mail to the owner on 6/6/13, describing the SSTS replacement scenarios and the level of engineer involvement necessary. DEP sent an e-mail to the engineer on 6/7/13 regarding county records for the number of bedrooms, after having a brief discussion on his options and engineer involvement required. DEP replied to owner on 6/12/13, stating that engineer needs to be involved to certify field in place and work that is done. The owner stated that he will change the house to 2 bedrooms and move the septic tank away from the house for proper setback. DEP performed a site visit on 7/29/13. The owner repaired/replaced the destroyed septic disposal area; not known what type of fill used or the depth under the bed. DEP sent an e-mail to the owner on 7/31/13 regarding observation that work commenced without DEP being notified. DEP requested detailed answers to what was done, by who, and when. Owner responded and stated he did not think he needed an engineer. DEP called owner on 8/1/13 to make it clear that an engineer has to certify the work that the owner is doing. DEP set up appointment to meet with the owner on 8/2/13 to discuss in more

detail on-site. On 8/14/13, DEP met with the engineer to investigate the repair to the septic system. The soil used under the system appears to be clay/hardpan, which is not suitable septic fill. He dug a perk hole along the lateral; the first run was 20 minutes. DEP sent an e-mail to the engineer on 9/4/13, outlining the next steps to take, including percolation testing of unexcavated area of the SSTS. DEP performed a site visit on 9/17/13. Further perc tests in the existing system area yielded unsatisfactory results. The first perk was 20 minutes, which is over the specified 5-20 perk range. DEP received a letter and previously approved plan from the engineer on 9/23/13. DEP received a call from the owner on 10/9/13, and informed him that DEP needs to have further internal conversations regarding the submittal and what will be required. The owner was informed that DEP will contact owner's engineer. DEP issued an acceptance letter on 10/23/13 for replacement of the SSTS. DEP performed a site visit on 11/7/13; there was no activity. DEP performed a site visit on 11/11/13 for the system layout. DEP performed a site visit on 11/15/13 for construction status; no activity; some fill has been placed. DEP performed a site visit on 11/18/13 and inspected the absorption area; perks in fill-did not pass the 20-30 minutes on the first run. DEP performed a site visit on 11/25/13 for construction status; no activity. DEP performed a site visit on 12/2/13 to inspect the distribution box; no speed levelers. DEP inspected the absorption area; stone and pipe is in. DEP performed a site visit on 12/10/13 for construction status; no activity. DEP completed construction inspections on 5/22/14. DEP received As-Built plans/engineer's certification letter from the engineer on 6/23/14. DEP issued a letter to the applicant on 6/30/14 regarding completion of repairs to the SSTS.

Project Name: 978,988 Clum Hill (2013-SC-0333)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - CWC - Surfacing - DEP NOF
Discovery Date: 6/18/13
Status: Closed

Overview and Action:

DEP observed and prepared a violation report on 6/18/13. DEP issued an NOF on 6/25/13. DEP received a response to the NOF on 7/5/13. DEP called the owner on 7/5/13 for an update on the project. The owner stated that CWC was scheduled to witness the pump out. This project is funded under the CWC septic repair program. On 8/20/13, DEP received CWC's notice of failure. DEP left a message on 9/6/13 for the owner to call back with the status of hiring an engineer and getting the soils testing done. DEP issued a letter to the owner on 9/26/13 stating that the soils testing have not yet been conducted. DEP received a call from the owner on 10/11/13, who stated that he hired an engineer who will be at the site. DEP received a request for a pre-application meeting from the engineer on 10/17/13. A soil/site evaluation was performed on 10/21/13. DEP received an application for a conventional individual SSTS on 1/31/14. DEP issued a NOCA on 2/6/14. DEP issued an Approval Determination letter on 2/10/14. DEP issued a letter to the owner on 6/12/14 stating that construction has not yet commenced. DEP received notice on 8/5/14 that construction will begin on 8/5/14. DEP completed construction inspections on 8/12/14. DEP received As-Built plans/engineer's certification letter from the engineer on 8/19/14. DEP issued a letter of Construction Compliance on 8/21/14. DEP has resolved the Enforcement Action on 9/15/14. The violation was resolved and the case was closed on 9/15/14 with a DEP closure letter dated 9/15/14.

Town: Hurley
Basin: Ashokan
Project Name: Windschuh, Marga & Arno, (Log #2003-AS-0817)
Project Description: The project involves the repair of the sewage system serving a building with 5 efficiencies. The site is very limited for space, thus a raised bed with a dosing chamber was utilized to make the most of the limited area.
Project Type: Intermediate Repair (CR)

Status:

On 2/21/13, DEP performed a visual inspection of the SSTS from the road in the morning and observed no discharge. During a visual inspection from the road in the afternoon, DEP observed a sewage discharge from the distribution box migrating down the front slope of the absorption field. DEP performed a site visit on 3/5/13; septic failure was not observed. DEP performed a site visit on 3/25/13; septic failure was observed; absorption field, Surfacing of sewage on ground. DEP performed an inspection of the SSTS. The distribution box and areas directly downslope towards the road and the driveway showed signs of a consistent sewage discharge; the grass and soils had eroded and were stained and smelled of sewage. DEP re-initiated an Enforcement Action on 3/26/13. On 5/2/13, DEP performed a site inspection. The vegetation near the previously observed surface failure is lush, but no sewage was noted on top of the ground. A new roof is being installed on the rental units. DEP issued a NOV to the owner on 5/8/13. DEP received a phone call on 5/30/13 from the design engineer. He has been contacted by the owner's daughter to meet with DEP and try to resolve the problem with the SSTS. The engineer will make an appointment with the hauler and DEP. On 6/6/13, DEP performed an inspection of the absorption field. The ground is soft and wet near the distribution box and smelled of sewage. No sewage was observed pooling on the ground. DEP sent an e-mail to the engineer on 6/10/13, asking for an appointment to look at the SSTS, as the NOV directs the inspection and evaluation to be done. DEP sent an e-mail to the owner's daughter on 6/10/13 regarding the missed deadlines in the NOV. On 6/28/13, DEP performed an inspection of the absorption field. No sewage was observed on the ground. The soil surrounding the distribution box was soft and damp. On 7/10/13, DEP performed an inspection of the system and observed sewage staining as well as very high grass surrounding the distribution box and the area directly down slope of the D-box. On 7/17/13, DEP stopped at the property to determine if the waste hauler had pumped the tanks. The covers for both the septic tank and the dosing chamber appear disturbed and the distribution box has been exposed. On 7/19/13, DEP met with the engineer. The southern lateral is pitched uphill from the elbow. The contractor will expose all three laterals, the dosing pipe, and the lateral ends for next site visit with the engineer and DEP. DEP performed an inspection of the site on 8/23/13. Sewage was pooled in the small excavation performed weeks ago to observe the d-box and header pipes. The dosing chamber most likely had recently tripped. Vegetation surrounding the area is very high. DEP performed a routine inspection of the SSTS on 9/5/13. Sewage is continuing to collect in the shallow excavation made by the contractor. Frogs are living in the wastewater. The engineer has still not scheduled the repair work with the contractor. On 9/18/13, DEP performed an inspection of the absorption bed. The distribution box and header pipes are still exposed, allowing the effluent from the dosing chamber to be exposed to overflow. The contractor has also exposed a few areas of the pipes in the bed. On 9/20/13, DEP performed an inspection of the absorption field, more of which has been exposed by the contractor. DEP called the engineer on 9/23/13 to advise him that water meter readings must be obtained and an inspection of the meter must be scheduled before

DEP will consider looking at a repair plan. On 10/9/13, DEP met with the engineer and the property owner's daughter to inspect the water meter operation, which appears in order, as do the owner's reading and record of meter readings. DEP inspected the absorption field, and DEP advised that any existing problems with the laterals must be corrected and the open excavation backfilled as soon as possible. On 10/18/13, DEP performed an inspection of the absorption field when during a drive by it was noticed that the excavations had been backfilled. The area has been graded, but not seeded and/or mulched. DEP called the engineer from the site for a report on the work done prior to backfill, and left a message. DEP received a phone message from the engineer on 10/21/13, who said he witnessed some of the SSTS work prior to backfill, and will submit a repair design for the SSTS. DEP issued a comment letter to the owner on 10/22/13 regarding the NOV. On 10/22/13, DEP performed an inspection; the backfilled soils in the bed area are damp, and it appears that a backhoe or a piece of equipment with tires was used in the repair. The curtain drain discharges to the front of the SSTS through a two inch pipe. On 11/12/13, DEP performed an inspection of the SSTS. The soils are damp, only in the bed area, the taper soils are dry. No surface failure was observed. DEP called the engineer on 11/25/13 to discuss the need to submit a repair plan. DEP will accept a written report with a sketch of the current system in lieu of a full plan. On 12/27/13, DEP performed a site inspection; the area that was disturbed near the distribution box and the opposite end of the absorption bed was damp. No sewage was observed surfacing. On 1/10/14, DEP performed a site inspection; the disturbed area near the distribution box and the opposite end of the absorption field was frozen with evidence of sewage on top of the ground. There was no sign of sewage migrating from the basal area. DEP called the engineer on 1/14/14 requesting a timeframe for a sketch or plan. DEP issued a comment letter to the engineer on 2/6/14 regarding the NOV and the need for a remediation plan. DEP received a letter responding to the 2/6/14 NOV comment letter on 2/19/14. DEP issued a letter to the owner on 2/21/14 regarding DEP's acceptance of remediation plan proposed by engineer. On 2/26/14, DEP observed a failure of the absorption field, surfacing of sewage on ground. DEP stopped at the site because a bare spot on the absorption field in the deep snow was noticed from the road. The bare spot, just south of the distribution box, was damp and smelled of sewage. Sewage was not actively moving through the bare spot. DEP issued a comment letter to the owner on 3/6/14 regarding the NOV. On 3/7/14, DEP stopped at the site to look at the absorption field. The area of ground that is exposed is larger than it was at the last inspection. The ground surface was damp and smelled of sewage below the distribution box. On 3/18/14, DEP performed a routine inspection of the absorption field. The fill near the distribution box and near the eastern end of the field is saturated, and there are rivulets in the fill near the d-box where both sewage and fill have migrated down the taper of the field. DEP received a call on 3/25/14 from the engineer, who said that he did contact the owner's daughter's husband, who does not want his cell phone number given to DEP. The engineer advised to pump the tank and forward DEP the receipts, and to spread lime over the sewage on the ground. On 4/9/14, DEP performed an inspection of the SSTS; there was no sewage seen surfacing on the ground. There is however a clear path, where the absorption bed sand is eroded, that originates at the distribution box and continues toward the taper of the bed. DEP received a phone call on 6/2/14 from the engineer, who said the contractor is ready to start the repair work on 6/4/14. DEP received a phone call on 6/3/14 from the engineer, who said the contractor has not confirmed the project with the owner now had the tanks pumped in preparation for work on the absorption field. The work has now been postponed until the issues are addressed. On 6/18/14, DEP performed an inspection of the SSTS; the absorption field has been recently mowed and was dry with no visible sewage

discharge. DEP performed an inspection of the absorption field on 7/9/14. No sewage was observed on the surface of the ground. The vegetation is very high in the areas where sewage is frequently observed. DEP called the engineer on 7/9/14 and left a voice mail requesting the status of the repair. On 7/18/14, DEP performed an inspection of the absorption field. No sewage was seen on the ground. On 8/7/14, DEP performed an inspection of the absorption field and found that it was recently mowed. There are areas of no vegetation where it appears the distribution box discharges sewage to the top of the ground. DEP's Assistant Counsel issued a letter to the applicant on 9/2/14 regarding the NOV and the need to come into compliance with the WRR. DEP received a phone call from the engineer on 9/19/14. He has just been contacted by the owner's daughter, who said she received the DEP Legal letter and has called the contractor to start the work.

Town: Jewett
Basin: Schoharie
Project Name: Shabby Ranch, Inc., (Log #2013-SC-0624)
Project Description: Septic Failure, surcharged cesspool with a collapsed cover- Complaint
Project Type: Other (OT)
Status: Closed

DEP received a complaint on 10/30/13, wishing to remain anonymous. Complainant stated that there were sewage discharge/dumping concerns on two properties in Jewett. DEP received complaint from a second source on 11/1/13 regarding a collapsed SSTS on this property. DEP received pictures from the complainant on 11/2/13 of the house with a wastewater pipe exiting the stone foundation, which complainant states is discharging wastewater to surface of the ground creating a swampy septic area that acts like quicksand. DEP received photographs from the complainant on 11/3/13 showing a pile of tires on the property. DEP spoke with both complainants' on 11/7/13 and stated that an investigation may be conducted at this property on 11/8/13. On 11/8/13, DEP performed a site visit and a septic failure was observed for a collapsed cesspool cover. The owner's representative stated that new cover will be installed on cesspool. Once the area is clearly safe to approach, it should be determined whether the cesspool is surcharged and in failure. DEP spoke to the Town of Jewett assessor's assistant on 11/13/13, who said the buildings are not supposed to be inhabited. DEP then left a message for the Town CEO, requesting a call to discuss the site. On 11/13/13, DEP met the property manager on site. The cesspool is surcharged and sewage is at ground surface level. The manager will call CWC to inquire about funding. DEP received a call from the manager on 11/15/13. He said the apartments have been cleared for use by the Town, and that he has not been able to get through to CWC. DEP received a call from the complainant on 11/20/13, requesting results of DEP's recent investigation. DEP informed him that any issues under DEP's authority will be addressed. On 11/21/13, DEP performed an inspection of the cesspool. The liquid level has gone down a few inches and is no longer at the ground surface. The liquid at the top appears to be clear water and is partially frozen, confirming a groundwater component. Two cars were on site. DEP called the manager on 11/21/13 and left a voice message on his cell phone, requesting that the cesspool be pumped out and a temporary cover be installed for the interim. DEP also requested to be notified when the hauler and contractor will be there. DEP called the property manager on 11/22/13 and left him a voice mail at his business, requesting a return call, a pump out and inspection of the cesspool prior to installing a cover. DEP called the Town of Jewett CEO on 11/25/13 and left a message asking for a return call concerning the status of the site. DEP

returned a phone call to the manager on 11/25/13; he said he put a call in to the CWC and the hauler. DEP will be notified when the hauler will pump. DEP called the hauler on 11/25/13 and left a message with him to please notify DEP prior to the pump out. DEP received a return phone call from the hauler on 11/25/13, who said he has not been contacted by the manager. DEP called the Town of Jewett Supervisor and her assistant on 12/2/13 and left a message requesting information on the site status, and requested a FOIL form. DEP performed a site visit on 12/2/13; the cesspool is still open. DEP sent an e-mail to the property manager on 12/4/13 regarding the need to pump and cover the cesspool. DEP corresponded by e-mail on 12/4/13 with the property manager. DEP received a return phone call on 12/5/13 from the Town of Jewett CEO. The town is trying to work with the owners to get the property in compliance with all codes. On 12/12/13, DEP performed an inspection of the cesspool, which was observed to contain groundwater. The manager came by and DEP again urged him to have the cesspool pumped out as soon as possible and to cover it up. DEP issued a NOV to the owner on 12/12/13. On 12/13/13, DEP met with the Jewett CEO on site. The 3 unit apartment, the 2 larger houses, the horse barn and the dog's house have been approved by the Town to remain. On 12/20/13, DEP met the hauler and the property manager on site. The liquid level in the cesspool could only be pumped down by about 12 inches. DEP received an e-mail with a picture from a neighbor on 12/21/13 regarding the sewage discharge and noting that four people currently live on premises. On 12/26/13, DEP performed an inspection of the site. The cesspool is full to the top, and frozen on top. There is evidence that it may have overflowed toward the road. The cesspool has not been covered, and most of the caution tape around it has blown down. DEP sent an e-mail to the site manager and the CEO on 12/26/13 regarding the open cesspool and the requirements of the NOV. DEP received a phone message on 12/27/13 from the owner's attorney, acknowledging receipt of the NOV on 12/20/13. The phone call was referred to DEP Legal on 12/30/13. DEP received a phone message on 1/3/14 from the property manager. He said he has contracted with Hunter Environmental to pump and cover the cesspool. DEP returned the call to the property manager on 1/7/14 and 1/8/14, and left phone messages, requesting a call back to discuss the NOV, pumping etc. On 1/9/14, DEP performed a site visit. The cesspool is nearly full to the top of the ground. A path of flow is evident from the cesspool to the roadside ditch. DEP called the property manager again on 1/10/14 and spoke to him about the site. DEP urged him to get an engineer involved as soon as possible, and also reminded him about the time frames in the NOV. He will speak to the hauler again to get ideas for an engineer and to ask him to put a more substantial cover on the cesspool. DEP sent an e-mail to the property manager on 1/16/14 regarding the need for an engineer. On 1/16/14, DEP performed a site visit. The cesspool level is still full to near ground surface, and groundwater is evident. The tarp is now caving into the cesspool. On 1/22/14, DEP met the waste hauler on site and observed the cesspool pumped out. On 1/31/14, DEP performed a site visit. The cesspool is full to the top but not overflowing. The tarp cover is still haphazard. DEP called the property manager on 2/5/14 and left a message requesting a status update. DEP received an e-mail from the property manager to the engineer on 2/7/14 requesting a proposal to address the NOV. The property manager also left a voicemail saying the same. DEP spoke to an engineer on 2/10/14 who has been contacted to work on the project. The owner's representative told the engineer that all buildings will be torn down, and then the violation will no longer exist. DEP asked the engineer to provide documentation from the Town of Jewett to support the demolition, or to provide a plan to address the violation. DEP sent an e-mail to the Town CEO on 2/10/14, inquiring about the status of the property. DEP sent an e-mail to one of the property managers on 2/12/14 concerning the design engineer's statement

to DEP that the property is now vacant. DEP received a phone call on 2/18/14 from the engineer regarding the supposed vacancy at the site. He said he may have misunderstood the situation, as he has been hired to oversee the demolition of the buildings. He has a call in to the Town Supervisor to further discuss with her. DEP called the Town of Jewett CEO on 2/24/14 regarding the status of the property. He said that both owners are in agreement with the demolition strategy that the Town Board approved weeks ago, and he is unaware that all the buildings are to be removed. He did an inspection a few weeks ago and said that no one was there at the time, but that he was told that the person that had been living "up back" had now moved in with the occupant in the northern unit. He received a call from the contractor that has been hired for the demolition, who is supposed to apply for the demo permit. DEP called the engineer on 2/26/14 that has been hired by only one of the two owners. He is preparing a proposal to demolish all structures on the property and expects the job to go to bid in late April 2014. DEP called the wastewater hauler on 2/26/14 regarding the need to keep checking on the cesspool level and to pump out as necessary, as two people are now living there. On 3/5/14, DEP performed a site visit. The cesspool is still partially uncovered, and some of the caution tape around it has fallen down. There is currently one tenant on the property, and the three unit complex is now vacant, as the water pipes are frozen. DEP received an e-mail from the Town of Jewett CEO on 3/6/14 regarding his recent observations, that one person resides in the back house. DEP issued a comment letter to the owner on 3/6/14 regarding the NOV. On 3/18/14, DEP performed an inspection of the site. There were no people or dogs on site. The cesspool is frozen over, and the top of the liquid is very close to the top of the ground. On 4/10/14, DEP performed an inspection of the site. The cesspool contents are at ground level and are seeping down the slight incline between the cesspool and the road. DEP called the local property manager on 5/27/14 and left him a phone message requesting that he inform DEP of the schedule to decommission the cesspool so the work can be witnessed by DEP. DEP received a return phone message on 5/27/14 from the local project manager, who said he is waiting for a return call with a schedule from the hauler and the plumber. DEP received a phone call on 6/2/14 from the project manager confirming the 10 am appointment to pump and decommission the failing cesspool. On 6/6/14, DEP met with the local property manager, the hauler, contractor and plumber on 6/6/14. The cesspool was pumped and filled in. The plumbing will be permanently disconnected from the three-unit building that the cesspool served. On 6/11/14, DEP performed an inspection and observed that the contractor had seeded and heavily mulched the area where the cesspool had been pumped and filled in. DEP received an e-mail from the Jewett CEO on 6/25/14 regarding the buildings and will send a copy of the demolition permit if/when issued. DEP called the property manager and left a voice mail on both 6/25/14 and on 6/20/14 to inquire about the building demolition date and if the power and water have been successfully disconnected from the building. The violation was resolved and the case was closed on 6/27/14 with DEP Closure letter dated 6/27/14. DEP has resolved the Enforcement Action on 6/27/14.

Project Name: 111 Overlook (2013-SC-0129)
Town: Jewett
Type of Use: Septic System (SS)
Type of Violation: New SSTS; Camping trailer illegal discharge to buried system or tank.
DEP NOV
Discovery Date: 4/10/2013
Status: New

Overview and Action:

DEP received information from town CEO on or about 2/28/13, regarding a camping trailer illegally discharging wastewater to a non DEP approved system. On 4/10/13, DEP visited site in response to a complaint from the Jewett building inspector. There is a camping trailer on the property which appears to be hooked to an illegal septic disposal system. Soils were done in 2011 but no design has been submitted. DEP sent town CEO an email on 5/1/13 for an update prior to DEP's issuance of NOV. DEP received email response for CEO on 5/3/13, stating that there is no known well on site. DEP issued a NOV to the owner on 05/23/2013. DEP received call from NOV recipient on 6/4/2013, stating he is not the owner, per message left. DEP called NOV recipient back on 6/7/13, who stated he sold his share of the property to someone one of the three partners in 2012. He further stated the property was sold to a new owner in April of 2013. DEP will investigate new ownership and reissue NOV. DEP may contact previous owner again for information on septic discharge. The previous owner did state that there was a waterline serving the trailer, but the toilet did not work. DEP performed a site visit on 7/16/13 and taped the NOV to the window of the camper/trailer. DEP received a phone call response to the NOV on 10/10/2013 from the new owner. He stated that the former owner told him that only the sink water goes to the subsurface system and that as long as sewage doesn't go to system, it doesn't need DEP approval. DEP stated that any discharge is a violation, even gray water, and the new owner agreed to remove hose and cap trailer discharge and system inlet. The owner will be back at property within a month and will make these changes and contact DEP when it has been done. On 10/11/13, DEP sent email to town CEO with update on owners plans to cap the discharge port and system inlet. DEP received call from owner on 10/25/13, who stated that the wastepipes have been capped off and there is no way to discharge wastewater to the environment. DEP stated owner has three options in future, including: 1. holding tank and alarm; 2. full SSTS; 3. Camper must self-contain wastewater. DEP informed the owner that periodic inspections will be performed. The owner asked for 24-hour notice prior to inspections. DEP stated that existing illegal system will eventually need to be pumped and decommissioned if possible. DEP performed a site visit on 11/19/13; the lines from the trailer have been disconnected and are still visible and attached to unknown treatment. DEP called the owner on 2/14/14 and left a message for status of hiring engineer, contractor, and any decisions on if he wants to do pump and haul or permanent SSTS solution. DEP stated that illegal storage tank or cesspool onsite needs to be pumped out in early spring. DEP requested a return call with updates on these issues. DEP issued a letter to the owner on 03/14/2014 regarding a timeframe for pumping out the unapproved SSTS and the unresolved NOV issued on 09/24/2013. DEP received message from owner on 3/28/14. DEP called owner back same day. Owner found out that the outhouse pit is 5' deep with 1' gravel at the bottom. The walls are 5/4 pressure treated wood. There is a surface swale to divert runoff away from the outhouse. He stated it was installed between 2011 and 2013. DEP asked the owner if DEP could inspect outhouse. He said yes, but just to give him a heads up first. DEP will contact the owner after inspection of the outhouse, to see whether it conforms to DEC standards. Then DEP will set up a meeting onsite inspection with the owner to discuss what follow-up actions are necessary for the outhouse and illegal abandoned system. On 5/2/14, DEP inspected the outhouse for compliance. The pit appears to be approximately 3 feet below grade and there are no watercourses within 200 feet of the outhouse. Gray water lines are still visible, although not connected. DEP received a message from the owner on 5/14/14 requesting to know when DEP will inspect his property. DEP called the owner back on 5/16/14 and left a message that DEP is discussing internally how the outhouse

will be handled. However, he should expect to meet DEP in about one month to decommission the subsurface gray water system. DEP sent email to the town CEO on 5/21/14, informing him of DEP's plans, requirements, and requested CEO to respond with town's enforcement strategy. DEP exchanged emails with the CEO a few times, and most recently on 6/11/14. DEP is trying to coordinate a joint visit with the town on the day the gray water system is decommissioned. The town does plan to pursue enforcement action for a travel trailer being on vacant land more than 120 calendar days in a year. DEP spoke with and sent the owner an email on 6/19/14 to schedule joint DEP and CEO meeting. On 7/3/14, DEP met with the owner and his father. Pipe previously connected to trailer was cut off and backfilled over, rendering it useless. No tank was found after inspecting about 30 feet of exposed absorption trench. DEP informed the owner that no action will be taken regarding the outhouse and that a holding tank could be used, but first requires DEP review and approval. DEP sent an email summary of the 7/3/14 site visit issues to the owner on 7/11/14. DEP sent the owner an email clarifying DEP's role and relevant regulations and guidance for holding tank option on 7/18/14. Owner replied and said he is getting an engineer and will be in touch. DEP received an email from the owner on 7/28/14 stating he is waiting on the CEO to move forward with planning. DEP received a request for a pre-application meeting from the current owner on 8/22/14. A soil/site evaluation was performed on 8/26/14.

Town: Jewett
Basin: Schoharie
Project Name: TREC Management Systems, Inc. (Byrne, Kyle), (Log #2012-SC-0090)
Project Description: SSTS for construction company office and apartments. Also, SWPPP NOV
Project Type: Intermediate Repair (CR)

Status:
DEP received notice on 10/15/13 that construction will begin on 10/17/13. On 10/17/13, DEP conducted an inspection of the on-site SSTS being installed. On 10/18/13, DEP conducted an inspection of the SSTS.

Project Type: Stormwater (SP)
Status: Approved

A meeting was held with the project applicant, engineer and CWC at the project site on 11/13/13. DEP received a copy of the DEC submission from the engineer on 11/18/13 along with the engineers' report and plans. DEP issued a NOV to the owner on 11/19/13. DEP initiated an Enforcement Action on 11/19/13. A meeting was held with the project engineer on 11/26/13 to discuss stormwater design issues. DEP performed a site visit on 11/29/13; there were no deficiencies, there was no discharge and the site was vacant. A soil evaluation was performed with the engineer on 12/3/13. Additional soil evaluation (deep test and pre-soak perc test) was performed on 12/10/13. A soil evaluation (perc test) was performed on 12/11/13. All tests ran greater than 5-inches per hour, 100% pre-treatment required. DEP received an e-mail from the engineer on 12/19/13 with the conceptual sketch. DEP sent an e-mail to the engineer on 1/6/14 with comments on his 12/19/13 submission. DEP performed a site visit on 1/27/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter from the engineer on 2/24/14 along with drawings and a revised SWPPP. DEP received an Application for a SWPPP on 2/26/14 from the engineer. DEP issued a NOCA on 3/5/14. DEP issued a comment

letter on 3/10/14 to the engineer requesting revisions. DEP performed a site visit on 3/26/14; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 4/25/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter, NOI and revised plans from the engineer on 4/28/14 to DEP's letter of 3/10/14. DEP received additional copies of the revised plans and revised SWPPP from the engineer on 5/5/14. DEP issued an Approval Determination letter on 5/9/14. DEP sent an e-mail to the applicant and engineer on 6/27/14 regarding backfilling test pits and seed, mulch disturbed areas. DEP received an e-mail from the applicant on 6/27/14 regarding backfilling test pits over the weekend and will seed and mulch the area the week of 7/1/14. DEP performed a site visit on 7/14/14; there were deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 8/21/14; there were deficiencies, there was no discharge and the site was occupied. DEP issued a letter to the applicant on 8/29/14 regarding the 8/21/14 site visit and the need for the project to come into compliance with the approved SWPPP. DEP received an e-mail from the applicant on 8/29/14 regarding scheduling a site meeting. The meeting has been scheduled for 9/4/14 with the applicant and engineer. DEP performed a site visit on 9/4/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a letter from the engineer on 9/18/14 stating that construction for this project is on hold and does not plan to implement any of the site improvements until 2015.

Project Name: Route 23C (Log #2006-SC-0464)
Town: Jewett
Type of Use: Camp
Type of Violation: Failed/not maintained SSTS, little I&I work in progress, surcharged system. DEP NOV
Discovery Date: 6/11/07
Status: No Application

Overview and Action:

DEP issued a NOV to the owner on 11/15/12. DEP received a voicemail on 11/27/12 from the BSA president responding to the NOV. BSA is preparing a response to the NOV. DEP received a letter responding to the NOV on 12/5/12. DEP called and left a message for the camp director on 12/14/12 regarding their 12/4/12 letter. DEP called the camp director on 12/19/12 regarding the NOV. The camp director does not agree that the SSTS is in failure and requested information on an appeal process. DEP issued a comment letter to the engineer on 12/27/12 regarding the NOV and responded to their letter of 12/5/12. A meeting was held with the engineer on 1/2/13; site history and status were discussed. Some correspondence and pictures were emailed to the engineer following the meeting. DEP received a call on 1/2/13 from an engineer asking about the work that is needed at the site. A meeting was held with BSA representatives, their engineers, Assemblyman Lopez and DEP on 3/15/13. BSA engineers will submit a maintenance plan for Camp Tri-mount's SSTS. Assemblyman Lopez will be copied on all correspondence going forward. DEP received DOH Permits for the 2013 season on 7/23/13. On 7/25/13, DEP inspected the SSTS. No notable changes were made. DEP received an e-mail from the engineer on 7/25/13 informing DEP that the engineering plans were complete and supplied to BSA. On 8/1/13, DEP performed an inspection of the SSTS. The distribution boxes in the absorption field were pumped out because they were surcharged. The wastewater within the absorption field did not breakout to the surface of the ground. DEP received an e-mail from the director on 8/7/13 confirming the change in time for the pre-scheduled inspection on 8/8/13 and the re-priming of

the eastern siphon on 8/5/13. DEP inspected the SSTS on 8/8/13. The SSTS was not found to be in failure. DEP received plans from the engineer on 8/20/13 for the SSTS upgrade. DEP received an Application for a SSTS on 8/28/13 from the engineer. DEP called DOH on 8/29/13 regarding the plans received for the Camp. DOH wants to review and approve the plans, as the site is under DOH permits. DEP received a copy of the letter from the engineer to DOH on 8/30/13 along with the plans. DEP issued a NOCA on 9/17/13. A meeting was held with DOH on 09/25/2013. DEP explained the proposal was a first step and not a comprehensive repair. DEP sent an e-mail to DOH on 10/7/13 asking if they have had a chance to review the plans. DEP received DOH approval on 10/21/13. DEP issued an Approval Determination letter on 10/23/13. DEP received DOH approved plans on 11/29/13. DEP issued a comment letter to the Camp Director on 2/26/14 regarding the operational status of the SSTS and the status of the NOV. DEP received a letter from the Camp Director responding to the NOV comment letter on 4/14/14. Included with the letter was an Opinion of Probable Cost from the engineer. DEP called the engineer on 4/17/14 requesting a construction start date. The engineer met with the owner last month and provided construction contacts. DEP sent an e-mail to DOH on 4/21/14 requesting an update on the latest communications. On 5/17/14, DEP performed an inspection for the installation of risers on the two tanks behind the health lodge and Savatchy Lodge. The inlet pipe from the Lodge and the trailer was broken during the tank excavation, and was replaced. On 5/19/14, DEP received a phone call from the camp director advising DEP that a follow up inspection for the riser and pipe work that began on 5/17/14 could be performed on 5/19/14. On 7/3/14, DEP met the camp ranger and the camp executive on site for a scheduled site visit to inspect the SSTS. No surface failure was noted, however two of the four distribution boxes were surcharged and the absorption field was soggy in some areas. DEP performed a scheduled inspection of the entire SSTS on 7/17/14. Portions of the absorption field were surcharged, as evidenced by spongy wet surface soils, two surcharged distribution boxes and sewage surfacing on the ground, especially around the surcharged distribution boxes. DEP called the Oneonta District Office DOH on 7/17/14 regarding a septic system failure in the absorption field witnessed by DEP staff. DEP informed them the wet area had septic odor, flies, black muck and the lower d-boxes were surcharged. DEP also advised DOH that the camp had pumped down all septic tanks on 7/15/14. DEP called DOH and requested a different contact on 7/25/14 regarding status of the Camp Tri-mount inspection DOH staff conducted on the 7/18/14. DOH explained that staff reported no failure. The representative on the call did not have the report readily available but said there was some question as to whether they were in the same location as our staff the day prior who did observe the system in failure. DEP asked if they looked in the d-box and saw them backing up. DOH was unsure but said that would be considered in failure if they saw that. DOH said they requested the camp put snow fence around the wet area but the camp complained about finances. On 7/31/14, DEP met with BSA staff for a scheduled inspection. Approximately 150 campers and staff were at the facility. Of the four absorption fields, BSA has only the top two in service. Fresh soil was placed, seeded and mulched in an 8'x8' area near the southeast d-box. At the fringe of the fresh soil, the field was wet and spongy with a slight septic odor. DEP called DOH on 7/31/14, and was advised that a schedule of compliance had been set up with the camp and the risers were to be installed prior to camp opening this year, and the siphons are to be replaced prior to next year's camp opening. On 8/20/14, DEP completed a walk through inspection, the final one for the season on 8/20/14. There were no failures observed and no new construction or improvements since the last inspection. At this time the camp is closed and only the Ranger and his family are living on the

premises.

Project Type: Stormwater (SP)

Status:

DEP issued a comment letter to the engineer on 3/18/08 regarding the NOV, and the need for an approved SPPP. DEP received an Application for a SPPP on 6/9/08 from the engineer with a copy of DEC's NOI. DEP issued a NOCA on 6/19/08. DEP issued an Approval Determination letter on 6/20/08. DEP issued a letter of agreement to the Scout Executive on 6/24/08 in order to address on going violations for the 2008 camp season. DEP issued a letter to the applicant on 8/29/08 regarding an alternative to the infiltration trench. The violation was resolved and the case was closed on 10/6/09 with DEP Closure letter dated 10/6/09. DEP completed construction inspections on 10/6/09.

Town: Olive

Basin: Ashokan

Project Name: Onteora Mountain House, (Log #2010-AS-1070)

Project Description: Alteration/Modification of an existing SSTS

Project Type: Intermediate Repair (CR)

Status: Closed

DEP received an e-mail reply to the NOV on 1/2/13. The owner will send DEP a letter outlining the renovations and has agreed to meet to discuss. DEP received an e-mail from the owner on 1/4/13, with a letter explaining the time lines of the renovation and the number of bedrooms that will be in use. DEP received the pump out receipts and water meter readings on site on 1/9/13. On 1/9/13, DEP performed a scheduled site visit and met briefly with the owner. This project is funded under CWC septic repair program. On 1/16/13 DEP received CWC's notice of failure. DEP received a letter from DOH to the representative on 1/16/13 stating that after their 12/7/21 site visit, a temporary permit is not required from them and that there was no evidence of sewage on the ground and that the facility is in conformance with the requirements of the DOH. On 1/17/13, DEP met the design engineer on site to look for suitable areas for a new SSTS and to witness soils testing. DEP sent an e-mail to the design engineer on 1/18/13 regarding the use of the fill in the existing failed absorption field. On 1/22/13, DEP met on site with the engineer to witness soils testing for the reserve area. The hand excavations done in the failed absorption field have not been backfilled and sewage is ponded in the trench. DEP received an e-mail from the owner on 2/1/13, with the January water meter and room log. On 3/5/13, DEP performed a routine inspection of the absorption field. Sewage was pooling, surfacing and had overflowed from a trench that the engineer had dug during an investigation. DEP sent an e-mail to the owner on 3/6/13, advising him to pump the tank, as sewage was seen surfacing on 3/5/13. DEP also advised that the hand excavated holes dug in January by the engineer needed to be filled in. DEP received the Water System Operation Report and Water Meter Reading from DOH on 3/11/13. DEP sent an e-mail to the owner and engineer on 3/12/13 asking about the high water usage on several days in February, the pump out receipts and the open areas of the absorption field. DEP spoke to the owner on 3/12/13 regarding the pump outs. He sent the receipts to CWC and will also forward to DEP. DEP received the water meter readings again on 3/13/13 with additional information. DEP called the design engineer on 3/25/13 to ask if the hand dug holes in the failed absorption field had been filled in. DEP received an Application for a SSTS on 4/3/13 from the engineer. DEP received the Water System Operation Report and water meter readings from DOH

on 4/8/13. DEP received an e-mail from DOH on 4/15/13 with comments to the plans submitted by the engineer. DEP issued a NOCA on 4/18/13. DEP sent an e-mail to DOH on 4/19/13 regarding the grease trap that has been installed and the landscape watering. A meeting was held with the project engineer on 4/19/13. DEP discussed the water readings, design flow, timed dosing and the comment letter issued on 4/19/13. DEP issued a comment letter on 4/19/13 to the engineer requesting revisions to the plans. DEP received a phone call on 4/22/13 from the engineer; he performed a site visit that day to locate the well. He said that a 139 pound in-line grease trap has already been installed by the plumbing contractor. DEP received a letter and revised plans from the engineer on 4/25/13 to DEP's letter of 4/19/13. DEP issued an Approval Determination letter on 4/30/13. DEP received a reply e-mail from the owner on 5/1/13; he said the holes in the failed absorption field have been filled in. DEP received the water meter readings on 5/9/13. On 5/16/13, DEP performed a site visit. The absorption field is failing to the surface. The contractor has set the distribution box and will start installing headers. On 5/16/13, DEP met with the engineer and contractor for a pre-construction meeting. Other contractors working for the owner have beaten a road through the proposed absorption field to dump landscape debris on DEP property. Sewage was observed surfacing on the ground on the absorption field and migrating down the taper to DEP property. DEP met with the contractor and applicant on the site for a pre-construction meeting on 5/16/13. DEP received notice on 5/16/13 that construction will begin. DEP performed a site visit on 5/21/13; the contractor is installing the curtain drain. He has also removed six truckloads of brush from DEP land; Mountain House staff is burning the brush. Sewage was surfacing in the rear portion of the absorption field. DEP sent an e-mail to the property owner on 5/21/13 to advise that the septic tank needs to be pumped whenever needed to prevent a surface sewage discharge. DEP performed a site visit on 5/22/13; the contractor was removing the large rocks from the absorption field area. DEP advised him to backfill the holes with native material to within thirty inches of the top of the ground, then finish with fill material. It appears the driveway to the building construction site is permanent and Schedule 80 piping will need to be used there. On 5/23/13, DEP performed an inspection of the existing absorption field; no sewage was actively surfacing, but residue was still on the ground. The contractor is buttoning up the curtain drain and fill and stone are being dropped off for the new field. DEP received the pump out receipt on 5/23/13. On 5/23/13, DEP performed an inspection of the existing absorption field and the new field installation. DEP performed a site visit on 5/24/13; Sewage was observed on the absorption field, but was not actively discharging to the ground. The hauler has been backing about 25 feet into the field to dump fill; DEP advised him to stay in the parking lot and advised the engineer of the problem. On 5/31/13, DEP observed that the contractor has created a small berm around the surface failure to keep the sewage from leaving the property. The sewage was pooling on the absorption field. DEP performed construction inspections on 5/27, 5/28, 5/29, and 5/31. Half of the absorption field has been installed and accepted by the design engineer to cover. On 6/3/13, DEP performed a construction inspection with the engineer. The existing absorption field is actively failing to the surface but is being confined within the berm created on 6/3/13 by the contractor at the engineer's direction. DEP sent an e-mail to the owner on 6/3/13 regarding the need to pump the septic tank as sewage is actively surfacing to the ground. DEP received a reply e-mail from the owner on 6/6/13. The owner called the hauler on 6/3/13 but does not know if he came to pump the tank or not. On 6/6/13, DEP performed an inspection of the existing absorption field, which is still failing to the surface. It does not appear as though the septic tank has been pumped. DEP sent an e-mail to the owner on 6/6/13 regarding the need to keep the septic tank pumped to avoid

sewage surfacing on the ground. DEP received the Water System Operation Report on 6/10/13. On 6/11/13, DEP inspected the septic tank; DEP asked the contractor to seal the two seams in the 2,500 gallon tank. The existing absorption field is failing to the ground surface and barely being contained inside the berm. On 6/12/13, DEP witnessed the 4,000 gallon concrete pump chamber being set. The septic tank does not appear to have been pumped since DEP's initial request on 6/3/13. DEP performed a construction inspection on 6/19/13; the building sewer is being connected. On 6/20/13, DEP performed a construction inspection with the engineer and contractor; the SSTS is functional and was placed into service. The only work left is topsoil, seed and mulch. The old SSTS was also inspected; sewage was still pooled on top of the absorption field. DEP completed construction inspections on 6/21/13. On 7/2/13, DEP met with the engineer and the owner for a walk through of the main building. There are currently two bedrooms for private use, five for rental in the Bed & Breakfast, and one that has been gutted. The enclosed porch is about twice the size of the original screened in porch and had several tables for four scattered around. DEP received As-Built plans/engineer's certification letter from the engineer on 7/10/13. DEP issued a letter of Construction Compliance letter on 7/11/13. DEP called the engineer on 7/11/13 and advised him that the "as built" needs to include the location of the curtain drain and that it needs to be stamped and signed by the engineer. DEP received revised As-Built plans/engineer's certification letter from the engineer on 7/18/13 as per DEP phone call. DEP issued a revised letter of Construction Compliance letter on 7/29/13. The violation was resolved and the case was closed on 7/29/13 with DEP Closure letter dated 7/29/13. DEP has resolved the Enforcement Action on 7/29/13. DEP received the August 2013 water meter readings on 9/9/13. DEP received the March 2014 water meter readings on 4/7/14. DEP received the April 2014 water meter readings on 5/8/14. DEP received the May 2014 water meter readings on 6/11/14. DEP received the June 2014 water meter readings on 7/7/14. DEP received the July 2014 water meter readings on 8/11/14. DEP received the August 2014 water meter readings on 9/8/14.

Project Name: 1 Crosswell Manor (Log#1997-AS-0221)
Town: Olive
Type of Use: Residence
Type of Violation: Repair/Replacement of tank. 8/9/05 Failed SSTS
Discovery Date: 8/9/05
Status: No Application

Overview and Action:

DEP performed a site inspection to look at the SSTS that was replaced with CWC funding. Sewage was observed discharging into the upper ditch in two places. Site Visit type: Investigation. Date: 2/21/12; septic failure was observed. DEP performed a site visit and observed sewage discharging into the upper ditch from a pipe that daylight from the upper lawn area. Sewage was also observed leaking into the upper ditch through the soil close to the uphill side of the lower driveway culvert. Sewage was migrating into the lower ditch through the lower driveway culvert and into the Route 28 roadside ditch. Site Visit type: Investigation. Date: 3/14/12; septic failure was observed. Sewage was actively discharging from the pipe at the edge of the upper lawn and migrating through the upper ditch and into the lower ditch as well. The odor was unmistakable. DEP called and left a message for the owner on 4/11/14 advising that DEP will be doing an inspection of the property on 4/15/14. DEP met the owner onsite on 4/15/14. Puddled sewage was observed in the lawn area between the upper driveway and the

house. The owner is in the process of evicting the tenants. DEP provided a copy of the last field report to the owner. DEP called the owner on 5/28/14 and made an appointment to inspect the property on 6/3/14. On 6/3/14 DEP met with the owner for a pre-arranged inspection of the SSTS. A 2' diameter puddle of sewage was observed in the yard in the vicinity of the drywell. The owner showed DEP two eviction notices signed by the Sheriff's office ordering both upstairs tenants to vacate. DEP called and notified UCHD of the findings. DEP called DOH on 6/3/14 and left a message informing them of the failure. DEP called the owner on 6/5/14 and left a message asking for an update on the eviction status. DEP sent an e-mail to DOH on 6/6/14 with a picture of the sewage failure. On 6/6/14 DEP left a message requesting an update on the occupancy and received a return call from the owner saying that both tenants are expected to be out by 6/10/14. DEP called the owner on 6/16, 6/20 and 6/23/14. DEP was unable to leave a voicemail because the voice mailbox is not setup. DEP received an e-mail from DOH on 6/24/14. DOH inspected the site and no surface discharge of sewage was noted. Additionally, it appeared that the building is now vacant. DEP called the owner on 7/1/14 and setup an appointment for 7/9/14. The owner also confirmed that both upstairs apartments are currently empty. The owner plans on renting the apartment closest to the road to try and recoup monetary losses. The apartment farthest from the road is not rentable because the tenant trashed the bathroom. The owner agreed to inform DEP when the apartment is reoccupied and offered to reactivate the drywell. DEP advised against reactivating the drywell. DEP inspected site on 7/9/14. The sewage failure previously noted dried up.

Town: Prattsville
Basin: Schoharie
Project Name: Prattsville Plaza, (Log #2012-SC-0353)
Project Description: Construction of a 4800 sq ft commercial property, including retail and professional space, Laundromat and car wash
Project Type: Stormwater (SP)
Status: Closed

DEP performed a site visit on 10/1, 10/15, 11/15, 12/13/12, 1/9, 1/31 and 2/19/13; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 10/2/13; there were no deficiencies, there was no discharge and the site was vacant. DEP met with the contractor, engineer, CWC and applicant on the site for a pre-construction meeting on 10/7/13. DEP performed site visits on 10/9 and 10/10/13; there were no deficiencies, there was no discharge and the site was occupied. DEP received a copy of the shop drawings for the sand filter structure stamped furnish as corrected from the engineer on 10/10/13. DEP issued a Modified Approval Determination letter on 10/11/13 to the engineer. DEP received a call on 10/15/13 from the representative regarding a conflict between proposed tank delivery dates and paving schedule. It appears that the tank would be delivered in December 2013 which is after the asphalt plants close for the season. The applicant would like to pave the areas around the new plaza before the plants close. DEP issued a NOV to the owner on 11/8/13. DEP initiated an Enforcement Action on 11/8/13. DEP received a Binghamton Precast and Supply statement for the deposit of the duel cell sand filter tank from the applicant. DEP received a call on 11/14/13 from the applicant stating he received the NOV letter. He also stated that the duel cell sand filter tank has been ordered and should be delivered the first week of December 2013. He also provided a tentative construction schedule for installing the stormwater treatment system in December. DEP sent an e-mail to the applicant on 11/15/13 confirming that DEP received a copy

of the deposit statement for the duel cell sand filter tank. DEP received a letter from the Precast and Supply on 11/19/13 for the duel cell sand filter tank production and delivery schedule. DEP received the SWPPP Schedule from the applicant on 11/27/13. DEP sent an e-mail to the engineer and applicant on 11/27/13 requesting additional information regarding construction schedule and testing requirements. DEP performed site visits on 12/6 and 12/11/13; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 12/13/13 regarding the construction status. DEP performed a site visit on 12/19/13; there were no deficiencies, there was no discharge and the site was occupied. DEP exchanged e-mails with the engineer on 12/27/13 regarding reducing site inspections until construction resumes in the spring. DEP performed site visits on 1/10, 3/5 and 3/26/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received call on 4/15/14 from the engineer regarding multiple projects. DEP informed the engineer about the deadline for final completion of the SWPPP as stated in the NOV. The engineer will contact the applicant and remind them of the deadline. DEP performed site visits on 4/25 and 5/2/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 5/5/14 regarding filter sand requirement and documentation. DEP and the engineer agreed that if the contractor provided receipts of the sand that is purchased which indicates concrete sand meeting ASTM C-33 that would be acceptable documentation. DEP performed a site visit on 5/6/14; there were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the project Engineer on 6/13/14 to walk the site and discuss final punch list for the SWPPP. DEP exchanged e-mails with the engineer the on 6/18/14 regarding the site meeting on 6/13/14. DEP completed construction inspections on 8/1/14. DEP performed a site visit on 8/1/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received As-Built plans/engineer's certification letter (with notations) from the engineer on 8/20/14. DEP issued a letter of Construction Compliance letter on 8/21/14 along with NOV Closure.

Project Name: 37 Albert Slater Road (2006-SC-0779)
Town: Prattsville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS; previous owner Naomi Rosenberg
Discovery Date: 6/26/06
Status: New

Overview and Action:

DEP performed a site visit on 2/6/13; septic failure was not observed. The house appears to be abandoned as there is no furniture and is in disrepair. DEP called the owner on 2/20/13 to discuss the status of the holding tank operation. The property is used for about 1 week a year. The owner was encouraged to re-contact CWC and engineer to get project moving. The owner stated he has not had to pump out the tank because they barely use the property. DEP sent an email to the owner on 2/21/13 outlining actions to take, including contacting CWC, engineer, etc. DEP also informed the owner that an NOV would be issued if significant progress was not made by April 2013. DEP sent the owner an e-mail on 4/15/13 asking when plans will be submitted and on his communications with CWC. DEP sent e-mail to the owner on 5/21/13, regarding plans to build the SSTS this year and possible funding through CWC. DEP received a call on 5/24/13 from the owner in response to recent DEP e-mail. Owner stated he will be selling the house because it is too expensive to build as SSTS field. The owner said that CWC will not fund the

SSTS. DEP sent an e-mail to CWC on 5/24/13 regarding the end of year reimbursement eligibility. CWC responded that they cannot guarantee anyone end of year reimbursement, but they would be willing to speak with owner, to explain the possibility of receiving such funding. DEP performed a site visit on 5/29/13; the house still looks abandoned. DEP found the cover for a plastic septic tank. It did not look like the property has been used recently and there is a new for sale sign along the road in front of the property. DEP called CWC on 6/14/13, who stated they do not have a recollection of the owner calling recently regarding possible funding. DEP called the owner and left a message to contact CWC and to update DEP with results of that conversation. DEP received return a call from the owner on 6/19/13, who stated that CWC could not guarantee him reimbursement, and said that his property is for sale with a note that needs new SSTS. DEP issued a letter to the owner on 8/20/13 regarding the outstanding NOV and NCRA status of the SSTS if the property is put up for sale. DEP sent the owner an e-mail on 9/11/13, including a copy of DEP's most recent letter, requesting call back to discuss how he will achieve significant progress by deadline of 9/20/13. Further enforcement action (NOV) will be taken if progress is not realized. DEP spoke with the owner on 9/16/13, who stated he just reduced the price of the property which is still for sale with a disclosure that it needs the SSTS constructed. He also stated that the water is not turned on so they cannot generate wastewater. DEP will contact the owner in the Spring 2014 for any updates. DEP sent an e-mail to the owner on 9/26/13, asking where the disclosure is in the listing for sale of the property, because it could not be found. DEP also informed the owner that an NOV will likely be issued if this is not addressed. DEP received a call from the listing agent selling the property on 10/18/13. DEP discussed the project history with her but asked her to have the owner designate her as representative so more details can be shared, including documents. The realtor is trying to make sure she shares what has to be done with any potential purchasers. DEP performed a site visit on 12/16/13; septic failure was not observed; the house still appears to be empty. The driveway has not been plowed and the realtors sign still at the end of the driveway. DEP issued a NOV to the owner on 1/28/14. DEP performed a site visit on 2/5/14; no activity. DEP received a response to the NOV on 2/12/14 with a call from the owner. The owner stated that the property is winterized and still for sale, and that no wastewater is generated there, which satisfies the NOV. However, DEP reminded the owner that the generation of wastewater in the future could result in further action by DEP. The owner acknowledged and hopes to sell property soon. DEP will continue periodic inspections to ensure wastewater is not being generated. DEP performed a site visit on 2/20/14 to inspect the septic tank. DEP performed a site visit on 2/21/14 and inspected the system layout and the gravity effluent pipe. DEP performed a site visit on 2/27/14; the house is still vacant. DEP performed a site visit on 2/28/14; no activity. DEP performed a site visit on 8/1/14 for septic failure; none was observed. The house is still vacant with no signs of use.

Name: County Route 2 (Log #2000-SC-0836) I.D. #: 1154
Location: Prattsville
Type of Use: Residence
Discovery Date: 6/3/99
Type of Violation: Failed septic system
Status: Closed

Overview and action:

DEP performed a site visit on 12/7/12; septic failure was observed; surfacing of sewage on ground. The absorption area is still surfacing but not leaving the property. DEP left a message on

1/11/13 for the owner to return call with information on when plans will be submitted. The owner returned call and stated that he plans on making payment to engineer in early March, and plans should be submitted by mid-March. DEP performed a site visit on 2/26/13; septic failure was not observed. DEP called the owner on 3/27/13 and left a message for a return call with the status of plans to be submitted. DEP called the owner on 4/5/13 and left message for call back with update on plan submission status. DEP called the owner on 5/21/13 for update. Owner said his wife is meeting with engineer next week and plans should be submitted within next two to three weeks. He said that the system is not currently failing and running along surface of ground, but he did mention that the area is wet. DEP received a call from the engineer on 6/4/13, stating that he will go to the site and will call CWC to review funding for project. DEP received a call from the owner on 6/6/13, stating that plans should be submitted by end of the month. The engineer could not locate soils test info. DEP received a call from the owner on 6/14/13 stating that he met on site with the engineer who will call DEP to schedule soils testing. The owner has scheduled his contractor to start work the first week in September 2013, in anticipation that plans will be submitted and approved by that time. DEP e-mailed the engineer on 7/11/13 requesting soils testing schedule and when plans will be submitted. The engineer called back and stated plans will be submitted by 7/19/13. DEP received an Application for a conventional individual SSTS on 7/29/13. DEP issued a Modified Approval Determination letter on 8/16/13 to the engineer along with the approved plans. DEP contacted the owner on 9/11/13 for an update. The owner stated that the contractor will submit bid to CWC. DEP sent an e-mail to CWC on 9/26/13 inquiring whether construction bids have been submitted yet and CWC replied that they have not received the bid yet. DEP left a message with the owner on 9/27/13 to call back with status of bid submission to CWC. DEP left a message with the owner and CWC on 10/10/13 to call back with the status of the bid submission to CWC. CWC responded and reported that no bid has been received to date. DEP received a return call from the owner on 10/17/13. He stated his contractor has not submitted a bid yet, and now has concerns about County Rt. 2 being closed and the extra 15 miles it adds getting to the site. The owner was planning to meet with another contractor to see if he was willing and could start soon. The engineer was to contact the first contractor and urge him to move forward. The engineer was to contact DEP with an update no later than 10/23/13. The owner also mentioned that his ATU unit will receive its bi-annual service in November 2013. DEP called the owner on 10/24/13 and left a message to call back regarding the status of the bid submittal and the selection of a contractor. DEP received a call from the owner on 10/25/13, who left a message stating that the contractor will submit bid paperwork to CWC by 10/30/13. DEP received a call on 10/28/13 from the owner stating that he is having three bids submitted to CWC, but thinks that the design might be better if re-done in the barnyard area, since he is getting rid of all of his animals. DEP received a call on 11/7/13 from the owner stating that the contractor's bid was submitted and they are waiting for CWC's approval. DEP called CWC on 11/13/13 and left a message requesting the status of the construction bid approval. CWC returned the call and stated that the bid is over \$20,000 and on the agenda for the 12/3/13 Septic Committee meeting. DEP spoke with owner and CWC on 12/4/13; the bid passed the Septic Committee Meeting and will go to the board for the directors meeting next month for bid approval. The owner stated that his reimbursement for engineering fees has been figured out, and some paperwork needs to be signed. DEP called CWC on 2/4/14 regarding the status of the project. CWC reported that funding was approved and a letter was sent to the owner. If the owner decides to modify the plan that is approved, it needs to fall within the approved funding amount. DEP called the owner on 2/5/14 and left message to call back. DEP will inquire if he

will follow approved plans or make modifications first, and possibly relocate the field. The owner returned the call and stated he will try to relocate the field closer to the house. He stated that his contractor said he could just do a field change; however, DEP informed him that a location change would require a new submittal and approval by DEP. The owner will discuss this with the contractor again and discuss financial implications with CWC. DEP performed a site visit on 2/27/14; septic failure was not observed; the area of failure is snow covered. DEP called the owner on 4/11/14 and left a message to call back with plans and schedule for re-engineering and/or construction. DEP called owner on 5/21/14. Owner stated that construction will start in early July 2014. They will build the system in the location on approved plan. DEP performed a site visit on 6/5/14 for septic failure; none was observed. No visible failure. DEP left message for the owner on 6/11/14 asking when construction will start. DEP received notice on 8/11/14 that construction will begin on 8/11/14. DEP received As-Built plans/engineer's certification letter from the engineer on 9/11/14. DEP issued a letter of Construction Compliance on 9/16/14.

Project Name: 854 Johnson Holw Rd (2013-SC-0403)
Town: Roxbury
Type of Use: SSTS Repair (RE)
Type of Violation: Complaint; reporting SSTS Failure. DEP NOV
Discovery Date: 7/31/13
Status: No Application

Overview and Action:

DEP observed a surface failure running into roadside ditch leading towards stream about 75 feet away, on 7/31/13. DEP issued a NOV to the owner on 8/1/13. DEP received a phone call from the owner on 8/16/13 responding to the NOV. He said the problem has been resolved. DEP returned the owner's call on 8/20/13. The owner stated that the septic tank was pumped out and the surface failure is gone. He also said the place is only used on weekends and agreed to few follow-up inspections by DEP. DEP performed a site visit on 9/4/13; septic failure was observed. Effluent is being discharged to road side ditch. DEP called owner and left message to call back on 9/4/13. DEP stated discharge must stop immediately. DEP issued a comment letter to the owner on 9/5/13 regarding the NOV. DEP received a call from the owner on 9/12/13, who stated he believes failure is really something related to lives tock. He did not want to pursue contacting CWC just yet. DEP scheduled dye test and the owner will have a representative on site waiting. DEP performed a dye test on 9/13/13; dye was not immediately recovered or hours later. DEP Police will monitor over weekend. DEP Police inspected property for dye on 9/16/13 but did not find any. DEP performed a site visit on 9/24/13; no dye was recovered at this time. DEP REP received a call on 10/7/13 from DEP Police requesting status of the project and whether any other follow up was necessary from the police. REP responded that no additional police follow up was necessary at this time and REP would keep watch due to the seasonal use of the residence. DEP performed site visits on 10/25/13 and 1/28/14; septic failure was not observed. DEP performed a site visit on 7/1/14 for septic failure; none was observed. DEP performed a site visit on 7/7/14 for septic failure; none was observed. The road side ditch very wet but did not appear to be sewage; DEP will monitor. DEP performed a site visit on 8/12/14; a suspicious area was observed and DEP spoke to a neighbor. The house not being used full time. DEP performed a site visit on 8/20/14; a suspicious area was observed and no septic odor noticed at this time.

Project Name: Valley View Road (2001-AS-0322)
Town: Shandaken
Type of Use: Intermediate Repair (CR)
Type of Violation: Revised proposal to establish 10 campsites instead of 15 campsites and remodeling some structures. CR.1 - NCRA/Change in use. DEP NOV
Discovery Date: 2/3/14
Status: New

Overview and Action:

DEP sent a copy of the Zoning Permit, calculations for test sites, NOCA and Approval letter to DOH on 6/10/13. DEP received an e-mail inquiry from the NYC's 311 system on 6/10/13 regarding regulatory compliance at Full Moon Resort. DEP issued a letter to the owner on 6/18/13 requesting a meeting with UCHD at the site to assess the SSTS. DEP received a voice message from the owner on 6/25/13 regarding the DEP letter issued to him on 6/18/13. DEP returned the call and left a voice message requesting some dates and times within the next few weeks that DEP and DOH could meet with him on site. DEP received a return phone message on 6/28/13 from the owner, advising that he wants DEP and UCHD to set up the time and date for the meeting and that he wants the Town of Shandaken supervisor to attend. DEP sent an e-mail to the UCHD Director on 6/28/13 regarding the appointment to be scheduled with the facility owner and the need for records. DEP called the Town of Shandaken CEO on 7/9/13 regarding any history, including open and closed building permits and site plans. A meeting was held with UCHD on 7/16/13 to discuss the permitted activities at the site and the items to be addressed at the meeting with the owner. DEP sent an e-mail to the Town of Shandaken CEO's assistant on 7/16/13 with a completed FOIL request. DEP received a letter from the owner on 7/17/13 in response to DEP's letter of 6/18/13 with a history of the SSTS. DEP met with the town building inspector on 7/17/13 to discuss the FOIL request. The CEO said the building departments files are in disarray and the request may take several weeks to be filled. DEP received a phone call on 7/23/13 from the Town of Shandaken CEO. He has found the files for the project. DEP called the resort owner on 7/23/13 and left a message that DEP and UCHD can meet with him on site on 8/7/13. On 8/7/13, DEP met with DOH, Town of Shandaken officials, the facility owners and the engineer to discuss the SSTS compliance issues in regard to an apparent unauthorized expansion. It was suggested that the 2001 DOH permit for 27 rooms was inaccurate and that the 2013 DOH permit for 31 rooms is accurate. DEP will consult with DEP legal and research the non-complying regulated activity status. DEP exchanged several e-mails with the complainant on 8/19/13 regarding his concerns. DEP issued a letter to the owner on 10/30/13 regarding the Temporary Residence Permit and the number of units at the resort. DEP received a call on 11/6/13 from UCDOH regarding DEP's letter. UCDOH is going to write a letter confirming that the facility historically had 31 rooms/units. UCDOH is also researching the housing area north of the main resort and will keep DEP abreast of its findings. DEP advised that with that letter and an inspection of the site, DEP would establish 31 rooms/units as the baseline for the NCRA activity. DEP received a letter from DOH on 11/18/13 regarding the number of rooms (units) for the temporary permit is 31. DEP received a letter from the owner's representative on 11/19/13 in response to DEP's letter of 10/30/13. DEP received an e-mail from DEP's Assistant Counsel on 12/10/13 regarding contacting the owner's representative. DEP received a call on 12/30/13 from UCHD. The owner removed a room from the remote housing area so that it no longer requires temporary residence permitting. DEP received an e-mail from a neighbor on 1/21/14 stating that after dark digging was going on the night of 1/18/14. DEP's Assistant Counsel issued a letter to

the owner's representative on 2/11/14 in response to his letter of 11/19/13. DEP Legal sent an email to the owner's attorney asking if he has responded to the DEP letter of 2/11/14. DEP's Assistant Counsel received a letter from the owner's representative requesting that the owner and owner's representative come to DEP for a meeting to discuss their objectives and concerns, as well as those of DEP. DEP's Assistant Counsel received an e-mail from the attorney's office on 4/28/14 requesting a meeting. DEP's Assistant Counsel replied the same day that they are not prepared to meet until DEP staff has had a chance to complete an inspection of the site. DEP issued a NOV to the owner on 8/28/14. DEP received a letter responding to the NOV on 9/8/14 from the owners' representative.

Town: Shandaken
Basin: Ashokan
Project Name: Degree Ulster 2, LLC (Loretta Charles), (Log #2011-AS-0014)
Project Description: Formerly Loretta Charles Restaurant; has lost NCRA status
Project Type: Intermediate Repair (CR)
Status: Closed

A meeting was held with the property owner and DOH on site on 1/23/13. During the meeting, DEP received the 12/12 Water System Operating report from DOH. On 1/23/13, DEP met DOH and the owner at the site to look at the water meter and to determine if it is working and being read correctly. DEP replied to an e-mail from the owner on 2/5/13 explaining that the water meter readings were never received. DEP initiated an Enforcement Action on 3/1/13, due to failure to follow VA and SSTS approvals. DEP received an e-mail from DOH on 3/22/13; a new date for a hearing has been set for 4/4/13. DEP issued a NOV to the owner on 3/22/13. DEP received an e-mail from the owner on 3/26/13, confirming that he received the NOV. DEP sent an email to the owner on 4/1/13, stating that DEP observations noted in the NOV were consistent on every site visit. On 4/4/13, DEP performed a site inspection with the owner. There were 40 seats in the restaurant, including the bar seats. Some tables had been removed and a pool table has been installed to take up some of the space. The owner gave DEP the water system operating reports for February and March 2013. He had been faxing them to the wrong number at DEP. DEP received the February and March 2013 Water Systems Operation Report from DOH on 4/4/13. DEP attended a hearing at the Ulster County Health Department of Health on 4/11/13 and testified as to the 70 seats observed in the restaurant in January of 2013 and the 40 seats observed in April 2013. DEP received an e-mail from the owner on 4/12/13, who wanted to know if DEP needed any reports other than the water meter readings. DEP received the April and May 2013 Water System Operation Report from DOH on 6/4/13. DEP sent an e-mail to the owner on 7/5/13 regarding the lack of daily readings, especially on weekend days, on the Water System Operation Reports submitted to DEP. DEP received the June 2013 Water Systems Operation Report on 7/16/13. DEP received July 2013 water systems operation report on 8/21/13 along with the bacteriological examination of water report. On 8/28/13, DEP performed an inspection of the dining areas. Some of the dining room tables of four have been replaced with tables for two. The total number of inside seats, including bar seats, is 43. Five picnic tables outside can seat up to 20. The owner said he is current with submitting the monthly reports to both DEP and DOH. DEP sent an e-mail to the owner on 9/26/13 asking for the August 2013 water meter readings. DEP received the August 2013 water meter readings on 10/1/13. DEP received the September 2013 water meter readings on 10/31/13. DEP received the October 2013 water meter readings on 11/14/13. On 11/19/13 DEP and DOH performed a satisfactory inspection of the

facility. DEP sent an e-mail to the owner on 1/28/14 requesting the daily water logs from November and December 2013. DEP corresponded with the owner by e-mail on 1/31/14 regarding the water meter readings that are due to DEP for November and December 2013 and for January 2014. DEP received the January 2014 water meter readings on 2/6/14. DEP sent an e-mail to the owner on 2/11/14 regarding the November and December 2013 water logs, which were never received by DEP as required. DEP spoke with the owner on 3/6/14 regarding water meter readings and the increased seating. DEP received the February 2014 water meter readings on 3/10/14. DEP returned a call on 3/13/14 to the owner regarding booth seating and serving soft ice cream. DEP advised that DOH and DEP generally consider two patrons per bench for booth seating; however, extra-large booths would be assigned more than two. DEP had no objection to soft ice cream being offered. DEP further advised that DOH needs to be consulted directly on both issues. DEP received an e-mail from DOH on 3/28/14 containing comments the owner made to DOH. DEP received an e-mail from the owner on 4/15/14 requesting to add seats by eliminating the apartment. DEP received the March 2014 water meter readings on 4/16/14. DEP called the owner on 4/22/14 and advised that a formal request must be made by an engineer and that at best six seats could be added. DEP further advised that a variance modification maybe necessary. DEP received the April 2014 and May 2014 water meter readings on 7/2/14. DEP received an e-mail from DOH on 7/21/14 stating that the owner has no outstanding NOV's with DOH. The violation was resolved and the case was closed on 7/23/14 with DEP Closure letter dated 7/23/14. DEP has resolved the Enforcement Action on 7/23/14.

Project Type: Variance (VA)

Status:

DEP received the executed Variance Approval from the applicant on 2/17/12. DEP issued a letter to the owner on 9/24/12 stating that he is in violation of his Approved SSTS for seating greater than 40 seats; serving breakfast and water meter readings not recorded daily. DEP performed a site visit on 12/7/12; the new water meter was installed and read 379 gallons. A variance is sought for under Section 18-38(3) & (4) - limiting distance of the WRR. DEP issued a NOV to the owner on 3/22/13. DEP initiated an Enforcement Action on 3/22/13.

Town: Shandaken

Basin: Ashokan

Project Name: Shandaken Highway Garage (Log #2007-AS-0935)

Project Description: Failed SPPP

Project Type: Stormwater (SP)

Status:

DEP received the pump out receipt for 1/9/13 in an e-mail on 1/11/13. DEP received an Application for an SSTS on 3/20/13 from the engineer. DEP sent an e-mail to the engineer on 3/6/14 requesting a meeting before the end of March 2014. DEP received an e-mail from the engineer on 3/12/14 requesting a meeting for 3/20/14 which was accepted. DEP sent an e-mail to the engineer on 3/20/14 re-capping the days meeting. The town is pursuing funds to re-locate the Town Hall and Highway Garage to another location. DEP stated that it is willing to hold off on proceeding with the resolution of the NOV until June 2014 and requested that the town provide sufficient documentation that the funding is available. DEP sent an e-mail to the engineer on 6/19/14 regarding the last meeting and that DEP has not heard from anyone regarding the relocation of the Town Hall and Highway Garage. DEP sent an e-mail to the Shandaken

Supervisor on 7/24/14 regarding finalizing and implementing the SWPPP. A meeting was held with the Town Supervisor, Highway Superintendent, Engineer and CWC on 7/31/14 to discuss moving forward with the SWPPP design. DEP received a call from the engineer on 9/17/14 regarding removing the pavement that caused the NOV. DEP called the Town Supervisor on 9/25/14 regarding the status of the project.

Town: Shandaken
Basin: Ashokan
Project Name: Shandaken Town Hall, (Log #2010-AS-0115)
Project Description: Replacement SSTS
Project Type: Intermediate Repair (CR)

Status:

DEP received an Application for an SSTS on 3/20/13 from the engineer. DEP issued a NOCA on 4/1/13. DEP issued a comment letter on 4/1/13 to the applicant requesting revisions to the plans. DEP received a letter and revised plans from the engineer on 4/5/13 to DEP's letter of 4/1/13. DEP issued an Approval Determination letter on 4/25/13. DEP issued a Modified Approval Determination letter on 4/25/13 to the engineer along with the approved plans. DEP received a copy of the Deed Agreement for the SSTS from the Town of Shandaken Supervisor on 5/20/13. DEP sent an e-mail to the Town Supervisor on 6/7/13 regarding a time frame for the SSTS installation. On 6/26/13, DEP spoke to the Town Supervisor concerning the installation of the septic system. He expects the work to begin in late summer 2013. DEP received a return phone call on 10/1/13 from the engineer. The Town Highway Superintendent reported to the engineer that he wants to start as soon as possible. DEP called the highway superintendent on 10/17/13. The tank has been ordered and construction is expected to begin. DEP performed a site visit on 11/12/13; the absorption bed was partially installed. DEP received notice on 11/18/13 that construction will begin on 11/19/13. On 11/20/13, DEP performed an inspection of the pump tank and the excavated area for the absorption field. DEP performed a construction inspection on 11/21/13. The bottom layer of sand is in, and the Presby units are being installed. On 11/19/13, DEP accompanied the engineer on a satisfactory inspection of the pump tank. DEP called the highway superintendent on 11/25/13; he is waiting for risers and the d-box cover. DEP received a phone call on 12/2/13 from the engineer, who asked if he could water test the distribution box, inspect the risers and allow backfill without DEP inspection and DEP agreed. On 12/3/13, DEP performed an inspection of the SSTS; the system is completely backfilled, the next step is checking the dose when the electrician finishes. On 12/5/13, DEP met the engineer on site for the dose test. The risers have been delivered and will be sealed to the tanks. The area will be blocked from traffic until the blacktop is installed in the spring 2014. DEP drove through the parking lot on 6/18 and 7/11/14, DEP drove by the site. The blacktop has not yet been installed on the d-box/absorption field. DEP received a phone message from the highway superintendent on 8/29/14. He said if the SWPPP will be installed this year the entire lot will be paved after the install, if not the area over the absorption field will be paved this year.

Town: Tannersville
Basin: Schoharie
Project Name: Penson, Shannon, (Log #2011-SC-0597)
Project Description: Failing SWPPP; Site Stabilization Plan; due to existing encroachments into onsite wetland areas, all site work activities shall be suspended.

Project Type: Stormwater (SP)

Status: Approved

DEP sent an e-mail to the engineer on 4/1/13 requesting the status of the stormwater and wetland mitigation plan. According to ACOE, the revised SWPPP was to be submitted by February - April 2013. DEP performed a site visit on 4/10/13; there were no deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 6/6/13 requesting the status of the SWPPP. DEP performed a site visit on 6/19/13; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call on 6/26/13 from the new engineer regarding the SWPPP requirements for the site. DEP received a call on 7/1/13 from the engineer regarding the site and cost of the SWPPP. DEP received an e-mail from DEC stating that they need to write a letter to the owner regarding the SWPPP submittal and wetland restoration plan on 10/3/13. DEP performed a site visit on 1/10/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received DEC's letter to the owner's on 1/15/14 regarding the outstanding NOV and the need to retain an engineer to assess the current site conditions and identify actions needed to bring the site into compliance. DEP received an e-mail from DEC on 2/27/14 stating that a new engineer has been hired to finish the site work. DEP performed a site visit on 3/17/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a call on 3/27/14 from the engineer regarding planting trees and grass; DEP indicated that was acceptable. A meeting was held with the project engineer on 5/30/14. DEP received an Application for a SWPPP on 6/25/14 from the engineer along with a letter and plans. DEP sent an e-mail to ACOE on 7/8/14 regarding the pond. DEP issued a NOICA to the engineer on 7/22/14 requesting additional information. DEP received an e-mail from the engineer on 7/23/14 regarding the HydroCAD report. Only the 100-yr pre-construction and 1-yr post construction were received. Additional storm and pond HydroCAD data will be requested. DEP received the remaining storms and pond data from the engineer on 7/23/14. DEP performed a site visit on 7/28/14; there were no deficiencies, there was no discharge and the site was vacant. DEP called the engineer on 7/30/14 regarding the ACOE and roof drainage. The engineer indicated the ACOE inclined to let the pond stay and the owner may apply for an off-site mitigation permit. If the permit is denied and the pond needs to come out the stormwater will need to be revisited. In addition, according to the builder, the roof drains are interior to the building but discharge to the pond. The engineer is also going to verify that. DEP called the engineer on 9/3/14 regarding the roof drains. A meeting is schedule for 9/11 to verify where the roof drains daylight and to see if the elevations will work to get them into the pond. DEP received a response to the NOICA from engineer on 9/17/14. Submission included revised plans. DEP issued a NOCA on 9/18/14. DEP issued an Approval Determination letter on 9/19/14.

Town: Windham

Basin: Schoharie

Project Name: Jaeger, Scott, (Log #2011-SC-0697)

Project Description: Lot #5 New SSTS, SWPPP for 8 lot subdivision; NOV for failure to obtain DEP approval prior to construction of 8 lots; DEC NOV

Project Type: Stormwater (SP)

Status:

DEP issued an Incident referral form to DEC on 5/15/12. DEC issued a NOV on 6/11/12. DEP initiated an Enforcement Action on 6/21/12. DEP issued a NOV to the owner on 6/21/12. A

meeting was held with the project applicant and engineer on 7/13/12. A meeting was held with the project applicant on 8/10/12 to discuss the SWPPP design and the reimbursement program. A meeting was held with the project applicant and engineer on 8/21/12. DEP exchanged e-mails to and from the engineer on 9/17/12 regarding the berms. DEP received an e-mail from the engineer on 10/9/12 regarding the enhanced filter strips. DEP received an Application for a SWPPP on 11/6/12 from the engineer. DEP issued a NOICA to the engineer on 11/20/12 requesting revisions to the plans. DEP received a response to the NOICA from the engineer on 11/26/12 with revised plans. DEP sent an e-mail to the engineer on 11/29/12 regarding missing an executed deed restriction or some other legally binding measures to ensure the remaining lots are protected from disturbance. DEP issued the NOCA and Approval Determination letters on 12/28/12. DEP received notice on 1/2/13 that construction will continue. DEP performed a site visit on 2/25/13; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 5/9/13; there were no deficiencies, there was no discharge and the site was vacant. DEP met with the contractor and applicant on the site for a pre-construction meeting on 7/19/13. DEP received revisions to the approved plans from the engineer on 8/9/13. DEP issued a Modified Approval Determination letter on 8/13/13 to the engineer along with the approved plans. DEP met with the owner on 10/11/13 regarding the contractor's pricing to implement the SWPPP. DEP issued a letter to the applicant on 11/21/13 regarding the need to provide a signed agreement that includes a fixed start date for the spring 2014 construction. DEP's Assistant Counsel issued a letter to the owner on 7/10/14 regarding the outstanding NOV.

Project Name: 4806 Route 23 (Log#2008-SC-1111)

Town: Windham

Type of Use: Residence

Type of Violation: Failed SSTS - Surfacing - CWC

Discovery Date:

Status: New

Overview and Action:

DEP performed a site visit on 1/31/13; septic failure was observed. Failure Description: Surfacing of sewage on ground. DEP spoke with the owner; the engineer will not return his phone calls but the contractor has agreed to help with the repair. DEP sent the engineer an email on 2/1/13 requesting information on how to remedy the failure. If a plan is not received by 2/4/13, a NOV will be issued. The engineer responded and stated plans will be sent today via email. DEP received an email from the engineer on 2/4/13 stating that plans should be received by tomorrow. DEP received proposed remediation plans electronically. DEP sent engineer an email on 3/12/13 and again on 3/21/13, requesting information on sand testing, which was supposed to be done prior to proposing a design solution. DEP received a call from the engineer on 3/22/13 in response to email from DEP. The engineer said he will have sand tested and results back within one week. DEP received a call from the engineer on 3/26/13, who stated that three different testing companies will not test the Elgen sand because it has been contaminated with sewage. DEP asked the engineer to contact Elgen and find out where they would bring it, and to keep DEP updated. DEP performed a site visit on 3/29/13; septic failure was not observed. DEP performed a site visit on 4/5/13; no effluent was observed but there were signs of failure such as small channels, matted grass and a distinct septic odor. The engineer has not contacted the owner since taking sand samples three weeks ago. DEP sent an e-mail to the engineer on 4/5/13 to find out if he made any progress on finding a soil testing facility that will handle materials

contaminated with septage. DEP sent the engineer an e-mail on 4/11/13 requesting progress or a NOV will be issued to the owner and made roles of enforcement and design review within DEP clear for the engineer to follow in future communications. DEP received an e-mail from the engineer on 4/12/13 stating that he will be sending in an inspection analysis letter to attach to the repair plan. DEP sent the engineer an e-mail on 5/21/13 regarding the status of his inspection letter and repair plan. DEP sent the engineer an e-mail on 5/23/13 stating that an NOV is being issued for the failure, as a solution has not come in a reasonable amount of time. DEP performed a site visit on 5/31/13; septic failure was observed. The septic is still failing. The owners have not been able to get in touch with the engineer or the contractor. DEP informed them they should be expecting a NOV and that DEP would stop by periodically. DEP issued a NOV to the owner on 6/21/13. DEP received a phone message from owner's lawyer responding to the NOV on 7/1/13. On 7/2/13, DEP requested DEP Legal to return the owner's lawyer's call. DEP Legal spoke with owner's attorney regarding NOV and will re-contact DEP after further consultation with the owner. DEP Legal will re-contact the attorney if a response is not received within two weeks. DEP received another call from owner's lawyer on 7/9/13 and it was forwarded to DEP Legal on same day via e-mail to contact the owner's lawyer. DEP performed a site visit on 9/4/13; there was no visible failure at this time. DEP Legal issued a letter to the owner on 10/30/13, requiring sand test results within 20 days, plan submission for remediation within 45 days, and complete construction thereafter. The owner's daughter called DEP Legal on 11/6/13. She indicated that an attorney would be following up with, but repeated the same concerns that the previous engineer should be responsible for the current issues with the SSTS. DEP performed a site visit on 12/11/13; septic failure was not observed; there was no visible effluent. DEP contacted CWC on 2/21/14 and was informed that the 2010 repair was for a primary residence and a secondary residence combined into one new system. CWC was also informed that DEP is referring the project to NYC Law Department for follow up. DEP performed a site visit on 4/3/14; septic failure was not observed. No visible effluent at this time. Owner has not been able to contact the engineer. DEP performed a site visit on 7/8/14; septic failure was not observed. There was no visible effluent and the grass was very heavy and thick making it difficult to find any seepage. The owner says there is still a very strong odor at times. DEP performed a site visit on 7/16/14; septic failure was observed. There was surfacing of sewage on ground. Effluent was boiling from the ground in the approximate area of the end of the lowest lateral. DEP sent an email to the engineer on 7/17/14 requesting dates he is available to take sand sample and test at CWC office. DEP also informed him that the system is currently failing. DEP called and left a message for the owner on 7/18/14. DEP informed the owner that DEP Legal is getting involved again due to the system failure. Also stated that DEP contacted the engineer with a way to test the system sand, and encouraged the owner to contact the engineer to take action. DEP received an email from the engineer on 7/28/14, stating that sand was contaminated by silts and fines from the pump chamber during construction and Hurricane Irene flooding. On 8/8/14, DEP sent the Eljen product representative an email requesting his expertise to assist in analysis of this failed system and possible solutions. On 9/4/14, DEP sent email to the Eljen representative, engineer, and CWC that it is scheduled to investigate the failing system on 9/11/14. DEP performed a site visit on 9/5/14; septic failure was observed. The corner of the field is still failing. On 9/17/14, DEP the Eljin rep., Engineer, owners, and CWC to discuss possible solutions and causes for the failure of the absorption area. DEP performed a site visit on 9/17/14; the lower and upper lateral trenches (near their ends) were exposed. When the system dosed, the lower lateral was witnessed to receive flow and no flow was witnessed on the upper

lateral. One speed leveler in distribution box was turned up and not taking flow. This was thought to be the pipe leading to the lower lateral. Now there is confusion about where the pipes leaving the distribution box actually go. The question now is has one lateral somehow been taking majority of flow for extended periods of time? The engineer will research his notes for the piping layout from the distribution box and the Eljen representatives will report the results of the sand testing. There were lots of solids in the pump chamber. The owner has not pumped the septic tank since they were installed, but will do so after the investigation has concluded.

Project Name: 165 Mill St (2012-SC-0251)

Town: Windham

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS - NOV

Discovery Date:

Status:

Overview and Action:

DEP performed a site visit on 1/14/13; septic failure was observed. Failure Description: Surge septic tank, cesspool and drywell; the tank was overflowing. DEP spoke to the pump out contractor; he has been hired to install a 1000 gallon tank. DEP received the 12/13/12 pump out receipt on 1/15/13. DEP exchanged emails with the owner on 1/15/13, and new septic tank is expected to be installed next week. On 2/19/13 DEP received an e-mail engineer stating that soils testing is being planned for next week, weather permitting. DEP received an email from owner on 2/20/13 stating that he does not understand why this project is being considered new construction and must meet current code. DEP issued a letter to the owner on 3/22/13 regarding the SSTS. DEP sent the engineer an e-mail on 4/15/13 requesting that soils testing be scheduled. On 4/22/13, DEP met with the engineer. An additional deep hole was dug and found 22 inches of useable soil. Having explored all options for an alternate site for the basal area, the engineer is going to recommend de-commissioning the existing well and utilizing that area for the primary and reserve septic areas. DEP received an e-mail from the engineer on 4/26/13, stating that the well must be moved for a compliant SSTS to be built on property, achieving required setback distances. DEP e-mailed the owner on 5/21/13 and requested him to reply with his intentions, including whether he will move the well to accommodate the required setback distances. The owner responded same day and said he will try to put together phone call with his engineer and DEP in next few days to make his decision. DEP issued a warning letter to the owner on 5/28/13, requiring significant progress by 6/11/13 to be made in planning/design of the SSTS. DEP performed a site visit on 6/3/13; septic failure was not observed. There were no changes. The tank did not appear to be overflowing and there was no visible effluent. On 6/11/13, the violation was forwarded to DEP Legal for follow-up on enforcement action. On 7/5/13, DEP Legal issued a letter to the owner with deadlines to comply with or receive further legal action. On 10/1/13, DEP held a meeting with the Law Department and DEP Police regarding action to be taken for continued violation of WR&R. The Law Department will proceed with seeking a preliminary injunction, but first seek relief that requires the owner to meet WR&R in a reasonable amount of time for the tenant to find a new home. DEP performed a site visit on 12/12/13; septic failure was not observed and there was no visible effluent. The holding tank has been covered with stone and a picnic table. DEP performed a site visit on 2/25/14; there was no visible failure. The tenant was home but did not come to the door. NYC Law Department issued a letter to the owner on 2/28/14 in regards to his lack of response to enforcement proceedings. DEP performed site

visits on 4/30 and 9/16/14 for septic failure; none was observed. There was no visible effluent. The house is currently occupied full time.

Project Name: Ideal Park Rd (2014-AS-0292)
Town: Woodstock
Type of Use: Other (OT)
Type of Violation: RE.1 - SSTS Repair (holding tank for shower/sink - garden use) OT.1 - Complaint of discharge from unapproved system - DEP NOV
Discovery Date: 6/30/14
Status: New

Overview and Action:

DEP performed a site visit on 6/6/14. While on site, DEP verified that there is a compost toilet less than 50' from a watercourse. Also, there is another building with a sink and a shower that is being used. The treatment installed for this gray water does not have DEP approval and does not meet code. The owners stated that they were given the ok by the town building inspector. DEP initiated an Enforcement Action on 6/30/14. DEP issued a NOV to the owner on 6/30/14. DEP received a phone call on 7/7/14 from owner's partner in response to the NOV. DEP received a message from owner on 7/11/14 to discuss results of recent visit by DEP staff and what they still need to do to be compliant, and to discuss future plans. A citizen with concerns about this property called DEP on 7/16/14 and left a message. DEP returned the concerned citizen's call and left a message to call back on 7/17/14. DEP received call back from concerned citizen/neighbor on 7/18/14, who wanted details on status of DEP's enforcement because he has not seen much action on the property. DEP explained the issues have not been fully resolved, but are still being worked on, but that further details are not shared with people other than the property owner. He mentioned a 1/2 inch pipe discharging a liquid into a brook between this property and his, covered with ferns and hard to find. Owner's partner called DEP and left message that they have hired an engineer. DEP called owner's partner on 7/30/14 and could not leave a message, and then called owner and left message to call back with project status and progress/planning decisions. DEP received notice on 9/23/14 that construction will begin on 9/23/14.

Town: Woodstock
Basin: Ashokan
Project Name: Greek Orthodox Monastery, (Log #2006-AS-0524)
Project Description: Pre-application request for soils
Project Type: Intermediate SSTS (IS)
Status: New

On 10/3/13, DEP witnessed soils testing for an SSTS for up to 31 new bedrooms, and for the 1 bedroom house with a non-functioning SSTS and for the five bedroom house that is in violation. On 10/9/13, DEP met the UCHD and the engineer for additional 24 inch percolation tests in the native material; the results were acceptable. On 10/15/13, DEP performed a watercourse determination for the site; the channel closest to the southeaster side of the field is abandoned. On 10/22/13, DEP issued a reminder letter to the applicant due to the lack of activity. DEP sent an e-mail to the site manager on 12/2/13, requesting the water log for the five bedroom house. DEP received the meter readings for August and September 2013 on 12/13/13. DEP called the engineer on 1/14/14 regarding the need to submit a plan for the site. The engineer said the topo has been completed by the surveyor and he will work on the site plan. DEP called the engineer

on 1/24/14 and left a message regarding the need to get plans submitted to DEP for the project. DEP received the meter readings for December 2013 through February 2014 on 2/26/14. DEP sent an e-mail to the facility manager on 2/26/14 requesting clarification about the number of occupants and the buildings that are being metered. DEP issued a NOV to the owner on 2/27/14. DEP received revised water meter readings for December 2013 through February 2014 on 2/28/14. DEP received a call on 3/25/14 from the engineer, who said he is still waiting for information from the surveyor. DEP received an e-mail reply from the manager on 4/10/14 regarding the plans and the pump, which he said was used for water. DEP received a reply e-mail from the manager on 4/10/14. He used the portable pump for water and will ask the engineer to speed up the design process. DEP sent an e-mail to the manager on 4/10/14 regarding the need to comply with the terms of the NOV. On 5/28/14, DEP issued a reminder letter to the applicant/owner due to the lack of activity regarding the NOV. DEP received a phone call on 5/29/14 from the engineer. He has asked the surveyor for information several times but has not received it and cannot complete the site plan without it. DEP called the engineer on 6/23/14 to check the status. The engineer has survey work and is working on the design. DEP received the water log consumption on 6/24/14. On 8/29/14, DEP met with the design engineer for soils testing for the failed cabin and the five bedroom apartment. Only one deep hole had been dug by the owners and it was very narrow and difficult to see. On 9/12/14, DEP met with the engineer to observe soils testing for a combined upgrade/replacement SSTS for the failure of the single bedroom cabin SSTS and the former garage now five bedroom apartment SSTS. A raised system is required.

3.2.2. Delaware District

Town: Delhi
Basin: Cannonsville
Project Name: Countryside Kennels, (Log #2013-CN-0295)
Project Description: Failing SSTS - NOV
Project Type: Intermediate Repair (CR)
Status: Closed

DEP initiated an Enforcement Action on 6/6/13. DEP issued a NOV to the owner on 6/6/13. DEP received a phone call on 6/11/13 from the owner regarding the receipt of the NOV. DEP received a phone call on 6/11/13 from the contractor, who wants to excavate the area to find the cesspools shown on the sketch and find out what is causing the surcharged tank. He wants to do the work without the oversight of an engineer, as a repair and not as a new SSTS, which may not be needed. DEP received a phone message on 6/12/13 from the owner, who acknowledges the receipt of the NOV and has made an appointment on site with CWC, for 6/18/13. DEP returned the phone call to the owner on 6/13/13 regarding the NOV. Owner will be meeting with the CWC on 6/18/13 and asked DEP and the contractor to be there as well. On 6/21/13, DEP performed an inspection of a portion of the septic system; the contractor exposed the outlet of the 2,000 gallon tank and found it leaking due to the lack of a seal between the port and the pipe. The outlet pipe was broken, surcharged, then cleaned and repaired. The owner wants to wait and see if this most recent repair will stop the tank from being surcharged. DEP sent an e-mail to the owner on 7/23/13 regarding the missed deadlines in the NOV issued to her. On 7/30/13, DEP met with the owner's son to inspect the wastewater level in the 2,000 gallon tank, previously found to be surcharged on several occasions. The liquid level in the tank appeared to be normal.

DEP sent an e-mail to the owner on 10/21/13 asking for a site visit. DEP met with the owner and her son on 10/30/13 to inspect the liquid level in the septic tank, which appears to be normal. DEP received an e-mail reply from the owner on 4/16/14 regarding the site visit. She will contact DEP at the beginning of May 2014 with an inspection date. On 5/20/14, DEP performed a third inspection of the septic tank and found it to be functioning properly. The violation was resolved and the case was closed on 5/28/14 with DEP Closure letter dated 5/28/14. DEP has resolved the Enforcement Action on 5/28/14. DEP received an e-mail from the property owner on 5/29/14 with a thank you.

Project Name: 1221 Federal Hill Rd. (2008-CN-1423)
Town: Delhi
Type of Use: SSTS Repair (RE)
Type of Violation: Stormwater and Septic Complaint; Failing SSTS - CWC - surfacing. DEP NOV
Discovery Date: 7/26/2010
Status: Active

Overview and Action:

DEP issued a NOV to the owner on 7/31/13. DEP received a response from the owner on 8/5/13, after receiving the NOV. The owner stated that he has been trying to get an engineer onsite to do soils testing since the spring. He said that CWC was going to call the engineer. DEP stated that the owner needs to pump out the septic tank to avoid surface failure from continuing. DEP called the engineer on 8/7/13 and left message requesting call back and for date when soil testing will be scheduled for a different SSTS location than originally approved. The engineer called back and said he will send out request for soils testing date to Downsville office. DEP received a request for a pre-application meeting from the engineer 8/29/13. A soil/site evaluation was performed on 9/4/13. DEP staff communicated internally on 10/15/13 regarding farm agricultural assessment requirements. It appears that the minimum area required is 7 acres. The owner has 10 acres in DEP's small farm program. So perhaps some pasture area could be explored for possible SSTS replacement location without losing farm tax status. DEP received a letter from the engineer on 10/17/13 with revised plans using a Puraflo Biofilter treatment system. DEP issued a letter to the engineer on 11/4/13 requesting additional information. DEP received revised plans from the engineer on 1/22/14. DEP issued a letter to the engineer on 1/22/14 requesting design revisions. DEP called the engineer on 6/16/14 and left message requesting a call back with date when revised plans will be submitted. DEP received a phone message on 6/18/14 from the owner requesting the status of the project. DEP returned the owner's call on 6/19/14. The owner stated his septic is failing to a roadside ditch and that he has not heard from the engineer. DEP called the engineer on 7/8/14 and left a message requesting plans to be submitted. DEP received revised design from the engineer on 7/11/14. DEP issued a letter to the engineer on 7/16/14 requesting design revisions. DEP received a letter and revised plans from the engineer on 7/24/14. DEP issued a letter to the engineer on 7/29/14 requesting design revisions. DEP performed a site visit on 9/2/14; septic failure was observed. There was surfacing of sewage on ground. DEP called the engineer on 9/12/14 and left a message stating revised plans need to be submitted in the hopes of getting approval and construction finished this year. DEP received a call back from the engineer on 9/16/14, who stated he did not receive DEP's comment letter of 7/29/14. DEP emailed this letter to engineer and he confirmed its receipt. DEP received a letter and revised plans from the engineer on 9/29/14 to DEP's letter of 7/29/14.

Project Name: 929 McArthur Hill Rd (2013-CN-0655)
Town: Kortright
Type of Use: SSTS Repair (RE)
Type of Violation: Two residence and old barn with plumbing; failing SSTS, direct discharges – CWC – DEP NOV
Discovery Date: 11/21/2013
Status: Approved

Overview and Action:

DEP issued a NOV to the owner on 2/21/14. DEP performed a site visit on 2/26/14; septic failure was observed. DEP received a phone call from the owner responding to the NOV on 3/4/14. She stated they signed up the farm house with the CWC program and she is waiting for them to call her back and let her know how she can proceed with first pump out. DEP stated that inspections will be done every other week and that they need to pump out to prevent a discharge. DEP also stated that they should submit all pump out receipts to DEP. DEP reminded the owner that a dye test for the trailer on the property will be scheduled in near future. The owner does not want to kick the tenant out because he has all his wood for the winter already. This project is funded under CWC septic repair program. On 3/4/14 DEP received CWC's notice of failure. DEP performed a site visit on 3/6/14; septic failure was observed; visibly entering watercourse/wetland. DEP received a call from the contractor on 3/7/14, who is managing the first pump out to avoid further discharge. It will not get pumped until next week, as it is deep and machine won't be able to get there until next week. There is some concern about a snow storm which could possibly delay the pump out. The contractor stated he will invite DEP and CWC to the pump out of the tank, once scheduled with hauler. DEP received a call on 3/11/14 from the contractor regarding the pump out of the septic system. The contractor has tentatively scheduled it for 3/17/14. The time will be determined by whether DEP can be onsite or not. On 3/17/14, DEP was on site to witness the tank pump out. DEP called and left a message on 4/1/14 for the property owners to set up a dye test for the trailer. DEP called and left a message for the CEO on 4/8/14 regarding the parcel. DEP received a call on 4/9/14 from the CEO regarding information on the trailer; the town records include a survey map. DEP called the town hall and revealed that the date on the survey map on file was 7/3/2007. DEP received a request for a pre-application meeting from the engineer/applicant on 4/10/14. A soil/site evaluation was performed on 4/18/14. DEP received an Application for a conventional individual SSTS on 6/10/14. DEP issued a NOCA on 6/18/14. DEP issued an Approval Determination letter on 6/18/14. DEP called the contractor and left message on 7/9/14 to call back with the status of CWC approving the construction bid. DEP performed a site visit on 7/11/14; septic failure was not observed. The area of failure is overgrown with burdock, nettles and various weeds about three and half feet high. Failure was not seen or smelled. According the owner, the contractor has submitted his bid for the construction. DEP sent CWC an email on 7/15/14 requesting bid approval status. CWC responded that a bid has not been received. DEP called the contractor on 7/16/14 stating that CWC does not have copy of bid for this project. DEP stated this project must move forward quickly or the owner may be subject to more enforcement actions. DEP received a call on 7/16/14 from the contractor stating that his bid and two others will be submitted and will be on CWC Septic Committee Meeting in August 2014 because it is over \$30,000. DEP performed a site visit on 9/16/14; septic failure was not observed.

Town: Kortright
Basin: Cannonsville
Project Name: Town Of Kortright Hwy Garage Storage, (Log #2012-CN-0066)
Project Description: DEC NOV for PBS and SPDES Violations
Project Type: Intermediate Repair (CR)
Status: Closed

On 12/31/12, DEP performed an inspection of the incinerator toilet and slop sink. The gray water from the sinks is still being caught in 5 gallon buckets, stored in the garage in 50 gallon drums, and disposed of offsite. DEP called the Town highway superintendent on 3/25/13, and left a message with his staff to have him call DEP with a possible date to decommission the cesspool. DEP received a phone call on 3/27/13 from the Town Supervisor regarding the message DEP left for the Highway Superintendent concerning the abandonment of the cesspool. DEP called the Town Clerk on 5/23/13, and left a voice message requesting a status update from the Town Supervisor for the Kortright Highway garage. DEP received a return phone call on 6/6/13 from the Town Supervisor regarding the proper abandonment of the failed cesspool. He advised DEP to speak to the Highway Superintendent. DEP received a phone call on 6/7/13 from the Highway Superintendent regarding the proper abandonment of the cesspool. DEP returned the phone call on 6/10/13 to the Highway Superintendent, and asked him to pump the cesspool if needed and to backfill with sand or other suitable material. DEP also requested a notification so an inspection can be arranged. On 7/31/13, DEP performed an inspection of the site. DEP called the Highway Superintendent on 9/23/13 and left a voice message requesting a date that the cesspool might be filled in. DEP received a return voice mail from the Highway Superintendent on 9/24/13. He will fill in the cesspool during October 2013 and will call DEP prior to the work. DEP called the highway superintendent on 10/21/13 and left a message asking when the cesspool would be backfilled and an inspection could be scheduled. DEP received a message on 10/21/13 from the town highway superintendent. He said he will try to get the work completed and will call back on 10/22/13 with a date. DEP called the highway superintendent and left a voice message on 11/22/13, requesting a call back regarding a timetable for the de-commissioning of the cesspool. DEP called the highway superintendent on 1/14/14 regarding the cesspool needing to be filled in. The new superintendent has the okay to fill it in and is also in discussions with the town board to install a holding tank. DEP called the highway superintendent on 1/14/14 and asked him to also consider a full SSTS when he contacts an engineer. DEP received a phone message on 1/20/14 from the highway superintendent, saying that the cesspool has been filled in and that pictures were taken. He also said he contacted an engineer, who performed a site visit and will submit some ideas for an on-site SSTS. DEP called the engineer on 1/29/14 regarding the site. He looked at an 8 foot deep test pit, no water table was observed. He will schedule a site evaluation with DEP in the spring 2014. On 4/29/14, DEP met on site with the engineer, Highway Superintendent and the Town Supervisor for soils testing for a replacement SSTS. The abandoned cesspool was inspected; it has been filled in with sandy soil. DEP has resolved the Enforcement Action on 4/29/14, per the site visit on 4/29/14.

Town: Kortright
Basin: Cannonsville
Project Name: McMurdy Brook, Lot #8 (Zocchia, Lisa), (Log #2010-CN-0500)
Project Description: Lot #8 of the proposed 15 lot subdivision
Project Type: Stormwater (SP)

Status:

An impromptu meeting was held with the project applicant on 10/11/13. The driveway has been recently improved. DEP instructed the applicant to contact an engineer and that another site meeting is necessary before the winter. The applicant indicated he would try to set up a meeting to be held. DEP instructed to applicant that a SWPPP must be designed for the site this winter and implemented in spring 2014. DEP received call on 6/3/14 from the engineer regarding the SWPPP. The engineer is sending the owner a proposal and will let DEP know what happens. A meeting was held with the project engineer on 7/18/14 regarding the conceptual SWPPP. DEP received a call from the engineer on 9/4/14 stating that he has received a partially signed contract from the owner. DEP called the applicant on 9/18/14 regarding the stormwater plan. There was no answer so a message was left.

Town: Meredith
Basin: Cannonsville
Project Name: Marino, Susan (Angels Gate Inc), (Log #2012-CN-0284)
Project Description: Failing SSTS
Project Type: Intermediate Repair (CR)

Status:

DEP corresponded with the owner by email on 2/21/13; she will be away for a few weeks and will contact DEP for a site visit when she returns. DEP sent an e-mail to the property owner on 4/22/13 requesting a site visit. On 6/10/13, DEP performed an inspection of the site; the owner lives alone and there are no animals on site. The absorption field has not been mowed this season. DEP sent an e-mail to the owner on 6/11/13 regarding the need to move forward with repair and change in status of the SSTS. DEP called the owner on 6/17/13 because there was no response to an email request made by DEP on 6/11/13 regarding follow up for the failing SSTS, which is now strictly residential. She will call CWC to inquire about funding. DEP sent an e-mail to the owner on 7/23/13, asking if she has made any progress with CWC and asked to schedule another site visit. DEP called the owner on 8/13/13 regarding any plan she may have to satisfy the terms of the NOV. DEP sent an e-mail to the Tax Assessor and CEO on 8/14/13 with a request for information on the property class and number of bedrooms. DEP sent an e-mail to the owner on 8/28/13 regarding the need to make some progress towards resolving the NOV. DEP received a phone call on 8/29/13 from the owner. She has not received any information from the Town yet concerning the number of bedrooms noted in the original building permit. DEP received a phone call on 9/10/13 from the owner. She wants to subdivide the property and in the process remove Angel's Gate from the deed; some work in the basement has been done to reduce the number of bedrooms. On 10/2/13, DEP met with the owner on site to perform an inspection of the SSTS and to discuss the owner's plans for the site. DEP issued a letter to the owner on 10/17/13 regarding her plans to renovate the house back to three bedrooms with one bedroom to be used as an office. DEP cannot accept this proposal or pending renovations as a viable alternative to constructing a properly sized SSTS to serve the property. DEP sent the owner a status update letter via email on 10/18/13, and received a reply that presently only the upstairs with three bedrooms is habitable. DEP sent an e-mail to the owner 11/25/13 regarding the need to get a permanent status for the use of the house and property; and to have the permanent status accurately reflected in the Town records. DEP sent an e-mail to the owner on 11/14/13 regarding the status of the house. DEP called the owner on 1/21/14 regarding the property status. DEP requested a return phone call with any progress toward removing Angel's

Gate from the deed, closing the open building permits for Angel's Gate, etc. DEP sent an e-mail to the owner on 1/24/14, requesting an update on the property and house status. DEP issued a comment letter to the owner on 2/6/14 regarding the NOV. DEP issued a comment letter to the Town of Meredith CEO on 2/10/14 regarding the NOV. DEP sent an e-mail to the property owner on 4/10/14 requesting a status update. DEP received an e-mail reply from the owner on 4/12/14 regarding the planned renovation, which has not yet begun. DEP received a phone call on 4/16/14 from the owner to set up a site visit. DEP sent an e-mail to the property owner on 5/27/14 requesting an update on the property and a site visit. DEP sent an e-mail to the owner on 6/20/14, requesting a site visit. DEP sent an e-mail to the property owner on 7/9/14, again requesting a site visit and a status update. DEP performed an inspection of the SSTS on 7/24/14; no problems were noted, the field was dry. The basement has been gutted and new sheet rock is on the walls. DEP called the owner on 9/22/14. There has been no more progress on the house. The bottom floor is two bedrooms; the top floor is in the process of being converted to one bedroom.

Project Name: 117 Townsend Hollow Rd (2014-PE-0472)
Town: Middletown
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - CWC - seepage pit under the hardship program. DEP NOV
Discovery Date: 8/19/14
Status: New

Overview and Action:

This project is funded under CWC septic repair program. On 8/19/14 DEP received CWC's notice of failure. DEP initiated an Enforcement Action on 8/19/14. DEP observed and prepared a violation report on 8/19/14 DEP issued a letter to the owner on 8/20/14 providing guidance for remediation. DEP issued NOV on 9/3/14. DEP received a request for a pre-application meeting from the engineer/applicant on 9/17/14. A soil/site evaluation was performed on 9/26/14.

Project Name: 832 Woolheater Rd (2014-PE-0369)
Town: Middletown
Type of Use: SSTS Repair (RE)
Type of Violation: Failure - SSTS Replacement - DEP NOV
Discovery Date: 7/9/14
Status: New/Approved

Overview and Action:

DEP received a request for a pre-application meeting from the engineer/applicant on 7/1/14. A soil/site evaluation was performed on 7/8/14. DEP observed and prepared a violation report on 7/8/14 DEP initiated an Enforcement Action on 7/9/14. DEP issued a NOV to the owner on 7/18/14. DEP received an Application for a conventional individual SSTS on 9/22/14. DEP issued a NOCA on 9/24/14. DEP issued an Approval Determination letter on 9/24/14.

Town: Middletown
Basin: Pepacton
Project Name: Dry Brook Holdings LLC (Richard Gould trailer park), (Log #2010-PE-0521)
Project Description: Application for the installation and hook up for 29 residential trailers and

Project Type: two non-residential buildings to the Margaretville WWTP
City Sewer Connection (CCS)
Status: Closed

DEP received a call on 1/7/13 from the owner/applicant regarding contract and CWC eligibility concerns. DEP received DEC's letter to the owner on 2/7/13 regarding his request for information for the operation of a campground. DEP received a call on 2/12/13 from a contractor regarding DEP requirements associated with the sewer installation replacement project. DEP called the CEO on 2/26/13 regarding the status of the project enforcement action. DEP sent an e-mail to the owner/applicant on 3/20/13 in response to an email regarding two trailer units affected by a sanitary blockage or freeze-up. DEP received a letter from the applicant's attorney on 3/21/13 demanding that DEP take all necessary steps to cover the full cost of the Plan or they will be forced to institute a declaratory judgment proceeding. DEP performed a site investigation on 3/21/13 regarding the sanitary sewer blockage freeze-up as reported by the applicant/owner. DEP performed a site investigation on 3/22/13 and met with the owners' representatives who were working on the sanitary sewer back-up problem. DEP performed a site investigation on 3/26/13 and met with the owner and his representatives to discuss the sewer blockage problem and repair method. DEP performed a follow-up site visit on 3/27/13 and met with the owner and his representatives who continued to work on the sanitary sewer problem repair. DEP performed a follow-up site visit on 3/28/13 and met with the owner and his representatives who continued work activity on the sewer repair problem. The site was also visited by the Town CEO and a DOH representative who identified additional health related concerns. DEP received a call on 6/12/13 from the contractor regarding a construction start date and pre-construction meeting. DEP received notice on 6/12/13 that construction will begin on 6/18/13. DEP met with the contractor and applicant on the site for a pre-construction meeting on 6/14/13. DEP attended a pre-construction meeting on 6/14/13 with the contractor, engineer and building inspector on site to discuss start up and details of the proposed sewer replacement project. DEP performed a site inspection on 6/19/13 and met with the owner/applicant and contractor to discuss construction activity, progress and concerns. DEP performed a site inspection on 6/20/13 and met with the contractor to discuss construction activity, progress and concerns. DEP received a call on 6/24/13 from the applicant's new engineer regarding what was required for inspections and certification of the construction oversight. DEP performed a site inspection on 7/8/13 and met with the contractor to discuss construction activity, progress and concerns. DEP received a call on 7/9/13 from the contractor regarding a meeting with the new engineer scheduled for 7/11/13. DEP called the engineer on 7/10/13 from DEC regarding problems and concerns with construction activity and installation changes. DEP attended a meeting on 7/11/13 with the contractor and engineer to discuss issues and alternative options to deal with the water utility location conflict with the proposed sewer. DEP received an e-mail from the owner/applicant on 7/12/13 regarding changes to the proposed sewer installation. DEP received a copy of the DEC stamped plans from the engineer on 7/12/13. DEP performed a site inspection on 8/16/13 and met with the owner and contractor to discuss construction activity and progress. DEP performed a site inspection on 8/19/13 and met with the contractor to discuss work activity and schedule. DEP performed a site inspection on 8/20/13 and met with the contractor to discuss recent work activity, progress and concerns. DEP performed a site inspection on 8/22/13 and met with the contractor to discuss recent work activity, problems and concerns. DEP performed a site inspection on 8/28/13 and found no construction activity during the visit but interviewed a park resident who described electrical concerns. DEP called the contractor on 8/28/13 regarding an

incident with an employee being shocked electrically while on the job. DEP requested that the power authority be notified of the incident and potential hazard. DEP performed a follow-up site visit on 9/25/13 and met with the owner/applicant to discuss remaining sewer installation work and requirements. DEP called the contractor on 10/1/13 regarding the sewer installation remaining work schedule. DEP received a call on 10/10/13 from the owner/applicant in response to DEP's email regarding information and schedule to complete the new sewer system. The contractor is scheduled to return to work early November 2013. DEP sent an e-mail to the owner/applicant on 10/10/13 regarding a schedule for completion of the sewer system installation. DEP received an e-mail from the owner/applicant on 11/4/13 regarding a letter he received from the Town of Middletown attorney. DEP performed a site inspection on 11/6/13 and met with the contractor to discuss work activity and job completion requirements. DEP called the contractor on 11/8/13 regarding the air testing schedule on the sanitary sewer installation. DEP performed a site inspection on 11/13/13 and met with the contractor who was performing the required sanitary sewer air testing. DEP received the air test results from the contractor on 11/15/13. DEP sent an e-mail to the owner/applicant on 11/26/13 regarding the needed documents to achieve construction certification. DEP received a call on 12/3/13 from the contractor regarding a problem with the manhole leak test and repair efforts. DEP received a call on 12/4/13 from the contractor regarding failed leak testing results performed on the manhole unit. DEP performed a site inspection on 12/4/13 and met with the contractor to discuss manhole test results and repair options. DEP performed a site inspection on 12/6/13 and met with the contractor to observe the manhole leakage test as required. DEP received a call on 12/30/13 from DOH regarding sanitary sewer system replacement review and/or approvals. DEP received a call on 1/2/14 from the contractor regarding the lateral connection status and as-built drawing requirement. DEP returned a call on 1/10/14 to DOH regarding the status of the sanitary sewer replacement approval and installation. DEP exchanged e-mails with the owner on 1/14/14 regarding final construction approvals; the engineer is to provide As-Builts by 1/24/14. DEP exchanged e-mails with the owner/applicant on 2/6 and 2/13/14 regarding the As-Builts. DEP received As-Built plans/engineer's certification letter from the engineer on 2/19/14. DEP received a letter from the engineer on 3/4/14 regarding modifications that were implemented to the drawings. DEP issued a letter to the engineer and applicant on 3/25/14 regarding the need for revisions to the As-Builts. DEP sent an e-mail to the owner on 4/8/14 regarding the status of remaining work and documents. DEP received a call on 4/9/14 from the contractor regarding lateral connection start date of 4/15/14. DEP performed a site investigation on 4/9/14 regarding a sanitary sewer blockage and repair request. DEP received revised As-Built plans/engineer's certification letter from the engineer on 4/10/14. DEP called DEC Region 4 on 4/10/14 regarding the status of the sewer construction work and requirements. DEP called the project engineer on 4/14/14 regarding discrepancies on the revised as-built drawing and requested a corrected set be submitted. DEP performed a site inspection on 4/15/14 but found no construction activity due to rain. DEP performed a site inspection on 4/16/14 and met with the contractor to discuss and observe sewer lateral connection work activity. DEP received another set of As-Built plans from the engineer on 4/17/14. DEP performed a site inspection on 4/17/14 and met with the contractor who was installing sewer lateral connections as scheduled for the approved project. DEP performed a site inspection on 4/18/14 and met with the contractor to discuss recent sanitary sewer installation activity. DEP performed a site inspection on 4/22/14 regarding the status of construction progress. DEP performed site inspections on 4/23/14, 4/28/14, 4/29/14 and 5/1/14 to meet with the contractor to discuss and observe recent sanitary sewer installation activity. DEP

received the settlement agreement of People vs. Gulde from the building inspector on 4/30/14. DEP performed a site inspection on 5/12/14 and met with the owner/applicant and contractor to discuss project progress and construction activity. DEP performed a site inspection on 5/13/14 and met with the contractor to discuss construction activity and project progress. DEP called the contractor on 5/13/14 regarding a lateral connection problem that needs to be replaced. DEP performed a site visit to inspect the lateral that was previously installed too shallow and was to be reset with three feet of cover. The owner was on site and said the contractor was not working. The lateral was open at the end and had not been reset. DEP performed a site visit on and noticed the contractor was working and stopped to inspect the lateral. It has been re-set with three feet of cover and has not yet been connected to the uphill trailer. DEP performed a site inspection on 5/21/14 and met with the contractor to discuss recent construction activity and project progress. DEP received lateral as-builts from the contractor on 5/27/14 regarding 6 of the 31 connections. DEP performed a site inspection on 5/29/14 and met with the contractor to discuss work activity and lateral connection progress. On 6/4/14, DEP performed an inspection of the work. The contractor de-commissioned the east riser. DEP received an e-mail from the contractor on 6/5/14 confirming that the old 4" sewer from the park that discharged to the western riser was de-commissioned. DEP received lateral as-builts from the contractor on 6/12/14 for the connections for lot #s 3 through 30 (including re-submits for #s 20 and 21). DEP issued a letter of Construction Compliance on 6/19/14. DEP has resolved the Enforcement Action on 7/10/14; the lines have been connected to the City Sewer. The violation was resolved and the case was closed on 7/10/14 with DEP Closure letter dated 7/10/14.

Project Type: Intermediate Repair (CR)

Status:

DEP received DEC's letter to the owner on 2/7/13 regarding his request for information for the operation of a campground. This project is funded under CWC as a Small Business under the Septic Repair Program. On 7/25/13 DEP received CWC's notice of failure.

Project Name: Route 28 (2001-PE-0806)

Town: Middletown

Type of Use: Intermediate SSTS (IS)

Type of Violation: Failed SSTS; Construction of a Warehouse for Lumber & Supplies Building will be 130' X 300". Construction of an impervious surface within 100 feet of a watercourse. Total area of impervious surface equals approx. 4,000 sf.

Discovery Date:

Status:

Overview and Action:

DEP issued a letter to the applicant on 3/24/06 stating that they are in violation of the WR&R because tanks and piping are being stored in and around the SSTS. DEP called the SWPPP design engineer to find out if additional catch basins and piping beyond the approved plans were installed, specifically to determine if the existing SSTS will be negatively impacted. The engineer wants to discuss with the SWPPP inspector and the site owner. DEP sent and received emails to and from the engineer on 12/16/10 regarding the property being within the sewer district. On 12/27/13, DEP looked at the site for any problems with the SSTS. On 4/30/14, DEP visited the site to observe the absorption field location. The owner spoke to DEP about our visit

and the location and use of the SSTS. DEP received a phone call on 5/5/14 from the owner stating that other absorption fields have been built under parking lots. DEP returned the phone call to the owner on 5/5/14. DEP explained the different types of absorption fields and the need to protect theirs from traffic. On 5/13/14, DEP conducted a scheduled dye test. The wet area to the east of the absorption field has been filled in and re-graded. Two cones have been placed where the owners think the eastern most limits of the field are. On 5/14/14, DEP performed an inspection of the absorption field area with two of the owners. No dye was observed. On 5/15/14, DEP performed an inspection of the absorption field area with the owners. No dye was observed. On 5/19/14, DEP performed a scheduled inspection looking for dye; none was recovered. The property owners asked for a letter of compliance and DEP reminded them that the absorption field must be blocked off and free of traffic to be in compliance. On 5/21/14, DEP performed an inspection. No dye was observed and the wet areas adjacent to the new rock platform did not smell of sewage. On 5/23/14, DEP performed the final scheduled inspection to check for dye; observation was negative. DEP drove by the site on 6/18/14 and observed that the cones previously set out into the parking area, meant to delineate the area of the absorption field and to keep traffic off the absorption field, are still placed at the edge of the grassy area and not around the perimeter of the field. DEP issued a letter to the owner on 7/9/14 regarding their non-compliance to the approved SSTS plans. DEP performed a drive by inspection on 7/11/14. There are two caution cones situated in the parking area about 10 feet out from the grassy area and about 30 feet apart. The cones do not represent the entire area of the absorption field, and can be easily moved to allow traffic through. DEP called the owner on 7/31/14 regarding the DEP letter issued on 7/9/14. He advised DEP that his attorney advised him that DEP is no longer allowed on the property and also advised him that there is no violation and so he is not worried about installing the bollards to protect the absorption field.

Project Name: 79 Rennison Road (1998-RO-0131)
Town: Neversink
Type of Use: SSTS Repair (RE)
Type of Violation: Replacement SSTS for 3 bedroom-RE.1 is a CWC project. RE.2 is a NON-CWC project. DEP NOF
Discovery Date: 7/12/2013
Status: Complete

Overview and Action:

DEP issued NOF on 7/16/13. DEP called the property owner on 07/19/2013 advising him that DEP had received his previous message that the CWC would not be able to assist him and to also let him know that he would be receiving an NOF in the mail regarding his failure. The property owner inquired about the peat pods. DEP explained that he may want to acquire the services of an engineer to see if they can rehabilitate the system and that the engineer should be able to assist him with choosing a method for disposal of his wastewater. DEP received call on 07/22/2013 from owner, responding to NOF, stating he is trying to get engineer started as soon as possible. A soil/site evaluation was performed on 8/15/13. DEP issued a letter to the owner on 11/15/13 stating that plans have not yet been received. DEP called the property owner on 4/8/14 regarding the status of the plans. The property owner has not heard from the engineer since the day of the soils testing. DEP issued a letter to the owner on 4/14/14 stating that plans have not yet been received. DEP received an Application for a conventional individual SSTS on 4/21/14. DEP issued a NOCA on 4/23/14. DEP issued a comment letter on 4/23/14 to engineer.

Project Name: 360 Cold Spring Rd (2013-PE-0439)
Town: Roxbury
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - surfacing - CWC Hardship Program - DEP NOF
Discovery Date: 8/8/13
Status: Closed

Overview and Action:

DEP observed and prepared a violation report on 8/8/13. DEP issued NOF on 8/9/13. DEP received a request for a pre-application meeting from the engineer on 9/12/13. A soil/site evaluation was performed on 9/19/13. DEP received an Application for a conventional individual SSTS on 10/24/13. DEP issued a NOCA on 10/25/13. DEP issued an Approval Determination letter on 10/29/13. DEP received notice on 5/6/14 that construction will begin. DEP received engineer's certification letter from the engineer on 5/15/14. DEP completed construction inspections on 5/15/14. DEP issued a letter of Construction Compliance on 6/4/14. The violation was resolved and the case was closed on 6/12/14 with a DEP closure letter dated 6/12/14. DEP has resolved the Enforcement Action on 6/12/14.

Town: Roxbury
Basin: Pepacton
Project Name: Mcardle, Andrew & Kimberly, (Log #2012-PE-0491)
Project Description: The owner has converted the upper floor of a dairy barn to an event space for weddings and has installed a bar with a sink that discharges to the ground
Project Type: Intermediate Repair (CR)

Status:

DEP sent an e-mail to the owner and the engineer on 1/2/13, with comments regarding the partial plans submitted to support a temporary holding tank. DEP corresponded with the owner and engineer by e-mail on 1/7/13; the owner wants to do the barn SSTS prior to tackling the rental SSTS. DEP spoke to the engineer by phone on 1/8/12 regarding the plans, DEP's comments, and requested a grease trap be added to the plans. DEP received an e-mail from the design engineer on 1/20/13, with a revised SSTS plan. DEP received an e-mail from the engineer on 2/14/13 with revised plan calculations. On 2/20/13, DEP performed a site visit to observe the renovations taking place inside the wedding barn. The owner was there and we discussed the placement of the kitchen, bathrooms, and associated plumbing. DEP received a phone call on 2/21/13 from the owner after he received a copy of DEP's comment letter. We discussed the comments one by one, and decided that a conference call with the engineer is appropriate. DEP issued a letter to the owner and engineer on 2/22/13 with comments on the revised plans. DEP received a phone call on 2/22/13 from the property owner, who questioned many of DEP's comments to the plans. DEP explained each comment and the owner will in turn discuss with his engineer. DEP received a call from the engineer on 2/21/13, and DEP returned the call to the engineer on 2/22/13. Messages were left to discuss the comment letter issued on 2/20/13. On 2/25/13, DEP received a phone call from the engineer, and discussed the comments to his preliminary plans. DEP received a phone call on 3/6/13 from the owner, who wanted to know if DEP received revised plans from the engineer yet. DEP received an Application for a SSTS on 3/12/13 from the engineer for the barn. DEP called the design engineer on 3/21/13 and reviewed the recent plans

submitted, as well as the needed revisions with him. DEP issued a letter to the owner/applicant on 3/22/13 regarding the design submissions. DEP received a letter from DOH to the engineer on 3/25/13 regarding submission requirements. On 3/27/13, DEP met with the owner, contractor and engineer to look at the site regarding the proposed plans for the full SSTS and the holding tank. DEP received a revised proposal from the engineer on 3/27/13 per DEP comments of 3/23/13. DEP issued a NOCA on 3/28/13. DEP called the design engineer on 4/3/13 to discuss the proposed criteria for the lower, non-food service flows for the holding tank. DEP received the revised calculations for the holding tank from the engineer on 4/3/13. DEP received revised drawings from the engineer on 4/5/13. DEP issued a letter to the owner on 4/12/13 with comments on the revised plans. DEP received an alternate layout for the barn from the engineer on 4/16/13. DEP received the septic tank in series cut sheets from the tank manufacturer on 4/19/13, and approved them for use for both the full kitchen SSTS and the holding tank option. DEP sent an e-mail to the tank manufacturer, the engineer and the owner on 4/19/13 regarding the most recent flow calculations submitted by the engineer and the tank specifications that DEP will approve for those flows. The septic tanks in series are a special order and the owner wants to get them installed as soon as possible. DEP received the revised tank layout from the engineer on 4/21/13. DEP received a call on 4/22/13 from the engineer. The holding tank option has been resolved and DEP is awaiting a hauling contract. DEP received revised plans from the engineer on 4/29/13. DEP received a response letter and revised plans from the engineer on 5/6/13. DEP received revised plans from the engineer on 5/8/13. On 5/8/13, DEP attended a pre-construction meeting for the installation of the holding tanks. DEP sent an e-mail to the owner and the engineer on 5/14/13 regarding what is needed prior to the SSTS temporary and full approval as well as construction approval. DEP sent an e-mail to the engineer on 5/14/13 regarding the few changes that need to be made to the plans and the need for five full copies to stamp. On 5/16/13, DEP performed a final inspection; the alarm was tested and the area for the tanks needs water diversion and more seed and mulch. DEP received revised plans from the engineer on 5/20 and 5/28/13. DEP sent the owner an e-mail on 6/5/13 regarding the need for the pumping contract and the pump out receipts. DEP received revised plans from the engineer on 7/1/13. DEP received the pumping contract from the applicant on 7/8/13. DEP issued an Approval Determination letter on 7/9/13. DEP received an e-mail from the owner on 9/10/13 regarding the pump-out receipts that he now needs to get from the hauler. DEP sent an e-mail to the owner on 11/14/13 regarding the need for pump out receipts. The owner responded and will get something together from the hauler. DEP sent an e-mail to the owner on 11/25/13, requesting the pump out receipts and asking if the Barn is closed until next summer. DEP sent an e-mail to the owner on 1/21/14, requesting the pump out receipts for 2013 and an update on the plans for the SSTS in 2014. DEP sent an e-mail to the owner on 1/24/14 requesting the pump out receipts for the 2013 season holding tank. The owner replied that he will send them on 1/27/14, and that he has no plans to build the full SSTS. DEP received the pump out receipts from the owner on 1/27/14. DEP issued a letter to the owner on 3/17/14 requesting construction certification letter and an "as built" from the engineer, requesting a new application at the close of 2014 for the hold and haul operations, for pump out receipts and for a pre-season inspection. On 5/1/14, DEP met on site with the owner for a pre-season inspection. The seal between the risers and the tanks need to be replaced and DEP suggested a curtain drain above the tanks to divert the groundwater to the adjoining empty field. DEP sent an e-mail to the owner on 7/29/14 requesting an update on his plans for the SSTS and use of the barn for 2015.

Project Type: SEQRA (SQ)

Status:

On 3/26/13 SCS Coordinator determined this action to be Type II Subsection 7; therefore, no further action is required under SEQRA.

Project Name: Stone Tavern Farm (Log #2006-PE-1174)

Town: Roxbury

Type of Use: Residence

Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence.

Discovery Date: 8/31/07

Status: No Application

Overview and Action:

Project Type: Intermediate Repair (CR.3)

Status:

On 1/24/13, DEP performed an inspection on 1/24/13 to check on the functioning of the pump chamber and the use of the holding tank. The pumps are working and the holding tank is still in use past the 12/1/12 deadline. On 2/20/13, DEP performed a routine inspection; the holding tank is still in use, and the alarm sounded when the breaker was switched on momentarily. The junction box at the pump chamber has been replaced and the tank cover is on properly. DEP sent an e-mail to the owner on 2/22/13, advising him that the holding tank alarm was not on during an inspection on 2/20/13, and requesting pump out receipts. DEP received a reply e-mail from the owner on 2/25/13. He said the apartment hasn't been rented and the tank was checked and is half full. DEP issued a NOV to the owner on 3/29/13. On 5/10/13, DEP performed an inspection; the breaker for the alarm for the Barn holding tank was off; when switched on the alarm sounded. The absorption field looked good. Staff were preparing for the first wedding of the season. DEP sent an e-mail to the owner on 5/14/13 regarding the alarm breaker being turned off and the lack of response to the NOV issued on 3/29/13. DEP received an e-mail reply from the owner on 5/14/13 regarding the use of the holding tank. DEP received an e-mail reply from the hauler on 5/15/13; he said he pumped the tank on 5/10/13. DEP responded to the 5/14/13 email from the owner on 5/15/13 and re-stated the ongoing violations. On 6/3/13, DEP performed an inspection of the site; the Barn holding tank alarm breaker was off. The alarm sounded when the breaker was momentarily switched on. Water diversion and a new road to the wedding barn have been installed. DEP sent an e-mail to the hauler on 7/2/13 requesting pump out dates and amounts so far this year. DEP received an e-mail reply from the hauler on 7/3/13 regarding the Barn holding tank pump-outs. DEP sent an e-mail to the hauler on 8/12/13 regarding the need for pump out dates and receipts. DEP received an e-mail reply from the hauler on 8/13/13 regarding more recent pump outs of the Barn holding tank. The hauler pumped 3000 gallons on both 7/12 and 7/30/13. DEP received a phone call on 8/23/13 from the hauler saying he pumped the Barn Holding Tank on 8/20/13. On 10/2/13, DEP performed a routine inspection of the SSTS and the buildings that the SSTS serves. The breaker for the alarm for the Barn Holding Tank was in the off position. When placed in the on position, the alarm sounded, indicating that the tank was more than 2/3 full. DEP received an e-mail from the hauler on 11/15/13 stating that pump outs were done on 9/26 and 10/3/13. He also stated that this will be the last until the account is paid in full. On 12/3/13, DEP performed a site inspection. The Barn bathrooms were still in use. The breaker for the alarm was off and the alarm sounded when the breaker was momentarily

switched on. DEP issued a NOV to the owner on 12/12/13. On 12/27/13, DEP performed a routine inspection of the barn holding tank. The breaker was off, and the alarm sounded when momentarily turned on. The water in the girls bathroom sink came on when the faucet was opened. DEP's Assistant Counsel issued a letter to the owners on 1/10/14 regarding the outstanding NOV. On 1/22/14, DEP performed a site inspection. The Barn bathrooms were still in use. The breaker for the alarm was off, and the alarm sounded when the breaker was momentarily switched on. On 3/7/14, DEP performed a routine site visit. The water in the boy's room ran when the faucet was turned on. DEP took the readings from the pump station. There was very little activity. On 5/1/14, DEP performed a routine enforcement inspection. The breaker for the alarm for the Barn holding tank was in the off position. When the breaker was switched on, the alarm sounded. A truck was parked over the cover of the tank. On 7/1/14, DEP performed an inspection of the site. No changes in operation were noted since the last visit. On 8/28/14, DEP performed a routine inspection of the SSTS. The breaker for the Barn holding tank alarm was off and the manager agreed to leave it on. The tank was recently pumped and the wastewater was not at alarm float level. Pump panel information was recorded and the pump chamber was inspected, it appears there is a problem with the on float. DEP sent an e-mail to the owner on 9/3/14 regarding the problems with the pumps and the Barn tank alarm during DEP's 8/28/14 inspection and requested the problems be repaired and DEP notified of the work. On 9/10/14, DEP called the owner about the problems with the pump that was noted at the 8/28/14 inspection. The owner said the float and wiring has been repaired and that the barn tank alarm breaker is now on, because the alarm float had been moved up to 2/3 the liquid level.

Project Type: SEQRA (SQ)

Status:

SCS received a Short EAF on 3/20/12. On 3/21/12, SCS Director determined this action to be Type II Subsection 1; therefore, no further action is required under SEQRA.

Town: Stamford

Basin: Cannonsville

Project Name: Lawrence, Peter D Lawrence, Cons, (Log #2013-CN-0565)

Project Description: Alleged Illegal SSTS installation

Project Type: Other (OT)

Status: New

DEP called the town CEO on 10/10/13, who stated that there were no records for any septic in the file. The owner's ex-wife stated that the owner installed a 55-gallon drum as the SSTS back in 2008 timeframe. Neither DEP nor CEO has any proof of guilt or innocence. The owner was called and willing to allow DEP to conduct a dye test. On 10/16/13, DEP dye tested the system. Dye was introduced to the toilet. Estimated over 200 gallons of water was sent to the system. No dye recovered 1 hour after introduction. DEP will conduct follow-up inspections and issue owner a letter with results. The cabin was under construction and the CEO stated that it is still a 1 bedroom structure. Therefore, NCRA status is not lost. On 10/17/13, DEP performed a site visit; no dye was recovered at this time. DEP closed this project due to no dye recovered. DEP issued a letter to the homeowner on 10/22/13 regarding the dye testing that was done on 10/16/13 and stated that no dye was recovered. DEP also stated that the existing SSTS is only valid for a 1-bedroom design flow. DEP received a call from a realtor requesting to remain anonymous, stating that the SSTS installed was as 55 gallon drum with a discharge pipe terminating in the

ground, and that it was the first SSTS installed on the property, so it did not replace anything already there. DEP was provided the former owner's name and number to verify claim that when current owner purchased property, there was no SSTS in the ground, and only an outhouse on the property. Additional information regarding date of well drilling and electric service brought to the structure was provided. The caller stated that the septic system was illegally installed around 2008. Additionally, the caller informed DEP that the dwelling is listed as 2 bedrooms, but the original bedroom was only 1. DEP initiated an Enforcement Action on 10/25/13. DEP called the former owner on 10/25/13 who stated that when they sold the property to current owner, the cabin had no well, no electric, no internal plumbing, and only a nice outhouse with a view of the mountains. She confirmed that there was no SSTS tank or component installed on the 1 bedroom property at the time of sale, which was about 8 years ago. DEP will verify through county records. The previous owner is willing to put a statement in writing to DEP. DEP held an internal meeting on 10/28/13, resulting in a decision to issue an NOV after confirming facts about the well and electric installation dates. DEP Legal participated in this discussion. DEP emailed the owner on 10/28/13 that an NOV will be forthcoming for unapproved construction of a SSTS; the town CEO was copied. DEP also called the CEO on same day and left message to call back and discuss. DEP called the water well installation company on 10/28/13, who confirmed that the well was installed on 4/7/08. DEP called the Delaware County Real Property office on 11/1/13, who verified that the current owner purchased the property on 3/29/07. DEP received a message from the owner on 11/1/13. DEP called the owner back and discussed permits for NOV issuance. The owner planned on contacting contractor friends to find possible septic engineer. The owner is aware he will need to respond to the NOV once it's received. DEP issued a NOV to the owner on 11/12/13. DEP responded to the owner's email from the previous day on 11/22/13. The owner was informed of the NOV requirements and was asked to provide an engineer's name and soils testing date. DEP sent the owner an email on 1/15/14, requesting name of engineer he chose to work on new SSTS design and submission. DEP received a call from the owner on 1/15/14 in response to email earlier same day. The owner stated when he returns to property and meets with his engineer he will contact DEP. DEP sent owner email on 4/11/14 stating that DEP must be contacted to attend soils testing. DEP emailed the owner on 5/21/14 and requested a response, including what his plans/schedule is and if he has hired an engineer to do soils testing. On 5/23/14, the owner sent DEP an email stating that he lost ownership of the house. DEP will try to establish contact with the new owner to ensure they understand that the existing SSTS cannot be used and a SSTS needs to be designed and built receiving DEP approvals. On 6/4/14, DEP went to the town building in Stamford and verified that this site has not changed owners. DEP emailed the CEO on 6/11/14 requesting contact information of the new owner of the property. DEP received an email stating that there is no septic system for the house, only an outhouse on the property. DEP will contact the sender of the email to determine their affiliation with project. On 9/8/14, DEP left a card in the door requesting response for information on new ownership.

Name: Phoenix House Foundation, Inc. (Log #2004-CN-0718)
Location: Stamford (V)
Type of Use: Commercial
Discovery Date: 8/9/04
Type of Violation: SSTS Failure
Status:
Overview and Action:

DEP received the water meter readings on 1/11/13. DEP received the pump out receipt on 1/24/13. DEP received the Water Systems Operation Report and the Monitoring Notice on 2/4/13. DEP received the pump out receipt on 2/19/13. DEP received the February 2013 Water Readings on 3/4/13. On 3/6/13, DEP performed a routine inspection of the SSTS; the fields were dry. DEP received the pump out receipt on 3/21/13. DEP received the Water Systems Operation Report and water meter readings from DOH on 4/4/13. DEP received the pump out receipt 4/24/13. On 5/2/13, DEP performed a routine inspection of the large SSTS. A clean-out cap remains broken near the septic tanks. The absorption field was dry and was being mowed for the second time this season. The maintenance manager said occupancy is at 105 and will remain there due to restrictions imposed by their governing entity. DEP received the water meter readings on 5/6/13. DEP received the pump out receipt on 5/23/13. DEP received the water meter readings on 6/6/13. On 6/10/13, DEP performed a routine inspection of the large absorption field and found sewage surfacing in several areas of the upper and middle fields closest to the railroad tracks. DEP received the April and May pump out receipts on 6/10/13. DEP sent an e-mail to the facility director on 6/12/13 regarding the sewage surfacing on the large absorption field and the need for pump-outs. DEP received a reply e-mail from the facility director on 6/12/13 regarding the need for additional pump outs. On 6/13/13, DEP performed an inspection of the entire subsurface sewage treatment system. Sewage was observed on the ground in one small area of the large absorption field. DEP sent a reply e-mail to the facility on 6/17/13 regarding the pending issuance of a new NOV and the need to check for progress concerning the sewage discharge. DEP received a copy of the 6/10/13 pump out receipt on 6/17/13. DEP received a copy of the 6/29/13 pump out receipt on 7/2/13. DEP spoke with the Deputy Director on 7/3/13. He has been advised by management that the work in the proposal from the engineer will be done without the engineering firm's oversight. DEP advised that an engineer should be involved, as the engineer may have a different concept to cure the failure. DEP called the engineering firm on 7/5/13. The engineer has spoken to the Deputy Director and is waiting to schedule an appointment on site. DEP gave the engineer some general information about the SSTS and the historical failures. DEP received the Water System Operation Report from DOH on 7/8/13. DEP issued a NOV to the owner on 7/12/13. DEP requested information on the hiring of an engineer and the frequency of pump-outs. DEP received a phone call on 7/17/13 from the facility director, acknowledging the NOV and requested a go ahead with previously discussed work on the absorption field. DEP returned the phone call to the facility manager on 7/18/13. He will contact the engineering firm and get back to DEP with a time frame for an on-site meeting. On 7/19/13, DEP performed an inspection of the large absorption field. No sewage was observed on the ground and the field was mostly dry with only a few soft spots. On 7/30/13, DEP performed an inspection of the large absorption field. The ground surface was dry and there were no signs of a recent sewage discharge. DEP received the water systems report on 8/5/13. DEP received the pump out receipts on 8/26/13 for 7/22, 8/5 and 8/21/13. On 8/28/13, DEP performed a routine inspection of the large absorption field. No sewage or sewage odors were observed and the field was dry. The past several weeks have been fairly low on rainfall. DEP received the water systems report on 9/9/13. DEP received the 9/9/13 pump out receipt on 9/16/13. On 9/25/13, DEP met with the engineer and the facility operators to discuss the SSTS history and to hear the engineer's proposal for a repair. The SSTSs were inspected; the filter chamber and the filters for the 20,000 gallon tank were full of sediment carryover from the tank. DEP received the 9/23/13 pump out receipt on 9/30/13. DEP received the pump out receipt and the water meter readings on 10/3/13. DEP responded to a phone call from the engineer via an e-

mail on 10/7/13. DEP has no objection to filling in the low areas, with sandy loam, on the chronically failing absorption field. On 10/8/13, DEP performed a routine follow up inspection of the large septic system. There were no problems observed, and the field was dry. On 10/25/13, DEP performed a routine inspection of the large SSTS. No problems were observed; the absorption field was dry. On DEP performed a routine inspection of the SSTS with the facility manager. No problems were observed. DEP sent an e-mail to the facility manager on 1/17/14 requesting the water log. On 1/27/14, DEP performed an inspection of the SSTSs on the property. A recent snow lightly covered the absorption fields. No wet spots, sewage discharges, or sewage odors were noted. DEP received the three day average water reading for 1/24, 1/25 and 1/26/14 on 1/27/14. DEP received the November 2013, December 2013, and January 2014 water meter readings on 2/4/14. DEP received a phone call on 2/4/14 from the director regarding the water meter readings and pump outs for the tanks. He does not want to wait for the absorption field to fail before pumping the tanks, so it was decided to perform an inspection on 2/18/14 and to make a decision then. The engineer is not interested in working on the project unless the field fails. On 3/18/14, DEP performed a routine inspection of the large absorption field. Most of the snow cover has melted, and the ground was frozen. There was no sign of a surface sewage discharge. On 3/26/14, DEP performed a scheduled inspection of the tanks associated with the subsurface sewage treatment system with the facility director and the new maintenance supervisor. The septic tank, the first grease trap, the filter chamber and the distribution box for the single absorption field all need to be pumped. DEP received pump out receipts on 3/28/14 (dated 3/27/14 and 3/28/14). On 4/2/14, DEP received a pump out receipt dated 3/31/14 for 4,000 gallons of grease removal. DEP received the March 2014 water meter readings on 4/4/14. On 4/22/14, DEP performed a routine inspection of the large absorption field. The field was dry and there were no sewage odors or soft spots on the field. DEP received the April 2014 water meter readings on 5/5/14. DEP sent an e-mail to the facility director requesting a site visit and SSTS inspection on 5/27/14. DEP received the June 2014 water meter readings on 7/3/14. On 7/24/14, DEP performed an inspection of the SSTSs on the site. No sewage was observed surfacing. The clean out at the distribution box was still broken and open to inflow. The maintenance staff said a wet area was recently noted on the large field and so an inspection has been scheduled with the contractor. DEP sent the manager, maintenance staff and the contractor an email on 7/29/14 requesting to be notified when the SSTS inspection will be done, as DEP needs to be present for any work due to the outstanding NOV. DEP received a phone call on 7/29/14 from the contractor, who said he had done an inspection and some maintenance work on the SSTS. He did not know that DEP needed to be contacted or present. He will send his report and has been hired to do a monthly inspection and maintenance program. D-boxes and the flout chambers were cleaned of sediment, a flout was found to be on overflow due to a rope caught and speed levelers were adjusted and installed where missing. The broken clean out near the main d-box and pump chamber was repaired. A few d-boxes were found to have inflow after the dose, so the speed was turned up for the levelers on those laterals. DEP corresponded with the manager on 8/5/14 concerning the inspections being done by the contractor. DEP received the July 2014 water meter readings on 8/12/14. DEP received an inspection report and recommendations from the contractor on 9/2/14. DEP received the August 2014 water meter readings on 9/2/14. DEP sent an e-mail on 9/10/14 to the site's director, the site's maintenance contact, the engineer, and the contractor regarding DEP's recommendations for the SSTS with regard to the open NOV. DEP confirmed an appointment with the hauler and the site manager for 9/25/14. The tanks and other SSTS components will be pumped and

inspected.

Project Name: 15 Sholam Road (2001-RO-0730)
Town: Wawarsing
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1570 - CWC-surfacing – DEP NOV
Discovery Date: 11/30/2001
Status: New

Overview and Action:

DEP called the property owner on 4/8/14 regarding his plans. Pursuant to the last conversation between the property owner and DEP, DEP checked the files and discovered that DEP does not have a set of plans which show the septic system designed for a three bedroom located outside the reservoir stem boundary. The only plans that DEP has in his file show the old design and a new design at the four bedroom count with the field at the top of the hill in the woods. The property owner wishes to drop a bedroom and complete the system for the main residence. DEP also explained that the prior plan approval had expired, so he would have to submit new stamped plans if he wanted to drop a bedroom. The owner said that he would start getting everything together for a new approval. DEP explained that if the owner were to complete the construction of the secondary residence, he would need to submit plans and an application for a modification of a septic system. The owner does not see the construction of the secondary residence continuing anywhere in the foreseeable future. DEP also explained that we would be conducting a site visit to check on the failure. The property owner stated that no one would be home to show where the failure is. DEP has a sketch provided in the CWC report; if we cannot find it then we will reschedule the site visit for a time when the owner is home. DEP performed a site visit on 4/10/14; septic failure was observed. Gray water was staining the area of the pipe releasing groundwater in ditch. The owner admits that this is the location where the dye had surfaced when it was dye tested years ago. There is no odor along the ditch line. DEP called the owner and left a message on 7/8/14 that DEP will inspect the property for septic failure status the following day. DEP performed a site visit on 7/10/14; septic failure was observed. Gray water was discharging from the orangeburg pipe. DEP received a call on 7/22/14 from the property owner regarding the modification of his plans. He has spoken with the engineer, who said that he will do it, but it will take a couple of weeks. DEP performed a watercourse determination on 8/14/14. The channel originating from the perforated pipe and orangeburg pipe discharged in the immediate vicinity of the SSTS was evaluated. There was no flow exiting the pipes on the day of inspection, however, it was evident from the odor and ponding in the channel that gray water does discharge from the pipe(s) at some time. An evaluation of the channel revealed that it was not a visible path tributary to the water supply and therefore not a watercourse/reservoir stem. DEP issued a NOV to the owner on 8/22/14. DEP left a message for the owner to call back on 9/12/14 since they have not yet responded to the 8/22/14 NOV. DEP performed a site visit on 9/18/14; septic failure was not observed. The ditch where the effluent flows out is completely dry at this time. DEP called a left a message for the engineer on 9/19/14.

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

Town: Carmel
Basin: Croton Falls
Project Name: Prato Gary Attn: Garon Fence Co/Fill Section, (Log #2010-CF-0892)
Project Description: Fill section.
Project Type: Stormwater (SP)
Status:

Watershed Lands/ Operations personnel continue to perform inspections on adjacent NYC Lands every 60 days. DEP Police continue to take aerial photos of the affected areas on a regular basis to assess conditions. DEP sent an e-mail on 5/20/13 requesting aerial photos be taken of the property to access the current condition. The photos were received via email 5/29/13. DEP sent an e-mail to Corporate Counsel on 12/13/13 regarding a brief summary of the site meeting. DEP received an e-mail from the engineer on 2/14/14 regarding the outline for the proposed site investigation and IRM work plan. DEP received an e-mail on 3/3/14 regarding the site investigation work plan outline submitted 2/20/14 via email. DEP received the Site Investigation and Interim Remedial Measures Work Plan from the engineer on 4/11/14. DEP received an e-mail from the engineer on 5/23/14 indicating the IRM activities on the property outlined in the work plan and discussed during the 5/12/14 site meeting were completed 5/23/14. DEP had a meeting on 9/5/14 with staff from DEC, AG-WIG, NYC Corporation Counsel and the owner and his team of technical and legal representatives to discuss proposed groundwater sampling and long term groundwater monitoring on affected lands. Surface soil and water sampling of fill material on NYC Lands is proposed to commence on 9/8/14.

Town: Carmel
Basin: Croton Falls
Project Name: Carmel Center Senior Housing, (Log #2004-CF-0630)
Project: Proposed Senior Housing.
Project Type: Stormwater (SP)
Status: Approved

DEP issued comments 11/26/12 to the engineer on the amended SWPP. DEP performed site visits on 11/27 and 12/11/2012, 1/14, 1/31, 2/12, and 3/5/2013; there were no deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 4/1 and 4/16/13; there were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the project applicant on 4/18/13 to discuss the final stabilization of Series 7 basins. DEP performed site visits on 4/18, 4/29, 5/6, 5/24, 6/5 and 7/16/13; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call on 8/5/13 from the applicant regarding finalizing Series 2 basins. DEP performed a site visit on 8/12/13; there were no deficiencies, there was no discharge and the site was occupied. DEP spoke to the engineer concerning immediate stabilization of road side slopes, emphasizing forecast rain event for the next day. DEP performed site visits on 8/13 and 9/9/13; there were no deficiencies, there was no discharge and the site was occupied. DEP called the engineer on 4/7/14 regarding maintenance of erosion controls for lot 3. DEP performed a site visit on 4/7/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a letter from the Home Owners Association on 4/21/14 regarding environmental concerns with the project. DEP received a Bond Rider from the applicant on 4/25/14 in response to DEP's letter of 2/28/14. DEP performed a site

visit on 4/30/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call on 4/30/14 from the engineer stating that he will be sending four copies of SWPPP for approval. DEP issued a letter to the attorney for the Homeowner's Association on 5/5/14 responding to their letter dated 4/15/14 regarding environmental concerns with the project. DEP received a set of plans and SWPPP for approval on 5/7/14. DEP issued an Approval Determination letter on 5/15/14. DEP performed site visits on 5/22, 5/23, 5/29, 6/5, 6/16, 7/9, 7/29, 8/29 and 9/24/14; there were no deficiencies, there was no discharge and the site was occupied.

Project Type: SEQRA (SQ)

Status:

DEP Project Review received a copy of Town's SEQRA Evaluation Form from the engineer on 5/27/05 advising the minimum thresholds and criteria of the project fall within the outline of the GEIS and therefore no further SEQRA review is required. (See Log # 1995-CF-0418-SQ.1 for previous SEQRA review).

Project Name: 340 Rushmore Rd (2014-BC-0302)

Town: East Fishkill

Type of Use: Stormwater (SP)

Type of Violation: DEC Violation

Discovery Date: 6/19/14

Status: New

Overview and Action:

DEC issued a NOV on 6/16/14. DEP initiated an Enforcement Action on 6/19/14. DEP issued a NOV to the owner on 6/19/14. DEP received a call on 7/7/14 from the engineer confirming that he is the engineer hired to prepare a SWPPP for the project, in response to the NOV issued on 6/19/14. DEP received an e-mail from the engineer, on 7/17/14 indicating that the SWPPP will be electronically submitted. DEP received a copy of the Engineer's Report and plans from the engineer on 7/24/14. DEP called the engineer on 8/1/14 regarding the NOV and discussed the Agricultural Market law. DEP received a letter responding to the NOV on 8/5/14. DEP sent an e-mail to the engineer on 8/18/14 in response to the engineer's letter dated 8/5/14. DEP exchanged emails with Engineer regarding a letter from the State of NYS Department of Agriculture and Markets. DEP received a copy of NYS Department of Agriculture and Markets determination of agricultural activities conducted on the property from the engineer on 9/19/14.

3.2.4. Kensico Basin

Town: Harrison

Basin: Kensico

Project Name: Harrison Waste Facility, (Log #2013-KE-0313)

Project Description: Organic waste transfer

Project Type: Solid Waste (SO)

Status: New

DEP issued a letter to the town engineer on 6/5/13 regarding operating a solid waste management facility in proximity to Kensico Reservoir and watercourse. DEP initiated an Enforcement Action on 6/5/13. DEP received an email from the DEC on 6/5/13 regarding the

registration that was issued to the facility. DEP left a voice message for the engineer on 6/13/13 regarding the status of Town response to DEP's 6/5/13 letter. DEP received and responded to an email from the town engineer on 6/20/13 regarding their intention of acknowledging to DEP's letter dated 6/5/13. DEP received an e-mail from the engineer on 6/28/13. The engineer is waiting for their legal department to approve a letter before it can be sent. This is in response to DEP's letter of 6/5/13. DEP sent an e-mail to the engineer on 7/12/13 to set up a meeting up regarding DEC registration and DOT permit. DEP received a letter from the engineer on 7/12/13 regarding requested DEC Filed Registration Form for Solid Waste Management Facility and DOT Use and Occupancy Permit. DEP received a letter from the engineer on 8/12/13 in response to the letter sent by DEP on 6/5/13. DEP issued a NOV to the owner on 10/15/13. DEP received drawings on 10/28/2013. Corporate Counsel sent a GIS map of the facility (and its proximity to Kensico Reservoir stem) to the attorney on 11/8/13. DEP received an email from Corporate Counsel on 12/10/13; they received the Draft Yard Management Plan prepared by the Town of Harrison from the attorney. DEP sent an e-mail to the applicant on 12/19/13 with comments regarding the Draft Management Plan. DEP received an e-mail from the applicant on 1/9/14 regarding maps of the land. The applicant can now start to identify potential alternate sites. DEP met with the engineer on 1/24/14 to discuss the progress with respect to the 'Alternate Site Analysis' and the interim site pollution control plan. DEP received a call from the engineer on 3/11/14 regarding response to the NOV. He reports progress on review and assessment of 'viable' alternative sites. DEP sent Corporate Counsel an e-mail on 3/28/14 regarding the status of NOV as provided by the applicant. DEP issued a comment letter to the engineer on 4/21/14 regarding the NOV. DEP received a letter from the engineer on 4/28/14 responding to the NOV. DEP received a call from the engineer on 5/27/14 regarding the status of the Town's response to the NOV. He stated that survey work on the transfer facility/site has been completed and the remedial site design work is to commence. DEP sent a copy of the Variance Applicant's Guide and WRR to the engineer on 6/20/14. On 7/2/14, DEP re-sent, via e-mail, December 2013 review comments on the facility site plan to the engineer. DEP received a call from the engineer on 9/22/14 regarding the Variance NOICA. He requested a joint site inspection of the Town of Harrison's Nike Base property scheduled for 10/2/14.

3.3. DEP Police Actions

3.3.1. Catskill District

Name:	State Route #23 / Campbell Road	CS-091-14, SJS 48944
Location:	Ashland	Spill # 1405101
Type of Use:	Rural	
Type of Violation:	Haz Mat	
Date Discovered:	8/11/14	
Status:	OPEN	

Overview and Action:

DEP Police contacted by DEC Spill Coordinator to report an overturned tanker down an embankment on NYC property containing approximately 3,000 gallons of liquid asphalt. Upon officers' arrival, a private company had already dug a trench around the potential spill and the spilled asphalt was being removed and placed on poly tarps with poly tarps on top to keep rain water from further expanding contaminated area. The remaining material pumped out of the

tanker, approximately 1,050 gallons, determined that an estimated 2,000 gallons of material had spilled. DEC will handle testing and removal of contaminated soil to permitted landfill. No impact to water supply as the closest water course, the Batavia Kill is approximately 300 yards away. DEP Police and DEC involved.

Name: 12154 State Route 23 **CS-114-14, SJS 49765**
Location: Ashland
Type of Use: Residential
Type of Violation: Stream Violation
Date Discovered: 9/24/14
Status: Closed

Overview and Action:

DEP Police observed trees being removed from the banks of a classified stream along West Settlement Road leaving tree limbs, branches and wood chips in the stream bed. Homeowner stated project was being overseen by DEP Engineering through Greene County Soil and Water whom had hired a private contractor to complete the work. After reviewing permit, officer contacted DEP Engineer to advise him of violations by contractor regarding debris left in stream which could potentially lead to flooding. When contacted, contractor assured stream bed would be cleaned up immediately and permit guidelines would be more closely adhered to in the future. DEP Police and DEP Engineering involved.

Name: Schoharie Reservoir **CS-084-14, SJS 48812**
Location: Conesville
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 8/4/14
Status: OPEN

Overview and Action:

DEP Police investigated a complaint which originated from Air 6 (helicopter) patrol that had observed a small plume of oil (3' in diameter) on the Schoharie Reservoir across from Gate 22. Using GPS coordinates and added assistance from Air 6, a marine patrol on the reservoir was able to locate the oil plume now marked with a buoy. Oil plume and bubbles from source are more easily visible from the air. DEP Haz Mat notified to respond to the location for further investigation and water sampling. Awaiting action by DEP Haz Mat. DEP Police and DEP Haz Mat involved.

Name: 55 Spruce Street **CS-060-14, SJS 47844**
Location: Hunter **Spill # 1402757**
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 6/13/14
Status: OPEN

Overview and Action:

DEP Police responded to a complaint of people sweeping diesel fuel into the road at the above address. Upon arrival, officers detected a strong fuel oil odor and observed a sheen covering approximately one half mile of roadway on Spruce Street. NY State Police and DEC on scene;

spill number obtained and private company hired for clean-up. It was estimated that approximately 50 gallons of fuel had spilled. Officer to continue investigation/interviews in order to determine responsible party prior to issuance of tickets. DEP Police, New York State Police and DEC involved.

Name: 15 Maple Lane **CS-126-13, SJS 42921**
Location: Jewett
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 9/6/13
Status: Closed

Overview and Action:

DEP Police was flagged down by a complainant reporting a possible sewage leak from the residence across the street from her residence. Complainant stated that she smells a sewage odor when occupants are there on weekends and has observed what appeared to be green/brown foam in the nearby ditch which leads to the Schoharie Creek and ultimately the Schoharie Reservoir. Officer was unable to detect any sign of sewage discharge but will continue to monitor the area and further attempt to interview property owner when present. Multiple inspections of site by DEP Police revealed no evidence of any sewage release or failure. DEP Police involved.

Name: Bostock Road **CA-169-14, SJS 4608**
Location: Olive
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/14/14
Status: Closed

Overview and Action:

DEP Police observed a small dump site while on sector patrol consisting of 2 large bags of household refuse and furnace filters located along the roadway adjacent to city property. No traceable Evidence, negative impact to the water supply. Town of Olive contacted for proper disposal. DEP Police involved.

Name: State Route 28A, Acorn Hill Parcel **CA-384-14, SJS 48317**
Location: Olive
Type of Use: Rural
Type of Violation: Haz Mat
Date Discovered: 7/7/14
Status: Closed

Overview and Action:

DEP Police responded to a Haz mat complaint on city property in which a radiator hose on a log-picker failed causing approximately 3 gallons of a 50:50 mixture of water and anti-freeze to spill on the ground beneath the truck. Spill pads were used to absorb the liquid and a 5 gallon bucket was placed beneath to collect any additional fluid. DEP Haz Mat was notified but did not respond. Incident report by DEP Forester on scene. DEP Police involved.

Name: 163 Black Road **CA-476-14, SJS 48960**
Location: Olive
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 8/12/14
Status: Closed

Overview and Action:

DEP Police on sector patrol observed a dumping on city property which amounted to 3 separate piles of trash, none yielding any traceable evidence. DEP Operations contacted for removal. DEP Police and DEP Operations involved.

Name: Rte 28A / Aqueduct Crossing **CA-578-14, SJS 49464**
Location: Olive
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 9/7/14
Status: OPEN

Overview and Action:

DEP Police observed a dumping which included four large cardboard boxes which did yield traceable evidence. Officer will follow-up during next tour in attempt to identify subject responsible. DEP Police involved.

Name: County Route #53, Gate #9 **CS-029-14, SJS 46305**
Location: Roxbury
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/2/14
Status: Closed

Overview and Action:

DEP Police received a dumping complaint from DEP Land Management. DEP employee was able to retrieve a prescription bottle with a partial name and address on the label. Officer located and interviewed subject whom stated that "she had no idea how her garbage found its way to CR 53, but has had issues with bear". Subject was issued ticket for Unlawful Disposal of Solid Waste (NYCRR). DEP Police and DEP Land Management involved.

Name: 55724 State Route #30, Mountainside Farms **CS-058-14, SJS 47770**
Location: Roxbury **Spill # 1402563**
Type of Use: Commercial
Type of Violation: Haz Mat
Date Discovered: 6/9/14
Status: Closed

Overview and Action:

DEP Police investigated an anonymous report of a significant oil spill within close proximity to the water supply. Officer interviewed Maintenance Director whom stated that spill of approximately 50-100 gallons of No. 6 Fuel Oil resulted from an equipment malfunction which occurred the previous day (06-08-14). Leaking oil then seeped out of the building through a

small hole in the wall and onto the ground surrounding the oil tank. Employee used kitty litter to soak up the spill and had not yet reported the spill to DEC. DEP Haz Mat and DEC (spill number) notified. Private environmental company hired to conduct clean-up and removal of contaminated material advised to proceed by DEC Spill Investigator. Spill is located approximately 1200' north and upstream from area of the Headwaters for the East Branch of the Delaware River. On 06/11/14, officer met with DEC Spill Investigator, employee of Environmental and Fueling Systems LLC and Director of Maintenance for Mountainside Farms at spill site and was briefed regarding clean-up. EH&S employee stated that 26 barrels – (55 gallon size barrel) of solids were removed for disposal including “historic” soil tainted with oil to a depth of almost 2 feet. DEC Investigator advised that he will be proposing a plan for tank removal/replacement and full site remediation along with other corrective actions. DEP Officer issued ticket for Failure to Report Spill / Discharge (NYCRR). No threat to the water supply. DEP Police, DEP Haz Mat and DEC involved.

Name: State Route #23 / State Route #30 **CS-065-14, SJS 48023**
Location: Roxbury **Spill # 1403114**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 6/22/14
Status: Closed

Overview and Action:

DEP Police responded to a complaint of a transformer leaking near a stream. Upon arrival on scene, officer found that a tree branch had fallen and pulled a power wire which cracked the case on the transformer. NYSEG and Grand Gorge Fire Department arrived on scene and informed officer that the liquid was non-toxic / non-carcinogenic. NYSEG contacted DEC for spill number for the 0.02 gallons of leaked transformer oil. DEP Police, DEC and Grand Gorge Fire Department involved.

Name: 310 Jims Road **CA-022-14, SJS 44943**
Location: Shandaken
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/12/14
Status: Closed

Overview and Action:

DEP Police, while on foot patrol, observed a large amount of black plastic fencing discarded on city property which matched the property fencing that encircled the adjacent private property. Officer attempted to interview property owner with negative results and will try to follow-up at a later date. Clean-up of location completed by landowner. DEP Police involved.

Name: 21 Abby Road / 1066 Wittenburg Road **CA-351-14, SJS 48167**
Location: Woodstock
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 6/30/14
Status: Closed

Overview and Action:

DEP Police identified a possible septic system failure when he observed saturated soil and subsequent ponding/ leaching from the property into a roadside ditch. The leaching posed no threat to the water supply as the nearest tributary is approximately 300 yards away. Interview of subject at residence revealed that property is zoned for two residences. Officer met with DEP Residential Engineering at location and determined that no criminal violation had occurred. DEP Engineering to contact CWC for possible SSTS Plan for property.

3.3.2. Delaware District

Name: State Route #30 **CB-145-14, SJS 47783**
Location: Andes
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 6/10/14
Status: Closed

Overview and Action:

DEP Police observed a dump site at Vinci Brook consisting of numerous bags of household refuse which did not yield any traceable evidence. Negative impact to the water supply. DEP Operations notified for proper disposal. DEP Police and DEP Operations involved.

Name: County Route 1 **CB-237-14, SJS 49634**
Location: Andes
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 9/16/14
Status: Closed

Overview and Action:

DEP Police responded to a complaint of spilled hydraulic fluid near the Shavertown Recreational Boating Area parking lot. On scene, DEP employees stated that a Department of Public Works Blacktop Roller working at the location (subcontracted by DEP) had suffered a hydraulic line blowout causing approximately 2 gallons of hydraulic fluid to spill throughout the lot. Spill pads applied to contain the leak and incident report filed by DEP Supervisor who also reported spill to DEC. DEP Police and DEC involved.

Name: 21521 State Hwy #30 **CB-135-14, SJS 47586**
Location: Colchester
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 6/1/14
Status: OPEN

Overview and Action:

DEP Police received a complaint of a diesel oil sheen and odor on the Pepacton Reservoir in the vicinity of the East Delaware Intake Chamber. Last year, investigation of a similar complaint in the same location resulted in the discovery and removal of a leaking, buried fuel tank. The officers that were on the scene of current complaint were unable to detect any sheen or odor.

Aerial search confirmed presence of diesel oil sheen which was documented from the air with photos and color video. GPS coordinates of sheen location noted and area marked with a buoy for subsequent follow-up by DEP Haz Mat. DEP Police and DEP Haz Mat involved.

Name: 1327 Miller Hollow Road **CB-173-14, SJS 48315**
Location: Colchester
Type of Use: Rural
Type of Violation: Stream Violation
Date Discovered: 7/7/14
Status: Closed

Overview and Action:

DEP Police investigated a complaint regarding a possible stream violation at the above location. Upon arrival, officer discovered that an existing ditch had been cleaned out after the last storm but no digging had occurred in the stream. Ditch work was approximately 150 yards from the town road and located on private property. DEP Police involved.

Name: Reuben Todd Road **CB-098-14, SJS 46956**
Location: Delhi
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 4/30/14
Status: Closed

Overview and Action:

DEP Police investigated a complaint received from DEP Land Management which identified a dumping located within one of two NYC Land Parcels. Officer's initial search of each of the parcels did lead to the discovery of a dump site containing a wooden pallet, broken glass bottles and beer cans with no traceable evidence. After obtaining additional information from Land Management, officer was able to locate their reported dumping of a mattress, chairs, gas can and household refuse. Interview with property owner determined that his son was responsible and would remove all items for proper disposal. Officer returned within one week to inspect and found all refuse had been removed. DEP Police and DEP Land Management involved.

Name: Cummings Road **CB-006-14, SJS 46303**
Location: Masonville
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 4/2/14
Status: Closed

Overview and Action:

DEP Police observed a dump site consisting primarily of car parts and household garbage which did yield traceable evidence. Investigation of phone number found on discarded "For Sale" sign came back to a track phone out of Boston, Massachusetts; unable to obtain any additional traceable information. DEP Police involved.

Name: Rocky Hill Road/City Rte 55A **CG-307-14, SJS 48124**
Location: Neversink
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 6/27/14
Status: Closed

Overview and Action:

DEP Police responded to a complaint from DEP Regional Manager reporting a hydraulic oil spill of approximately 3 gallons. The oil leaked from a piece of DEP equipment and was evident on the roadway for about 100 yards. DEP Haz Mat notified and advised DEP employees on scene to proceed with clean-up as a more advanced clean-up was not required. Officers provided traffic control for DEP employees involved in clean-up. DEP Police, DEP Operations and DEP Haz Mat involved.

Name: State Route #55 **CG-357-14, SJS 48530**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 7/19/14
Status: Closed

Overview and Action:

DEP Police observed a dumping of numerous trash bags left against the fence in the pull-off closest to Divine Corners Road. The bags contained fishing tackle, bottles and other household refuse but no traceable evidence. Officer contacted DEP Land Management for clean-up. DEP Police and DEP Land Management involved.

Name: State Route #55 **CG-394-14, SJS 49008**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 8/15/14
Status: Closed

Overview and Action:

DEP Police observed a dumping of mostly household refuse in the county line pull-off yielding traceable evidence located on a shipping label from a BBQ grill box. Officer documented with photos and subsequently located subject who was issued a ticket for Unlawful Disposal of Solid Waste (NYCRR). The subject agreed to pick-up and properly dispose of refuse. DEP Police involved.

Name: Lowe Road **CG-435-14, SJS 49520**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 9/10/14
Status: OPEN

Overview and Action:

DEP Police was notified by Town of Neversink Highway Supervisor of a dumping on Beaver Dam Sports Club property. Officer located the large dumping of trash bags and was able to obtain traceable evidence. Officer will continue investigation in an attempt to locate the responsible subject. DEP Police involved.

Name: Stamford Wastewater Treatment Plant **CS-056-14, SJS 47694**
Location: Stamford
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 6/6/14
Status: Closed

Overview and Action:

DEP Police responded to a report of a septic spill / discharge at the Stamford Wastewater Treatment Plant in which an estimated 2,000 gallons spilled in one hour. The incident report was filed by a plant employee. No indication of flow of discharge to the West Branch of the Delaware River shoreline; spill was contained. DEP Police involved.

Name: Fish Hollow Road **CB-097-14, SJS46958**
Location: Walton
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 4/30/14
Status: Closed

Overview and Action:

DEP Police observed a large television on the side of the roadway which led to the discovery of a larger dump site over the embankment consisting of recyclables and deer hides/bones. No traceable evidence located. Posted signs on the property did not display any names or phone numbers. Search revealed area is primarily seasonal residences. No impact to water supply; site will be monitored for future activity. DEP Police involved.

Name: Chase Brook Road **CB-101-14, SJS 47024**
Location: Walton
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 5/4/14
Status: Closed

Overview and Action:

DEP Police observed a dumping consisting of a computer CPU, i.e. an IBM compact tower, adjacent to the Gate #2 access area. Officer opened the CPU and noted that the case had been stripped of the hard drive, processor units and any storable media. No identifying marks on case and no other traceable evidence. Officer retrieved unit and disposed of it at Police Precinct. DEP Police involved.

Name: Lackawack Hill **CG-285-14, SJS 47981**
Location: Wawarsing
Type of Use: Rural

Type of Violation: Dumping
Date Discovered: 6/20/14
Status: Closed

Overview and Action:

DEP Police investigated a dumping complaint in which traceable evidence provided by the complainant did match up with evidence found at the scene. Dumping consisted of several large trash bags containing numerous statements and magazines displaying a residential address which led officer to subject responsible. Officer traveled to residence and advised subject to remove all trash from the property by the end of the day. Follow-up confirmed that all trash in the area had been removed. DEP Police involved.

Name: 18 Brown Road **CG-369-14, SJS 48664**
Location: Wawarsing
Type of Use: Residential
Type of Violation: Dumping
Date Discovered: 7/27/14
Status: Closed

Overview and Action:

DEP Police responded to a dumping complaint on private property that borders the Rondout Reservoir. Officer observed the dumping consisting of 3 twin size mattresses, 2 twin size box springs, a large couch and a pop-up sun shelter. No traceable evidence recovered. Officer patrolled surrounding city property for additional dumping with negative results. DEP Police involved.

Name: Lundy Road **CG-444-14, SJS 49649**
Location: Wawarsing
Type of Use: Municipal
Type of Violation: Dumping
Status: Closed

Overview and Action:

DEP Police conducting a security check of Shaft 2 observed a small dumping of brush, beer cans, household trash and antifreeze container. No traceable evidence recovered. DEP Land Management notified for clean-up. DEP Police involved.

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

Name: Washington Road **CE-679-14, SJS 46435**
Location: Carmel
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/7/14
Status: Closed

Overview and Action:

DEP Police observed a dumping near Boat Area 4 consisting of aluminum crutches, window blinds, a partial bed frame and ceiling fan blades. The material did not yield any traceable evidence. DEP Field Crew notified for removal. DEP Police and DEP Field Crew involved.

3.3.4. Kensico Basin

Name: 714 Old Kensico Road **CE-1398-14, SJS 48331**
Location: Mt. Pleasant
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 7/8/14
Status: Closed

Overview and Action:

DEP Police responded to a haz mat complaint involving a spill of 330 gallons of home heating fuel that occurred at a residence that was being demolished. On scene, officer observed Thornwood Fire Department, DEC, Mount Pleasant Town Engineer and Building Inspector and DEP Haz Mat also notified. Thornwood F.D. Chief stated that an old heating oil tank was moved spilling approximately 100 gallons of fuel into the dirt and possibly into a catch basin that leads to the Kensico Reservoir. Thornwood Fire Department members and DEP Haz Mat inspected catch basins and manhole cover openings in the area and determined that the heating oil had not contaminated the Kensico Reservoir. Spill number obtained from DEC and private company contacted for clean-up. DEP Police, DEP Haz Mat, Thornwood Fire Department, DEC and Mount Pleasant personnel involved.

Name: Nannyhagen Road **CE-1820-14, SJS 49545**
Location: Mt. Pleasant
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 9/11/14
Status: Closed

Overview and Action:

DEP Police inspecting the bar gate above the Kensico Lime Plant observed a dumping of black garbage bags containing household refuse and one car tire. No traceable evidence was found. DEP Field Crew notified for removal. DEP Police and DEP Field Crew involved.

Name: 27 Old Post Road **CE-1782-14, SJS 49452**
Location: North Castle
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 9/7/14
Status: OPEN

Overview and Action:

DEP Police were notified by North Castle Police Department of a possible dumping on city property. Officer responded and found a 20' dumpster full of household items on city property. DEP Regional Land Steward notified. Case open pending further investigation. North Castle Police Department requested additional details for case update. DEP Police and North Castle Police Department involved.