

**New York City
Department of Environmental Protection**

Bureau of Water Supply

**Filtration Avoidance 6.1 Enforcement Actions
For the period October 1, 2013 through March 31, 2014**

April 2014

*Prepared in accordance with the Draft Revised November 2007 EPA 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 October 1, 2013 through March 31, 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 SSTs 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 SSTs that are in failure or likely to fail and are located within eligible priority areas. Per the 2007 FAD, the program was expanded to include small businesses and cluster systems. The CWC solicits property owners within the eligible areas, inspects the site and makes the necessary SST improvements. The review and approval of these repairs is performed by DEP, and progress is tracked by DEP and entered in the 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 SST repairs by Putnam County. This supplements the delegation agreement for the review and approval of new SSTs. The delegation agreement for repairs includes the review and approval of failing commercial and individual SSTs. The existing Putnam County Sanitary Code requires that a permit be issued by the County for all repairs or modifications to any 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 SSTs within critical areas of Putnam County. Funding for this program is through the EOH Water Quality Investment Program fund which was provided by DEP through the 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 SSTs in Westchester County. Westchester County has revised its sanitary code to require review and approval of all repairs and modifications, including changes of use for all SSTs. 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	107	0	80	0	83	2
HUNTER (V)	17	0	9	0	10	0
HURLEY	49	0	48	0	47	0
JEWETT	51	2	46	0	49	0
LEXINGTON	47	0	45	0	44	0
OLIVE	194	1	165	0	171	2
PRATTSVILLE	29	2	22	0	27	1
ROXBURY	31	0	23	0	26	0
SHANDAKEN	142	0	129	0	133	1
TANNERSVILLE (V)	7	0	1	0	6	0
WINDHAM	79	0	65	0	74	3
WOODSTOCK	58	1	52	0	48	0
Total	880	6	741	0	774	9

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	1
ANDES (V)	4	0	2	0	2	0
BOVINA	35	0	32	0	33	0
COLCHESTER	4	0	5	0	6	2
DELHI	70	0	64	0	69	0
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	52	0	59	1
LIBERTY	1	0	1	0	1	0
MASONVILLE	12	0	10	0	10	0
MEREDITH	20	0	18	0	18	0
MIDDLETOWN	115	1	104	0	105	0
NEVERSINK	221	0	187	0	201	0
ROCHESTER	1	0	1	0	1	0
ROXBURY	34	0	28	0	32	0
STAMFORD	36	1	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	34	0	32	0	30	0
Total	6	2	864	0	896	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	9	0	11	1
EAST FISHKILL	0	0	0	0	0	0
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	0	0	0
TOTAL	15	0	13	0	15	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	1	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	1	2	0	2	0

3.2.1. Catskill District

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 initiated an Enforcement Action on 4/22/11. 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.

Project Name: 117 Lake of Seven Bridges (Log #2009-SC-0568)
Town: Conesville
Type of Use: Residence
Type of Violation: Failed SSTS - CWC - surfacing
Discovery Date:
Status: Approved

Overview and Action:

On 2/20/13, DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP called the owner on 2/20/13 to discuss the SSTS schedule, but no answer or message machine available. DEP received a call from the owner's representative on 2/25/13; they left a message

that they called in reference to the recent DEP letter encouraging them to move forward with SSTS project. DEP received a call from owner's representative on 4/4/13, and explained that the contractor needs to submit a bid and get approved. The owner's representative said that they plan on starting construction when spring weather conditions permit. DEP called the owner's representative on 9/11/13 and informed him that design has expired and suggested he get the engineer to request a re-approval. DEP also suggested that the contractor submit a bid to CWC for approval concurrently. DEP sent an e-mail to the engineer on 9/12/13 stating that request for re-approval needs to be made. Engineer acknowledged in e-mail on same day. This project is on the CWC Septic Committee meeting agenda scheduled for 11/5/13. This project passed the Board of Director's meeting on 12/3/13.

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:

On 11/14/12 DEP issued a reminder letter to the owner due to the lack of activity. 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 the 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.

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 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.

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:

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.

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

Overview and Action:

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.

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.

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.

Town: Hunter
Basin: Schoharie
Project Name: Rosen, Eli, (Log #2011-SC-0585)
Project Description: IRSP NOV
Project Type: Individual Residential SPPP (IR)
Status: **Closed**

DEP received a call from the contractor on 8/20/12 regarding the estimate for the work. DEP received the proposed budget from the engineer on 11/4/12. DEP sent an e-mail to the owner on 4/3/13 attempting to set up a meeting with DEP, owner, engineer and contractor to discuss getting the rain gardens constructed. DEP received a set of plans from the engineer on 4/8/13. DEP met with the contractor and applicant on the site for a pre-construction meeting on 4/12/13. DEP received a call on 6/5/13 from the contractor stating he is starting work on the rain gardens. DEP sent an e-mail to the engineer on 6/11/13 regarding that day's site visit. DEP met with the contractor and discussed the location of the SSTS and decided to wait on rain garden 4 to verify the location; also listed a few stabilization concerns. DEP performed site visits on 6/11 and 6/19/13; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 7/9/13 regarding the slope above the back rain garden washed into the rain garden and needs to be repaired. Also, that the riser in rain garden #2 has been cut too low and will not provide any ponding. DEP performed site visits on 7/9 and 8/1/13; there were deficiencies, there was no discharge and the site was vacant. DEP called the applicant on 8/23/13 regarding the rain garden planting. The applicant indicated the planting will be done in the next two weeks. DEP performed site visits on 8/27 and 9/11/13; there were no deficiencies, there was no discharge and the site was occupied. DEP completed construction inspections on 9/11/13. DEP received the engineer's certification letter from the engineer on 12/30/13. DEP issued a letter of Construction Compliance letter on 1/2/14. The violation was resolved and the case was closed on 3/5/14 with DEP Closure letter dated 3/5/14. DEP has resolved the Enforcement Action on 3/5/14.

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.

Town: Hunter
Drainage Basin: Schoharie Reservoir
Project Name: Hunter Highlands Hotel/Condos (Trailside), (Log #2000-SC-0602)
Project Description: Proposal for the construction of a 200 unit hotel; Site is +/- 12 acres. Approvals for Phases 2-4 have expired. This is a new proposal for three condos in 1st phase of which two can be built without SPDES expansion; Phase 1 to consist of 3-12 unit condos. Each building will consist of four 1-bedroom, four 2-bedroom and four 3-bedroom units. Phase 2 will consist of a 28-room hotel; Phase 3 will consist of three 12-unit condos.
Project Type: Stormwater (SP)

Status:
DEC issued a NOV on 12/11/12. DEP sent an email to DEC containing the contact info for another partner on 1/7/12. The partner is going to reach out to the association regarding the NOV. DEC sent the NOV to the other partner on 1/30/13. DEP sent and received e-mails to and from DEC on 5/28/13 questioning any response to the NOV. DEP spoke with the NYS Attorney General's office on 6/12/13 regarding the status of the homeowner's association established with the project. She stated that according to their records, there is no record of a homeowner's association established for the Trailside at Hunter. DEP met the Trailside Property manager during a routine site visit on 10/4/13. NYC Law followed up with a phone call to the property manager and emailed a summary of the conversation.

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.

Project Name: NYS Route 23A (2005-SC-0236)
 Town: Hunter
 Type of Use: SSTS Repair (RE)
 Type of Violation: Failed SSTS #1489 (for two residential structures); direct discharge from pipe to wetlands. A new SSTS will be built for the two residential structures; vacant non-NCRA trailer to be decommissioned.

Discovery Date: 5/3/1999

Status: **Closed**

Overview and Action:

DEP performed a site visit on 10/12/12; septic failure was observed; septic was visibly entering a watercourse/wetland, and surfacing of sewage on ground. DEP met with the engineer to observe additional soils testing to locate a replacement absorption field. DEP received a call on 10/19/12 from the engineer, who was conducting percolation tests. He will email the complete soils results to DEP. DEP received an e-mail from the engineer on 10/26/12 with a preliminary SSTS replacement design. DEP called the engineer on 11/14/12 regarding the absorption system design. We discussed the possibility of a shallow trench and a raised bed, both of which will fit

in the footprint. DEP received an e-mail from the design engineer on 12/19/12, with a draft design of the replacement SSTS. DEP sent an e-mail to the engineer on 12/21/12 with comments on the draft plans. DEP received revised plans from the engineer on 2/19/13. DEP received an Application for a conventional individual SSTS on 2/20/13. DEP called the design engineer on 2/22/13 regarding the recently submitted plans, which encroach on the 100 foot mandatory setback to the existing well. He will re-submit with a peat filter design. DEP issued a NOCA on 3/5/13. DEP issued a comment letter on 3/5/13 to the applicant and engineer. DEP sent an e-mail to the design engineer on 3/25/13, asking if the revised plans are being worked on. DEP sent an e-mail to the design engineer on 4/22/13 regarding the lack of revised plans for the failed SSTS. DEP received a call on 5/3/13 from the engineer regarding the plans; he is looking for the size of the existing septic tank and its proposed use for the new system septic tank or the new system pump chamber. DEP corresponded by e-mail on 5/8/13 with CWC regarding the septic tank that was installed on the site in 1998 and was told that there is no record of the tank size. DEP was informed that the property owner has never actually been accepted into the funding program. DEP called the engineer on 5/9/13 to advise him that CWC has not received the proper signed application from the owner and the owner is not yet in the funding program. The engineer will discuss the problem with the owner. DEP sent an e-mail to the engineer on 5/23/13, requesting an update on the property owner's eligibility for CWC's funding and a time frame for the submission of the plans. DEP sent an e-mail to the owner on 6/5/13 regarding the need to pump the septic tank to avoid the ongoing sewage discharge and requested that the pump out receipts be sent to DEP. DEP performed a site visit on 6/5/13 for septic failure; septic was visibly entering the watercourse/wetland and there was surfacing of sewage on the ground. DEP received a reply e-mail from the owner on 6/11/13, agreeing to pump the tank. DEP issued a NOV to the owner on 6/12/13. DEP received a phone message on 6/12/13 from the owner, who acknowledged the receipt of the NOV. She has set up an appointment on 6/18/13 at the site with CWC and asked DEP to attend. DEP called the engineer on 6/12/13 and advised that legal action was stepping up because of inactivity. DEP received an e-mail from the owner on 6/13/13. He has called the hauler and the engineer with no reply so far from either party. DEP received a phone message on 6/13/13 from the owner regarding his attempts to get the project moving. DEP replied to the owner's e-mail on 6/13/13 regarding the need to pump the tank and the issuance of the NOV. On 6/19/13, DEP met the engineer on site to inspect the septic tank, which had just been pumped. The hauler said approximately 1500 gallons were removed; DEP noted it is a two compartment tank. DEP advised the tenant that as the tank needs to be pumped to avoid an ongoing discharge to the wetland and that conserving water would be helpful. On 6/21/13, DEP met with the engineer to inspect the existing 1,500 gallon septic tank, which was pumped that day. The engineer showed DEP the preliminary plans, containing peat filters, which he will submit. DEP sent an e-mail to the owner on 6/21/13 regarding the septic tank pump-out that was performed that day. DEP received the pump out receipt on 6/24/13. DEP received an e-mail from the owner on 6/24/13 regarding the meeting with CWC on 6/21/13. The owner has been enrolled in the CWC program. He also e-mailed the pump out receipt and said he asked his tenant to check the tank level and to call the hauler when needed. DEP received plans from the engineer on 6/26/13. DEP received a phone call on 7/8/13 from CWC, advising DEP that the owner has signed the papers needed to participate in the funding program. DEP received the pump out receipt on 7/8/13. DEP sent an e-mail to the engineer on 7/17/13, with comments on the preliminary plans submitted via e-mail on 6/26/13. DEP spoke to the engineer on 7/25/13 regarding DEP's comments. The engineer wants to substitute select fill for the sand and DEP

advised him to get the approval from Puraflow whose design calls for sand. DEP received revised plans from the engineer on 7/29/13. DEP issued an Approval Determination letter on 7/31/13. DEP received the pump out receipt on 8/6/13. On 8/22/13, DEP performed an inspection of the site. The septic tank is being pumped on a regular basis. There was no sewage smell above the discharge point in the wetland. The tenant told DEP that the tank was pumped again last week and that five contractors showed up to bid on the SSTS replacement job. DEP received an e-mail from the owner on 8/23/13 regarding progress with CWC and the ongoing pump-outs. DEP corresponded by e-mail with the owner on 8/27/13. CWC has approved a contractor and a price for the job. DEP received an e-mail from the owner on 9/3/13. He has met with the contractor and will continue pump outs of the tank until the SSTS is installed. DEP met with the contractor, the design engineer and the PuraFlow representative on the site for a pre-construction meeting on 9/17/13. DEP reviewed the well setbacks and the septic tanks presented on the plans. The contractor plans to start the system in mid-October 2013. DEP received the 9/3 and 9/23 pump out receipts on 9/26/13. DEP received the 10/10/13 pump out receipt on 10/15/13. DEP corresponded with the owner and the engineer on 10/17/13 regarding the start date of the project, which will be delayed. DEP received an e-mail from the owner on 10/24/13 regarding the contractor, who has not started the work on schedule. DEP called the contractor on 10/24/13 and left a message requesting a start date on the SSTS installation. DEP reminded the contractor that the PuraFlo representative will not be available to inspect or certify the installation after 11/15/13. DEP received notice on 10/28/13 that construction will begin. On 10/29/13, DEP witnessed the installation of a new septic tank and a new pump chamber. The existing tank had been pumped and crushed on site. On 10/30/13, DEP, the engineer, the owner and the contractor agreed on Tuff Tite poly risers for the tanks instead of the cast frames and covers specified on the approved plans. On 10/31/13, DEP asked the contractor to raise the flat portion of the force line closest to the pump chamber. On 11/1/13, the contractors stopped work when it started to rain. The force line is backfilled, and the site is slippery. DEP accompanied the engineer on a construction inspection on 11/6/13. Satisfactory perc tests were performed in the fill material. The contractor proceeded with the installation of the gravel pad. DEP performed a satisfactory construction inspection of the peat filter installation on 11/7/13. On 11/12/13, DEP met with the engineer and the PuraFlo representative to inspect the installation. DEP received the contractor's certification letter on 11/13/13. On 11/13/13, DEP marked out the 100 foot distance from the well to the fill and asked the contractor to honor it. The units are being backfilled and the tapers are being shaped. The toe of the fill will be within 20 feet of the stream. DEP performed a site visit on 11/14/13; there was no change. DEP performed a site visit on 11/15/13; the installation is complete and the site is graded, top-soiled, seeded and mulched. The contractor did not think it was necessary to find the source of the clean water leak into the pump chamber. DEP advised the tenant that it would be checked during a rain event. DEP received As-Built plans/engineer's certification letter from the engineer on 12/3/13. DEP received the certificate of NY Electrical Inspections from the engineer on 12/18/13. DEP issued a letter of Construction Compliance letter on 12/18/13. DEP has resolved the Enforcement Action on 12/18/13. The violation was resolved and the case was closed on 12/18/13 with DEP Closure letter dated 12/18/13.

Project Name: 258 County Route 16 (Log #2008-SC-0026)
Town: Hunter
Type of Use: Residence
Type of Violation: Failed SSTS

Discovery Date: 1/15/08

Status:

Overview and Action:

The owner was reminded to keep in touch with CWC regarding possible funding for the project, whether it connects or is completely replaced. DEP performed a site visit on 6/13 and 8/9/12; no septic failure was evident. DEP performed site visits on 1/4/13 and 3/13/13; septic failure was not observed. No septic failure observed. DEP performed a site visit on 8/6/13; there were no signs of septic failure at the time of inspection. The tenant stated that there have been no problems with the septic. DEP performed a site visit on 10/17/13; septic failure was not observed; the site appears to be stable; no signs of surface failure. This is a rental, not a weekend residence. DEP performed a site visit on 1/17/14; septic failure was not observed; no visible signs of failure at this time. DEP recommend dye test in the spring. DEP performed a site visit on 3/26/14; the site appears stable; there are no signs of septic failure at this time.

Project Name: County Route 16 (1999-SC-1246)

Town: Hunter

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS #1324 - CWC

Discovery Date: 12/31/1998

Status: Approved

Overview and Action:

A meeting was held with the project applicant on 2/7/12. The owner has no plans of creating habitable space on this property, but may wish to have a courtesy toilet in the garage he is building on the site. DEP performed a site visit on 1/4/13; septic failure was not observed. DEP performed a site visit on 10/9/13; septic failure was not observed; no further activity on this site. Area of previous trailer location is being used for parking. DEP performed a site visit on 1/22/14; status is unchanged. DEP performed a site visit on 2/27/14; conditions remain unchanged.

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 initiated an Enforcement Action on 7/13/12 to make sure project shows up in monthly reports. Waiting for owner to hire engineer to design replacement SSTS. DEP inspector will conduct site visits and document in engineering database. DEP performed a site visit on 7/23/12; the house is being demolished after foundation work caused house to collapse. During the excavation, the septic disposal area was dug up. The owner needs to contact an engineer to design a new system. 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.

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 12/7/12, DEP did an inspection of the absorption field; no discharge was observed. The violation was closed on 1/3/13 due to three seasonal inspections and no sign of failure. DEP has resolved the Enforcement Action on 1/3/13. 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.

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:	New

DEP received a compliant on 10/30/13, wishing to remain anonymous. Compliant 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.

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: **New**

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.

Project Name: Route 23C (Log #2006-SC-0464)
Town: Jewett
Type of Use: Camp
Type of Violation: Failed SPPP; watercourse determination
Discovery Date: 6/11/07
Status: No Application

Overview and Action:

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.

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.

Project Name: 3793 CR 42 (2008-SC-2335)

Town: Lexington

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS - CWC hardship-Managed Repair

Discovery Date:

Status:

Overview and Action:

DEP sent an e-mail to CWC on 8/8/12, requesting current status report, including when last managed pump out took place. CWC called DEP back, stating that they haven't had contact with owner since 2009, so no pump outs have been taking place. CWC stated they will pump out if requested by owner. This project is located in a managed repair area. DEP performed a site visit on 2/26/13; septic failure was not observed; the site is snow covered. It appears that the owner has a wood pile in the alleged septic area therefore; DEP was unable to determine if septic is failing to surface. DEP performed site visits on 5/29 and 7/1/13; there were no visible signs of surface failure at this time. Suspect area at rear of house with dark staining. DEP called the owner on 10/4/13 regarding the status of the managed repair septic. No answer, no machine or voice mail. DEP recommends that a letter be sent to the owner to establish a dialog. DEP performed a site visit on 10/11/13; septic failure was not observed; DEP left a business card with a note to please call. On 10/28/13, DEP issued a reminder letter to the applicant/owner due to the

lack of activity. DEP sent an email to CWC on 10/28/13, requesting any updates, if any since the 8/8/12 email. DEP received a call from the owner on 11/1/13, in response to DEP's recent letter. He stated he has called DEP many times and left messages in the past. DEP called on 11/14/13 regarding the pump out. The owner stated that he did call CWC and had the cesspool was pumped out on or about 11/4/13. DEP advised him to continue pumping out whenever there is any sign of surface failure or back up and to contact CWC. DEP performed a site visit on 1/22/14; septic failure was not observed; there were no signs of septic failure at this time.

Town: Olive
Basin: Ashokan
Project Name: Kramer-Harrison, Wm. & Meryl, (Log #2003-AS-0089)
Project Description: SSTS Replacement-CWC
Project Type: Other (OT)
Status: **New**

DEP SSTS Compliance and Inspection staff received an email from DEP Wastewater Programs staff, who received a complaint about a sewage discharge on 10/9/13. DEP received a message from the owner on 10/16/13, with contact phone numbers. DEP received a message from the owner on 10/16/13 responding to DEP business card and note to call left in door of residence same day. DEP received a message from owner on 10/17/13 requesting name of complainant. DEP received a reply message from owner on 10/17/13, who also stated that DEP was at her house and requested a call back. DEP initiated an Enforcement Action on 10/17/13 for tracking purposes of this possible failure. DEP received a phone call from owner on 10/25/13, stating that CWC wants the system to get pumped out so they can inspect. The owner requested a call back to discuss dye test scheduling. DEP received a foil request from the homeowner on 10/21/13. DEP issued blank FOIL form to the owner on 10/22/13 with instructions attached. DEP received a call from the owner on 10/24/13, who stated that DEP can do the dye test before they get the system pumped out followed by CWC inspection. DEP received a copy of the FOIL request from the owner on 10/31/13. DEP performed a site visit on 11/18/13; septic failure was observed. Breakouts along one lateral observed. Contractor will call when distribution box is ready for an inspection. The dye test was postponed. DEP performed site visits on 11/21 and 11/22/13; septic failure was observed. DEP called the owner on 12/2/13 to explain that the complaint was anonymous and there is no name or number. The owner stated they found that hard to believe and do not understand why a complaint such as this offers anonymity to the complainer. They asked for a copy of the DEP correspondence. It was emailed immediately following the call. DEP sent a copy of the DEP correspondence regarding the SSTS complaint via e-mail to the foil requester on 12/2/13. DEP performed site visits on 12/3/13 and 1/15/14; septic failure was not observed. DEP called the contractor regarding the Septic Cleaner and when he will be using it. He has purchased it and he will contact DEP about putting it in.

Town: Olive
Basin: Ashokan
Project Name: Catskill Modular Homes, (Log #2006-AS-1143)
Project Description: Replacement of a failed SSTS
Project Type: Intermediate SSTS (IS)
Status: **Closed**

DEP issued an Approval Determination letter on 7/23/12. DEP called the owner and left a

message at his office on 8/30/12, inquiring about the schedule for the replacement SSTS installation. DEP received a return phone call on 9/4/12 from the owner, who said the engineer submitted bids to CWC, and that the CWC has requested additional bids for the SSTS construction. DEP corresponded by email with CWC on 10/24/12; the contractor's quote was approved by CWC. On 11/14/12, DEP met with the contractor/engineer on the site for a pre-construction meeting; the absorption field was staked out. On 12/3/12, DEP stopped to see if any progress has been made toward bringing fill to the site; there has been no work since the pre-construction meeting on 11/14/12. On 5/20/13, DEP noticed four truckloads of fill had been deposited in the basal area of the proposed absorption field. DEP left a phone message for the engineer concerning the problem with driving over the area and the resulting uneven compaction of the native soils and the fill. DEP received a return call on 5/20/13 from the engineer, denying the problem, as he was the driver that dropped off the fill. DEP noticed on 5/20/13 that construction has begun. DEP performed a site visit on 6/26/13; the basal area of 17x 27 feet is too large. Fill approximately 3 feet deep; needs to remove excess and add to the taper; percolation tests in fill failed. On 6/26/13, DEP met with the engineer for percolation testing in the fill. The fill comes from a pond excavation. The percolation test in a 12" hole failed; an 18" test hole passed. The engineer will add sandy soil to the fill, mix and redistribute. DEP advised that mixing soils may not result in even compaction or passing percolation tests. DEP performed site visits on 6/28, and 7/10/13; it appears that the fill has been changed to a sandy material. On 7/19/13, DEP met with the engineer for percolation tests in the fill, which has been reworked with better material added. Testing passed, raised bed to be shaped better to expand tapers. On 7/23/13, DEP stopped at the site to see if the contractor started to install the system. The rear roof gutters discharge to the absorption area and need to be re-routed. DEP performed a site visit on 7/30/13; the site remains as it was during the percolation tests; the installation of the absorption bed has not started. DEP performed an inspection on 8/23/13; the building sewer has been installed with good pitch and Schedule 40. It is also sealed at the foundation and the tank with grout or cement. DEP discussed re-routing the gutter discharge away from the absorption field. On 9/5/13, DEP performed an inspection of the work after calling the contractor and engineer and finding out that the Septi-Tech unit was being installed. The unit and all associated piping have been installed, but there are gaps in the backfill around the unit and the piping from the unit to the absorption field is questionable. On 9/12/13, DEP met with the engineer and contractor for soils and an inspection of a collapsed cesspool that serves four one bedroom apartments. The engineer will submit plans for a 1,250 gallon tank and a conventional absorption bed. On 9/12/13, DEP stopped at the site to see if the electrician had finished the installation for the pump and alarm. The manager told DEP the panel needs to be upgraded to accommodate an extra breaker and that the work is scheduled to be done on 9/14/13. The contractor bedded the force line in # 2 stone from the pump tank halfway up the taper of the absorption field. DEP called the engineer on 9/12/13 after the site visit on 9/12/13, and advised him that the force line bedding was not acceptable in the taper of the absorption field and that the line needed DEP inspection prior to backfill. On 9/17/13, DEP stopped at the site and planned to perform an inspection of the piping in the pump tanks and the pump function. The manual override switch for the discharge pump works only when held in the manual position continuously, so the pump could not be inspected. On 9/18/13, DEP met the engineer on site to observe the piping repairs in the Septi-Tech unit and its pump functions. The SSTS is substantially complete; the bed has been top-soiled and graded. Seed, mulch and the re-routing of the rear gutter is still needed. DEP received As-Built plans/engineer's certification letter from the engineer on 9/30/13. DEP received As-

Built plans (signed, dated and stamped) and engineer's certification letter from the engineer on 10/10/13. DEP issued a letter of Construction Compliance letter on 10/16/13. DEP has resolved the Enforcement Action on 10/17/13.

Project Name: 159 Upper Boiceville Road (2004-AS-0783)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1847
Discovery Date: 5/24/2004
Status: **Closed**

Overview and Action:

DEP received call from a potential buyer on 4/3/13 who stated that a bank currently owns the property. DEP will try to contact the bank and inform them of the SSTS issues. DEP sent an e-mail to the new owner (bank) on 4/3/13, including last NCRA letter. DEP sent the realtor an e-mail on 4/4/13 with previous engineer's contact information. DEP received a call on 4/5/13 from the engineer regarding the NCRA status of this project. The engineer will research project/inhabitation history and propose his ascertainment of the NCRA status to DEP. DEP sent an e-mail to the owner, representative and engineer on 4/29/13, stating that project was under construction and only has to meet code to the extent possible. DEP performed a site visit on 6/21/13; septic failure was not observed. DEP received notice on 9/19/13 that construction will begin on 9/23/13. DEP performed a site inspection on 10/2/13 and inspected the distribution box. DEP performed a site visit on 10/10/13 and inspected the absorption area; raised system; 4 laterals at 50' each. DEP completed construction inspections on 11/14/13. DEP received the engineer's certification letter from the engineer on 12/2/13. DEP issued a letter of Construction Compliance on 12/4/13. The violation was resolved and the case was closed on 12/4/13 with a DEP closure letter dated 12/13/13. DEP has resolved the Enforcement Action on 12/13/13.

Project Name: NYS Route 28 (2005-AS-0207)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1667 - CWC
Discovery Date: 8/13/02
Status: **Closed**

Overview and Action:

DEP found the property to be abandoned/vacant on 2/21/12 and a for sale sign was posted. DEP performed a follow up site visit on 6/28/12; septic failure was not observed. Property Status: Currently inhabited, Posted for sale. On 7/23/12 DEP performed a site visit; septic failure was not observed. Meters were pulled from the structures. Inspections scheduled through end of 2014. DEP performed a site visit on 2/7/13; septic failure was not observed. The property is still vacant and there are no power meters on the house. DEP performed a site visit on 6/21/13; septic failure was not observed. A fee was executed by DEP Land Acquisition on 7/22/13. The violation was resolved and the case was closed on 9/12/13 internally. DEP has resolved the Enforcement Action on 9/12/13. DEP performed a site visit on 10/15/13; septic failure was not observed. DEP performed a site visit on 3/28/14; septic failure was not observed. The buildings on this property have been demolished and removed.

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: **New**

A meeting was held with the project applicant on 5/15/12 to discuss the proposed project and stormwater requirements. A meeting was held with the project applicant on 6/8/12. DEP received a request for a pre-application meeting from the engineer/applicant on 6/12/12. A soil evaluation was performed on 6/13/12. A meeting was held with the project engineer on 6/21/12 to discuss SWPPP design. A meeting was held with the project applicant, engineer and CWC on 7/2/12. DEP received an Application for a SWPPP on 8/1/12 from the engineer. DEP received a call on 8/7/12 from the engineer regarding SWPPP application. DEP called the engineer on 8/8/12 regarding the SWPPP application and explained that a determination on SEQR is required before a NOCA can be issued. DEP called the engineer on 8/10/12 to follow up on the SEQR determination. The engineer will email a PDF copy of the planning board meeting minutes from August 1, 2012. DEP received an e-mail from the engineer on 8/10/12 regarding the planning board meeting minutes on SEQR. DEP issued a NOCA on 8/13/12. DEP issued a comment letter on 8/22/12 to the engineer. DEP received a letter and revised plans from the engineer on 8/27/12 to DEP's letter of 8/22/12. DEP issued an Approval Determination letter on 8/29/12. DEP met with the contractor and applicant on the site for a pre-construction meeting on 9/5/12. DEP received notice on 9/5/12 that construction will begin on 9/6/12. DEP performed site visits on 9/10 and 9/21/12; there were no deficiencies, there was no discharge and the site was occupied. 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.

Town: Prattsville
Basin: Schoharie
Project Name: Greene-Del Sanitation and Recycling (Log #2008-SC-0239)
Project Description: Operate construction and demolition debris facility.
Project Type: Stormwater (SP)
Status: **Closed**

DEP called the engineer on 9/7/12 regarding the foundation drain around the building's addition. The perimeter drain was supposed to be daylight toward the east side of the property. The contractor has connected to the stormwater system and now the water will be entering the stormwater treatment system. The system has plenty of capacity to accept this additional flow. DEP performed a site visit on 10/23, 11/20, 12/20/12, 2/6, 3/21 and 3/29/13, there were no deficiencies, there was no discharge and the site was occupied. DEP sent and received e-mails to and from the engineer on 4/1/13 regarding the conditions of the site and the schedule for the building erection. DEP issued a letter to the representative on 4/4/13 regarding issues that are in non-compliance with the Approved SWPPP and must be performed. DEP performed site visits on 4/29 and 5/31/13; there were deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 7/10/13 regarding the conditions of the site and that there is a substantial amount of work in stabilizing the slope and stated that it is urgent that the deficiencies be addressed and the violation be closed this season. DEP exchanged e-mails with the owner on 7/30/13 regarding remaining site work. DEP called the engineer on 8/6/13 to arrange a meeting for the next E&S inspection. The engineer will give DEP two days' notice prior to the inspection. A meeting was held with the project applicant and engineer on 8/20/13 regarding the site's stabilization which included the slope stabilization, the diversion swale, cleanout of the loading ramp, then maintenance and cleanout of the stormwater treatment system. DEP issued a letter to the engineer on 8/22/13 regarding the 8/20/13 meeting. DEP performed a site visit on 9/6/13; there were deficiencies, there was no discharge and the site was occupied. DEP received a call from DEC on 10/16/13 regarding the site's multi-sector permit (MSGP). The site currently is covered under the MSGP. DEP performed site visits on 10/16 and 10/31/13; there were deficiencies, there was no discharge and the site was occupied. DEP called the owner on 11/1/13 regarding stabilization measures employed. Eight to twelve inches of crusher run and fabric need to be installed along all travel ways and open grates for the outlet structures need to be constructed. DEP performed a site visit on 11/5/13; there were deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 11/14/13 asking when DEP is available for a site visit. He stated that everything is done except for the stormwater treatment splitter basin stone replacement and bottom grade re-establishment. DEP performed a site visit on 11/20/13; there were no deficiencies, there was no discharge and the site was occupied. An on-site meeting was held with the project applicant, DEP and DEC on 11/26/13. The only work left is removal of a small fill pile and mulching. DEP received As-Built

plans and engineer's certification letter from the engineer on 12/13/13. DEP performed a site visit on 12/16/13; there were no deficiencies, there was no discharge and the site was occupied. The violation was resolved and the case was closed on 12/17/13 with DEP Closure letter dated 12/17/13. DEP has resolved the Enforcement Action on 12/17/13. DEP issued a letter of Construction Compliance letter on 12/17/13.

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 NOF 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.

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:	Approved	

Overview and action:

DEP called the owner on 11/15/12 for an update. The owner stated that he and the engineer have come to agreement on half payment up front. The owner was asked and expects to be able to have plans submitted in December or early January, and ready for construction in spring 2013. 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.

Town: Shandaken
Basin: Ashokan
Project Name: Sharp Committee Inc, (Log #2013-AS-0500)
Project Description: Failing SSTS Replacement for a 4 residential unit building
Project Type: Intermediate Repair (CR)
Status: **Closed**

DEP received a request for a pre-application meeting from the engineer on 9/5/13. On 9/12/13, DEP observed the septic failure of the collapsed/poor condition septic tank, cesspool and drywell. DEP met with the engineer and contractor for soils and an inspection of a collapsed cesspool that serves four one bedroom apartments on 9/12/13. The engineer will submit plans for a 1,250 gallon tank and a conventional absorption bed. DEP received an Application for a SSTS on 9/17/13 from the engineer. DEP initiated an Enforcement Action on 9/24/13. DEP issued a

NOCA on 10/3/13. DEP issued an Approval Determination letter on 10/7/13. DEP received notice on 11/7/13 that construction will begin on 11/7/13. DEP performed a satisfactory inspection of the SSTS installation on 11/7/13. DEP received As-Built plans and engineer's certification letter from the engineer on 12/2/13. DEP issued a letter of Construction Compliance letter on 12/12/13. DEP has resolved the Enforcement Action on 12/12/13. On 1/13/14, DEP looked at the site to see if the sump discharge pipe had been directed away from the tank, it has not. DEP called to engineer to advise.

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:

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 received a phone call on 10/5/12 from the owner, to confirm that an email was received that dismisses the issues that DEP noted in the recent letter. DEP corresponded by e-mail with the owner on 11/1/12; he will begin sending daily water meter readings on a weekly basis. On 11/21/12, DEP stopped at the site to look at the water meter and to talk to the owner about the lack of water readings. DEP spoke to the chef, who said the original water meter was removed and a new one has not yet been installed. The chef said he will email the readings to DEP when the owner tells him to. DEP received a phone call on 11/29/12 from DOH who performed a site visit on 11/29/12 and found no water meter installed. DEP corresponded by e-mail on 12/3/12 with the restaurant owner; he said the new water meter is to be installed on 12/4/12, so DEP requested an appointment to inspect. DEP received an e-mail from the owner on 12/3/12; he said the new water meter will be installed on 12/6/12. On 12/7/12, DEP and DOH performed an inspection to see the new water meter installed. DEP replied by e-mail to the owner of the restaurant on 12/20/12; he called and emailed DEP several times recently and wants to discuss seating at the business. 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.

Project Type: Variance (VA)

Status:

DEP received an Approval Determination letter dated 1/13/12 to the applicant signed by the First Deputy Commissioner. DEP received an e-mail from the applicant's attorney on 2/9/12 confirming the extension of time to 2/28/12 to accept the terms of the 1/13/12 letter and Approval; DEP's Assistant Counsel confirmed the extension. DEP received a Modified Approval Determination letter dated 2/13/12 to the owner signed by the First Deputy Commissioner as changes have been made to reflect the current property owner. 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 sent an e-mail to the engineer on 5/17/12 requesting the status of the SWPPP and a meeting date. DEP called the engineer on 10/2/12; the design plans to be ready shortly. DEP received pump out receipts on 11/8/12. DEP called the engineer on 11/26/12; he hopes to complete the revised design this winter and shoot for a spring installation. 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.

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.

Project Name: 223 Plank Road (2009-AS-0306)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS-Managed Repair-Phoenicia
Discovery Date:
Status: No Application

Overview and Action:

CWC recently notified the property owner that since the Phoenicia WWTP project is not moving forward, they will no longer be managed repairs, but instead, are now eligible for full repairs, and should move forward with that process. DEP issued a letter to the owner on 11/1/12 providing guidance for remediation. DEP received a call from the owner on 11/9/12, in response to DEP's recent letter. The owner stated that the house was more than 50% damaged from hurricane Irene in 2011, and they are not living there. He said that there is no plumbing inside the house that would work. The NCRA timeframes were discussed with owner, who is unsure if they will sell the property or donate it. DEP performed a site visit on 12/5/12; septic failure was not observed. DEP performed a site visit on 6/19/13; septic failure was not observed. Property Status: Currently uninhabited. DEP performed a site visit on 12/19/13; septic failure was not observed.

Project Name: Main Street (2005-AS-0216)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1895 - CWC- Managed Repair Area for Phoenicia NIP WWTP - (liquor store with rentals)
Discovery Date: 10/8/04
Status: No Application

Overview and Action:

CWC recently notified the property owner that since the Phoenicia WWTP project is not moving forward, they will no longer be managed repairs, but instead, are now eligible for full repairs, and should move forward with that process. On 11/8/12, DEP performed a routine follow up inspection of the site; there was no sign of failure. DEP called the owner on 11/23/12 for a status update. The owner will call his engineer to initiate the repair process. A soil/site evaluation was performed on 12/7/12. On 2/20/13, DEP performed a visual inspection of the yard/driveway area where the managed repair had been done several years ago; no sewage was observed on the ground. On 5/28/13, DEP performed a visual inspection of the yard/driveway area where the managed repair had been done several years ago. No sewage was observed on the ground. On 9/18/13, DEP performed an inspection of the site; there were no visible signs of failure. On 1/23/14, DEP performed an inspection of the site. There were no visible signs of failure.

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:

A meeting was held with the project applicant, project engineer, DEC and ACOE on 10/17/12. DEP received a copy of the 10/17/12 meeting minutes from the engineer on 10/24/12. DEP sent an e-mail to DEC on 11/29/12 with the meeting minutes of 10/17/12. DEP performed site visits on 12/19/12 and 2/25/13; there were no deficiencies, there was no discharge and the site was vacant. 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.

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.

Town: Windham
Basin: Schoharie
Project Name: Lani Nursery, (Log #2010-SC-1063)
Project Description: Construction of a 30 X 54 Morton Building
Project Type: Crossing, Piping, Diversion (CPD)
Status: **Closed**

DEP initiated an Enforcement Action on 7/10/12. DEC issued a NOV on 7/10/12. DEP received a letter from the owner to DEC responding to the NOV on 8/14/12. DEP sent the site disturbance map to DEC on 11/29/12. DEP sent an email to DEC on 11/30/12 regarding the actual timeline of disturbances with attached photos. DEP sent an e-mail to DEC on 12/18/12; the owner is doing more clearing on the site. DEP received an e-mail from DEC on 1/7/13; they're writing up a referral to send to DEP Legal. DEP received an e-mail from DEC on 1/30/13 stating that the referral has been sent to legal. DEP received DEC's Order on Consent from DEC on 2/27/13. A meeting was held with the project applicant and DEC on 2/27/13. DEC has issued a consent order and schedule of compliance. DEP Legal sent an e-mail to DEC Legal on 3/5/13 regarding their schedule of compliance mentioned in the order and development of the SWPPP. DEC Legal responded that they will be hiring an attorney and engineer. DEP sent and received e-mails to and from the engineer on 4/2/13. The landowner has hired an attorney to represent him and to discuss the site with DEC Legal. DEP sent an e-mail to DEC on 5/2/13 regarding the 4/30/13 site visit. DEP received an e-mail from DEC to the engineer on 5/2/13 regarding the submission of the SWPPP including a proposed schedule by 6/7/13. DEP received a letter from the engineer to DEC on 6/3/13 in response to their letter of 5/2/13. The engineer stated that it is their belief that a full SWPPP is not required and listed proposed implementation of improvements to the site to address stormwater concerns. DEP Legal sent an e-mail to DEC on 6/4/13 regarding the recent letter and concerns regarding the enforcement situation. DEP exchanged e-mails with DEC on 7/24/13 regarding review of the project site and further enforcement actions. The DEP enforcement action is closed based on a phone call on 9/3/13 between DEP Legal and DEC Legal where DEC Legal stated DEC has closed their NOV. DEP has resolved the Enforcement Action on 10/1/13.

Town: Windham
Basin: Schoharie
Project Name: Mato, Gerardo & Silvia (Log #2007-SC-0463)
Project Description: New SSTS; failed SPPP
Project Type: Stormwater (SP)
Status: **Closed**

DEP called CWC on 10/3/12 to inform them that DEP will not provide a partial construction sign off letter. DEP received a call on 10/5/12 from the applicant regarding the construction schedule and that a contractor has been hired; work on the stormwater pond grading has not started due to bad weather. DEP performed a site visit on 10/17/12; there were deficiencies, there was no discharge and the site was occupied. DEP received a call on 10/23/12 from the engineer

regarding verification that the pond elevations are incorrect. DEP called CWC on 10/23/12 regarding incorrect grading of the stormwater pond. DEP called the contractor on 10/24/12 regarding incorrect grading of the stormwater pond; fixing the problem this year will depend on the weather. DEP performed site visits on 11/30/12 1/24 and 2/19/13; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 4/11/13; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 5/2/13 notifying DEP that construction will start up on 5/6/13. DEP received a letter from the engineer on 5/3/13 stating that on 5/6/13, the SWPPP inspection frequency will be restored to the "maintenance inspection". DEP performed site visits on 5/6 and 5/7/13; there were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 5/7/13 regarding a revision to the SWPPP for the addition of a garage. DEP completed construction inspections on 5/21/13. DEP performed a site visit on 6/11/13; there were no deficiencies, there was a discharge and the site was occupied. DEP sent an e-mail to the engineer on 6/14/13 regarding stone curbing being installed around the grass island in the driveway and along the south edge and requested that the installation be suspended until a mutual agreement can be achieved regarding the installation of the curbing. DEP received an e-mail from the engineer on 6/15/13 with a drawing of the proposed installation detail of the Belgium blocks. DEP responded that this would be acceptable. DEP performed a site visit on 7/10/13; there were no deficiencies, there was no discharge and the site was occupied. DEP exchanged e-mails with the engineer on 7/17/13 regarding changes to the stormwater pond. DEP received a letter and plans from the engineer on 7/19/13 requesting a modification to the approved SWPPP. DEP issued a Modified Approval Determination letter on 7/30/13 to the engineer along with the approved plans. DEP received As-Built plans/engineer's certification letter from the engineer on 8/12/13. It was determined the stormwater pond was not retaining water as it should per the design. DEP requested a meeting with the owner, engineer and CWC to discuss issues with the stormwater pond on 8/23/13. A meeting was held with the project applicant, engineer and CWC on 8/30/13 to discuss lining the stormwater pond. DEP responded to the engineer on 9/12/13 regarding lining the stormwater pond. DEP received a letter from the engineer on 9/17/13 requesting to modify the approved SWPPP to accommodate the storm water detention pond. DEP exchanged e-mails with the engineer and owner on 9/18/13 regarding the installation of the liner and scheduling a pre-construction meeting. A meeting was held with the project engineer, contractor and CWC on 9/26/13 to discuss the installation of the pond liner. DEP performed site visits on 10/2, 10/7, 10/9, 10/10, 10/15, 10/22, 11/4 and 11/29/13; there were no deficiencies, there was no discharge and the site was vacant. DEP received As-Built plans/engineer's certification letter from the engineer on 12/11/13. The violation was resolved and the case was closed on 12/12/13 with DEP Closure letter dated 12/12/13. DEP has resolved the Enforcement Action on 12/12/13. DEP issued a letter of Construction Compliance letter on 12/12/13.

Town:	Windham
Basin:	Schoharie
Project Name:	Windham Willows Senior Apts., (Log #2004-SC-0915)
Project	Proposal to construct a 9,000 square foot, single story, wood frame structure, housing twelve-one bedroom apartment units
Project Type:	Intermediate SSTS (IS-2)
Status:	Closed

DEP received an e-mail from the manager on 12/20/12; the facility will receive funding from New York State for the connection to the Windham WWTP. DEP responded, and inquired about the time line and if any work has been done to the SSTS per engineer's letter to DEP received on 11/5/12. On 1/11/13, DEP performed a routine inspection of the SSTS. The septic tank has been pumped recently. The absorption field showed no signs of failure. DEP sent an e-mail to the facility manager on 2/20/13, requesting that he keep in touch concerning the installation of the washing machines. On 2/21/13, DEP performed a routine inspection of the SSTS; no failure was observed. The washing machine appears to be in use. DEP received a reply e-mail from the manager on 3/1/13. The washer and dryer have been put back into use, but are limited to one load per week per tenant. He expects to connect to the Windham collection system this spring. DEP completed construction inspections on 10/8/13. On 10/8/13, DEP performed an inspection of the site. The lateral connection has been made, and the contractor was in the process of de-commissioning the pump chamber. DEP received the Certification letter from the engineer on 11/15/13 stating that this has been connected to the Windham collection system. The violation was resolved and the case was closed on 11/15/13 with DEP Closure letter dated 11/22/13. DEP has resolved the Enforcement Action on 11/22/13.

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 sent the engineer an email for status update on 11/2/12. DEP received a call from the owner's son-in-law on 11/21/12, who is acting as the owner's representative. He stated that the system is currently failing, and that engineer has not returned numerous phone calls. DEP will contact the engineer and inspect site. DEP performed a site visit on 11/21/12; septic failure was observed. Failure Description: Absorption field and surfacing of sewage on ground. DEP sent the engineer an email on 11/21/12, requesting update on sand analysis. DEP performed a site visit on 11/30/12; septic failure was observed. Failure Description: Absorption field and surfacing of sewage on the ground. Sewage is surfacing but not leaving the site. The owner has not had any luck contacting the engineer. DEP sent an e-mail to the engineer on 12/14/12, requesting information and forward movement on correcting this active failure. 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.

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 12/13/12; septic failure was observed. Failure Description: Surcharge septic tank, cesspool and drywell. DEP met on site with the owner's representative to discuss the plan. Due to the small size of the lot, well location and lack of soil, it was determined the plan would not work. While on site we found the temporary 300 gallon tank was overflowing. He was going to make arrangements to have it pumped out and agreed to have a 1000 gallon tank installed. DEP sent an e-mail to engineer on 12/18/12, stating DEP's concerns about current design submittal. DEP sent owner's representative an email on 12/18/12, requesting

pump-out receipt assuming that the tank was pumped out. Also inquired when new septic tank will be installed. DEP received an email on 12/21/12 from the owner's representative, stating that the tank was pumped out on 12/13/12 and that a new tank was going to be installed in next few weeks. DEP received an email from the engineer on 1/8/13, stating that he will contact DEP inspector to do soils in wooded area, weather permitting. DEP sent owner's representative an email on 1/9/13 requesting pump out receipt for 12/13/12 and for date when new 1,000 gallon concrete tank will be installed. Engineer responded that tank should be installed in next few weeks. DEP sent the owner an email on 1/11/13, requesting receipt for 12/13/12 pump out. DEP performed a site visit on 1/14/13; septic failure was observed. Failure Description: Surcharge 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.

Project Name:	Route 23 (2000-SC-0070)
Town:	Windham
Type of Use:	SSTS Repair (RE)
Type of Violation:	Failed SSTS #659 - CWC
Discovery Date:	11/27/2000
Status:	No Application

Overview and Action:

DEP called the owner on 3/18/13, and gave him contact information for CWC and recommended that he also call his engineer, as re-certification will be needed. DEP received a call from the owner on 4/1/13, asking for someone to come to his house and discuss the project, and to help him understand how to proceed. On 4/8/13, DEP met with the owner and gave him phone numbers for CWC and engineers. There are still issues with his bridge. DEP suggested he speak to the engineer about possibly replacing the existing design with an alternative system. DEP received a call from the owner on 4/17/13, who stated he met with the DEP inspector and is waiting for call back from CWC. DEP received a call from the owner on 4/19/13 stating that CWC said he could go forward and hire an engineer for an entire new system. DEP performed a site visit on 8/9/13; there was no visible failure at this time. DEP called the owner on 8/15/13 and 8/16/13 and could not leave message. DEP sent the engineer an e-mail on same day inquiring about the status of the project. DEP received an e-mail response from the engineer on 8/19/13, stating that he did not have any recent communications on this project, but will look further and get back to DEP again. On 8/19/13, DEP received call from the owner. He is consumed by medical issues/planning with his wife in a nursing home. Also, he does not want to have alternative technology considerations in design because he is afraid of large volumes of fill being brought over his repaired bridge. He also does not want to pay for design a second time, which CWC would not pay for, per owner. This contradicts the owner's statement on 4/19/13. DEP will contact CWC to confirm their commitment. The owner said he has not seen a failure in quite a while and agreed to DEP inspections every three months or so to monitor the failure status. CWC confirmed that they cannot pay for a second design in an e-mail on same day. DEP shared this information with the engineer and hopes that he and the owner can work something out. DEP performed a site visit on 2/10/14; septic failure was not observed; there was no visible failure at this time. The septic area is snow covered.

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.

3.2.2. Delaware District

Town: Andes
Basin: Pepacton
Project Name: Desmet, Donald, (Log #2008-PE-0069)
Project Description: New SSTS; failing DEC SWPPP
Project Type: Stormwater (SP)
Status:

DEP initiated an Enforcement Action on 5/3/11. DEC issued a NOV to the owner on 6/3/11. DEP sent an e-mail to the property owner's engineer on 6/9/11 regarding the paperwork required from ACOE. DEP received an e-mail from the property owner's engineer on 6/10/11. DEP's email has been forwarded to the property owner. DEP received an e-mail from DEC on 8/8/11 with Parts I & II of the SWPPP for review. DEP issued a letter to DEC on 8/9/11 with DEP comments and recommendations. DEP received a copy of the map from DEC on 8/9/11 that addresses some of the comments. DEP issued revised comments to the engineer on 8/17/11. DEP sent an e-mail to DEC on 9/20/11 wondering if they have had a response from the engineer. DEC responded that they have not but plan on doing inspections in the near future. DEP forwarded the 9/20/11 site visit findings to DEC on 10/4/11. DEP issued a comment letter to the applicant on 12/8/11 regarding the NOV. On 12/20/11, DEC issued a Cease and Desist Order. DEP received copies of the engineer's inspection reports from DEC on 3/1/12. DEP received a response letter from the engineer on 4/9/12 to DEC's letter of 8/17/11 with Engineer's Report last revised 2/2/12. DEP received the "Desmet Watercourse Relocation" report from DEC on 4/16/12; last revised 3/2/12. DEP issued a letter to DEC on 4/26/12 with comments on the latest submission. DEP received an e-mail from the engineer on 5/29/12 with the average volume calculations for each of the 5 proposed sediment traps. ACOE. DEP received an e-mail from DEC on 11/13/12 regarding the 9/18/12 inspection and correspondence between the applicant and engineer. DEP sent DEC info on 11/29/12 regarding the 11/12/12 site visit. DEP sent an e-mail to ACOE on 12/26/12 regarding the November's site visit findings forwarded to DEC. DEP sent and received e-mails to and from ACOE on 1/7/13. DEP sent an e-mail to DEC and ACOE on 4/2/13 to coordinate a joint site visit with the owner and engineer. A meeting was held with the project applicant, engineer and ACOE on 6/7/13. A meeting was held onsite with DEC on 6/27/13. DEP performed a site visit on 6/27/13 for stormwater violation; there were deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from DEC on 10/3/13 stating that they are waiting for a letter from ACOE verifying that all issues have been resolved prior to finalizing their letter to the owner.

Town: Andes
Basin: Pepacton
Project Name: Cole, Harold Subdivision, (Log #2007-PE-0568)
Project Description: Proposal for an 8-lot subdivision on 78 Acres; lots ranging from 5 to 19 acres each
Project Type: Stormwater (SP)

Status: **Closed**

DEP's Assistant Counsel issued a letter to the homeowner on 1/7/13 regarding the outstanding NOV. DEP received a call on 1/11/13 from engineer; he's meeting with the owners on 1/15/13. DEP received a call on 1/23/13 from CWC; they had questions regarding the owner eligibility for reimbursement. DEP received a letter from the Town of Andes Planning Board on 2/19/13; they have accepted the request by the owners to withdraw their proposed subdivision application. DEP issued a letter to the owner on 2/19/13 stating that DEP received the Town of Andes letter of acceptance to withdraw the subdivision, and asked that the owner refer to DEP's letter of 1/17/12 for the SWPPP components that are required for the existing developed portions of the site. A meeting was held on-site with the applicant on 2/26/13; also in attendance was the applicant's engineer and a representative from CWC. DEP received an e-mail from the engineer on 3/1/13 asking about restricting future disturbance. DEP responded that they will not be able to restrict future development. DEP received an e-mail reply from engineer on 4/8/13 regarding the project status. DEP received a call on 5/14/13 from engineer regarding receiving a signed contract with the owners. DEP received a call on 6/25/13 from the engineer regarding details about the SWPPP. DEP received a call on 7/1/13 from the engineer regarding questions about the SWPPP design. An on-site meeting was held with the project engineer on 7/22/13 to discuss SWPPP requirements for the developed portion of the site (access road). DEP issued a letter to the engineer on 7/31/13 regarding their meeting and items that would apply to the property in its existing condition. DEP received an e-mail from the engineer on 10/16/13 stating that DEP should be receiving the SWPPP in a week or so. DEP received the revised SWPPP from the engineer on 10/25/13. DEP exchanged e-mails with the engineer on 1/6/14 regarding the soils addendum. DEP received the addendum from the engineer on 1/15/14. DEP exchanged internal e-mails on 3/4/14 regarding the reserved soils and that they meet the HSG"A" standard. DEP issued an Approval Determination letter on 3/25/14. The violation was resolved and the case was closed on 3/25/14 with DEP Closure letter dated 3/25/14.

Town: Colchester
Basin: Pepacton
Project Name: Lasofsky, Mike, (Log #2011-PE-0632)
Project Description: DEC NOV issuance
Project Type: Stormwater (SP)
Status: **Closed**

DEC issued a NOV to the owner on 9/1/11. DEP initiated an Enforcement Action on 9/1/11. DEP received a DEC Consent Order on 9/14/11. A meeting was held with DEC and the owner's contractor on 10/18/11; discussed that the owner will need to hire an engineer to design an E&S plan. DEC is also going to comment that if they exceed two acres, they will need a DEP permit, also. DEP received an e-mail from DEC on 11/1/11 stating that the owner has agreed to sign the Consent Order and advised that there were still some problems at the site. DEP called the owner on 11/1/11 regarding a site meeting. DEP received a copy of the executed order from DEC on 12/20/11. A meeting was held with DEC on 1/20/12. DEC has directed the owner to coordinate with DEP on the house site and a DEP SWPPP approval if the site disturbance is going to be greater than two acres. DEP performed a site visit on 5/17/12; there were no deficiencies, there was no discharge and the site was vacant. Construction for this project is on hold as of 10/2/12 due to lack of funds. DEP performed a site visit on 10/11/12; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 10/18/13; there were no

deficiencies, there was no discharge and the site was vacant. DEC verbally closed the NOV in the past. DEP is now internally closing the NOV on 11/7/13. DEP has resolved the Enforcement Action on 11/7/13.

Town: Colchester
Basin: Pepacton
Project Name: Bellmore Rod & Gun Club Gun Club, (Log #2012-PE-0615)
Project Description: Failing SSTS - direct sewage discharge from hunting club
Project Type: Intermediate Repair (CR)
Status: **Closed**

DEP received a phone call on 11/21/12 from the Town of Colchester CEO, asking what response DEP has received from the owner. DEP called the club president on 12/11/12 regarding the status. The camp was closed on 11/23/12, and he is waiting on CWC for possible funding. DEP sent an e-mail to CWC on 12/18/12 and included the NOV and pictures of the site and sewage on the ground. On 1/25/13, DEP engineering met DEP field staff supervisor and field staff to show them the access to the site and inform them of where to look for any activity and/or sewage discharge from the main cabin. DEP field staff will check the site once a month for activity. DEP reached out to CWC by email on 2/20/13. CWC cannot fund the SSTS because the gun club is a not-for-profit organization. DEP received an e-mail from a consultant on 3/5/13, inquiring about a holding tank. DEP advised him we should meet on site with the club representative to get a better idea of how many people use the facility. DEP received a reply e-mail from the consultant on 3/6/13; he will coordinate a meeting with the club and DEP when the snow melts and the site is accessible. DEP returned a call on 3/22/13 to one of the owners of the Rod & Gun Club; we discussed a holding tank, and meeting on site in the spring. DEP received a phone call on 4/17/13 from the consultant regarding proposed methods of disposing of wastewater other than a holding tank or an SSTS. DEP advised the consultant that a site visit is in order to determine if an SSTS can be installed that meets the current standards, as an SSTS cannot be considered a repair due to the lack of an existing SSTS and the direct sewage discharge to the ground. DEP sent an e-mail to the consultant on 4/21/13, asking that the alternative methods of wastewater disposal proposed by the club members be sent to DEP in writing. DEP performed a site visit on 4/22/13 and looked around the cabin in question and did not see a failure. The property does not look like it has been utilized in the past few days as there are no tracks in the muddy roadway. DEP received a return call on 5/24/13 from a club member. He was advised by his consultant that a temporary holding tank would need to be replaced with a full septic system. The cost is too much for the club and the camp has remained vacant. He had questions about using the existing outhouse and gray water discharge. DEP called one of the club members on 5/24/13 and left a voice message regarding the lack of progress on the SSTS. DEP advised the member that his consultant was advised to draft a letter to DEP with questions about possible use of a new outhouse or the existing sewage discharge area in writing. On 6/12/13, DEP performed an inspection of the former out house. There are signs of usage under the building. It is not clear if the toilet debris is new since the last DEP inspection. On 7/17/13, DEP performed an inspection of the site; the area under the former outhouse appears the same as it did during DEP's last inspection on 6/12/13. On 8/21/13, DEP issued a reminder letter to the representative due to the lack of activity. DEP received a call on 8/22/13 from the owner and discussed holding tank options. The owner emphasized the need for affordability in a solution. DEP called the engineer on 8/29/13 to discuss a holding tank proposal. There are yearly records of occupancy; the camp

is not used from January through April. A 2,000 gallon tank being proposed is reasonable based on flows, usage and available storage, but the access road to the site may be restrictive. On 9/4/13, DEP returned a call to a Club member on 9/4/13. The engineer has tentatively set up an appointment to meet on site with DEP, two contractors and some Club members. DEP received a letter from the representative on 9/6/13 stating that the cabin will be closed for three and a half months out of the year from December to April. DEP sent an e-mail to the DOH on 9/10/13 regarding the site and asked if DOH would be reviewing and/or approving the holding tank application. DEP sent an email to the facility manager on 9/10/13, asking him to correct the total daily flow, which is displayed in units of 10 gallons, not 1 gallon. On 9/11/13, DEP met with the engineer, three of the club members, a wastewater hauler and a contractor to determine if a holding tank can be installed that meets all requirements. A location was found and agreed on that meets the 50 foot setbacks from both the well and the closest watercourse. DEP received an Application for a SSTS on 9/20/13 from the engineer. DEP returned a phone call on 9/20/13 to one of the club members. He said the septic tank has been ordered and the club hopes to have the tank, alarm, etc. installed by the end of October 2013. DEP issued a NOCA on 9/24/13. DEP issued an Approval Determination letter on 9/24/13. DEP called a club member on 9/24/13 to inform him that a signed contract with the club and the septic hauler is required as a condition of approval for the holding tank determination. The club has received a letter from the hauler. DEP called the hauler on 9/24/13 regarding the required contract between him and the club. DEP left a voice message and requested a copy of the letter that the hauler submitted to the club, to determine if it can be used for the contract. DEP received the hauling contract from the hauler on 9/30/13. DEP received a phone call on 10/2/13 from the engineer. He wants to consider the previous site visit with the contractor and hauler as the pre-construction meeting; DEP agreed as the subsequently approved design followed what was discussed by DEP at the site visit on 9/11/13. DEP received notice on 10/14/13 that construction will begin on 10/18/13. On 10/18/13, DEP performed a partial inspection of the installation of the 2500 gallon holding tank. On 10/22/13, DEP performed an inspection of the holding tank installation; the work has not been completed. DEP received As-Built plans/engineer's certification letter from the engineer on 11/1/13. DEP issued a letter of Construction Compliance letter on 11/15/13. The violation was resolved and the case was closed on 11/15/13 with DEP Closure letter dated 11/22/13. DEP has resolved the Enforcement Action on 11/22/13.

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

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.

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:

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.

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:

DEP assistant counsel issued a letter to the applicant on 4/7/10 regarding the need to submit the proposed deed language as stated in the Approval for the 15 lots. DEP initiated an Enforcement Action on 1/13/11. DEP issued a NOV to the owner on 1/13/11. DEP received call from the applicant on 1/21/11 from regarding the NOV. DEP left the applicant a phone message on 1/24/11 regarding the NOV. DEP received a call from the applicant on 1/24/11 regarding the NOV. The applicant indicated his engineer and architect are working on the house plans etc. DEP informed the applicant to not create any additional disturbances without implementing the approved SWPPP. DEP further instructed the applicant to have the engineer contact DEP as soon as possible. DEP received a letter responding to the NOV on 3/10/11. DEP issued a letter to the owner on 3/16/11 regarding the approved SWPPP and that it must be adhered to in development. DEP called the applicant on 6/9/11 regarding NOV and left a message. DEP received a letter from the homeowner on 6/14/11 regarding the 2010 approved SWPPP and requested a copy. DEP called the applicant on 6/29/11 regarding the SWPPP; a tentative meeting has been scheduled for 7/22/11. DEP received a call on 7/19/11 from the applicant rescheduling the meeting to 7/29. DEP called the applicant on 9/16/11 regarding future site meeting and left message. DEP called the applicant on 11/10/11 regarding a site meeting with the engineer; the applicant indicated he would contact his engineer for the meeting. 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.

Town: Kortright
Basin: Cannonsville
Project Name: McMurdy Brook, Lot #7 (Simcsuk, Robert & Eileen), (Log #2010-CN-0499)
Project Description: Lot #7 of the proposed 15 lot subdivision
Project Type: Stormwater (SP)
Status: **Closed**

DEP called the applicant on 8/31/11 regarding stabilizing the site. DEP received a call on 9/8/11 from the applicant regarding stabilizing the site; stone has been ordered and check dams will be put in soon. DEP performed a site visit on 11/3/11; there were deficiencies, there was a discharge and the site was vacant. DEP called the applicant on 11/18/11 and left a message to not put any stone on the driveway until an approved SWPPP has been prepared. DEP informed the applicant to put down heavy mulch instead. DEP received a call from the applicant on 12/8/11 regarding the SWPPP. DEP called the applicant on 12/8/11 regarding stabilization of

the site and the status of a design. Construction for this project is still on hold as of 10/11/13. The site is in stable condition. DEP exchanged e-mails with the owner on 1/7/14 regarding the status of the SWPPP. The violation was resolved and the case was closed on 3/5/14 with DEP Closure letter dated 3/5/14. DEP has resolved the Enforcement Action on 3/5/14.

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.

Project Name: 614 John Tuttle Road (2007-PE-0955)
Town: Middletown
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - CWC
Discovery Date:
Status: **New**

Overview and Action:

DEP initiated an Enforcement Action on 3/4/14. DEP called the CWC on 3/19/14 to find out what information they have. They had sent out a letter to the property owner in October of 2007 and had told him to retain an engineer. They have not heard from him since. DEP called the property owner on both numbers on 3/20/14. Messages could not be left at either number. DEP issued a letter to the owner on 3/25/14 providing guidance for remediation.

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

DEP received an e-mail from the applicant on 11/30/12 regarding a proposed estimate prepared for the installation of the sanitary sewer replacement project. DEP sent an e-mail to the applicant on 12/13/12 regarding contractors that might be interested in the sewer installation work. DEP received an e-mail from the applicant on 12/26/12 regarding construction estimate submittal. 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.

Project Type: Intermediate Repair (CR)

Status:

On 8/18/11, DEP observed sewage on the ground at trailer 102. DEP and the owner discussed the email DEP sent to owner regarding requirements for the holding tank, which is to be installed on 8/29/11. DEP sent an e-mail to the owner on 8/24/11 regarding the installation of the temporary holding tank. On 8/29/11, DEP received a call from the owner; he said the tank cannot be installed due to the erosion caused by tropical storm Irene. DEP performed a site visit on 8/30/11; the trailer park has been flooded out and trailer 110 is abandoned. Trailer 102 is still connected to its SSTS and the ground is covered with sandy soil and debris. DEP performed a site visit on 10/12/11; the area around the septic tank is still covered with soil and the trailer is still occupied. DEP received a call on 10/25/11 from the owner. He is not changing engineers and would like secure funding to rebuild portion of the park that got washed out. If not, he's not going to sewer that portion of the park. DEP performed a site visit on 12/15/11 and found that the trailer had been removed. On 1/20/12, the trailer was removed and nothing has taken its place. 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.

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.

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

Project Type: Intermediate Repair (CR.3)

Status:

On 12/10/12, DEP performed an inspection to determine if the electrical problem had been repaired and to determine if any sewage had discharged from the pump chamber to the ground. DEP has been corresponding by email with the owner; as of 12/10/12, the electrical components of the pump panel and pump station have been repaired. On 12/12/12, DEP performed an inspection and found the pump panel and chamber floats to be working properly. DEP called the owner call on 12/28/12 regarding the holding tank that is still in use. The owner wants to continue its use until an SSTS is installed, even though the approval requires no-use from 12/1 through 4/1, and there are no plans submitted for the SSTS. He has no money to disconnect the water or plumbing for the bathrooms and kitchen in the barn. On 1/4/13, DEP performed a site visit to check the pump function for the SSTS and the alarm/holding tank at the Barn. DEP has been corresponding by email with the owner regarding the Barn holding tank, which is being used in violation of the SSTS approval. DEP called the hauler on 1/10/13 to get the remaining pump out receipts for 2012. The hauler said he pumped 2500 gallons on both 10/15 and 10/30/12. 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.

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.

Town:	Stamford (T)
Basin:	Cannonsville
Project Name:	The American Plum Tree, Inc. (David & Diana Dax) (Log #2008-CN-0263)
Project Description:	Failed SSTS; Proposal to complete interior and exterior improvements, build a caterer's kitchens, add one bathroom and subdivide the existing parcel for their existing reception hall business
Project Type:	Intermediate Repair (CR)

Status:
DEP's Assistant Counsel issued a comment letter to the homeowner on 6/3/11 regarding the NOV. DEP called the owner on 8/23/11 and advised her to contact CWC to check eligibility. DEP called the owner on 10/19/11 and left a message requesting a call back. DEP's Bureau of Legal Affairs issued a final notice to the homeowner on 12/29/11 regarding the NOV before the

matter is referred to the New York City Law Department to recommend litigation. Site Visit type: Enforcement. Date: 1/20/12; septic failure not observed. On 7/26/12, DEP performed an inspection of the SSTS; no surface failures were observed. On 11/1/12, DEP performed a drive through inspection of the SSTS and the property; three vehicles were parked in the driveway and there were farm animals grazing in the field. DEP stopped at the entrance to the house and the shop. No evidence of a sewage discharge was observed. On 3/6/13, DEP performed a routine inspection of the SSTS; no problems were observed. Three cars were parked in the driveway and the overhead door to the shop was open. On 5/2/13, DEP performed a drive by inspection of the property; it is currently inhabited. On 6/10/13, DEP performed a drive by inspection of the property, which appears to be inhabited. The overhead door to the shop is open and there are several cars in the driveway. NYC Law spoke with a CWC lawyer on 6/14/13; there has been no change in the foreclosure status of the property. On 7/19/13, DEP drove through the property to briefly observe the area of the residential septic tank and the commercial SSTS; nothing appears to be out of order. On 8/28/13, DEP drove through the property and performed a quick visual inspection of the SSTS and the area around the failing residential septic tank; nothing out of order was noted. The family and several animals are still living on site. DEP's Assistant Counsel sent various e-mails to the foreclosure and bankruptcy manager regarding the status of the property; e-mails are dated 3/26/12, 4/19/12 and 10/22/13. On 1/27/14, DEP performed a drive through inspection of the property; no problems were noted. DEP's Assistant Counsel issued a letter to the owner on 3/14/14 regarding the outstanding NOV, occupancy on the property, and failed SSTS. The matter will be referred to NYC Law if the owner does not respond. On 3/18/14, DEP drove through the site and looked at the area where both the residential septic tank and manhole are located. There was no sign of a surface sewage failure. There was only one animal outside. No cars were on site. On 3/26/14, DEP drove by the property; several animals were in the barnyard, including horses, sheep and goats, and it appeared there was fresh hay for them. There were no cars in the driveway.

Project Type: SEQRA (SQ)

Status:

DEP received a Short EAF on 3/3/09. SCS Chief determined this action to be type II, Subsection 617.5(c)(1); therefore no further action is required under SEQRA.

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 performed a site visit on 12/31/12; the absorption field was covered with snow, and there were no signs of sewage surfacing on the ground. 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 SSTs 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 10/25/13, 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 SSTs 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).

Project Name: 11025 County Route 18 (Log #2009-CN-0290)
Town: Stamford (T)
Type of Use: Residence
Type of Violation: Failed SSTs-CWC Managed Repair
Discovery Date: 5/1/09
Status: No Application

Overview and Action:

DEP performed a dye test on 5/1/09; the results were positive. DEP issued a letter to CWC on 5/28/09 confirming the installation of the new septic tank and drywell. Site Visit type: Request. Date: 12/21/11; septic failure not observed. DEP observed that the back yard is fenced in and did not enter fenced area. Site Visit type: Request. Date: 3/12/12; septic failure not observed. Property Status: Currently inhabited. DEP performed a site visit on 7/10/12; septic failure was not observed. This project is located in a managed repair area. DEP performed a site visit on 12/3/12; septic failure was not observed. DEP performed a site visit on 6/18/13; septic failure was not observed. Property Status: Currently inhabited. DEP performed a site visit on 12/9/13; septic failure was not observed.

Name: East River Road (Log #1999-CN-1022) I.D. #: 734
Location: Walton
Type of Use: Residence
Discovery Date: 5/15/98
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP called the engineer/surveying firm on 2/13/13 regarding the expired plans. The original engineer has retired and DEP inquired as to who will be handling the projects at this juncture. DEP received a letter from the engineer on 4/9/13 regarding the renewal of their plans for construction. DEP called the owner and left a message to call back on 4/15/13. DEP contacted owner on 4/23/13. The owner is asking the engineer to get the project re-approved. The owner said he hasn't had a problem with SSTs since the original problem, when he had four kids and

some friends staying in the house, and suggested it failed due to high usage. DEP informed owner that an inspection will have to be done to verify that the site was undisturbed, prior to re-approval being issued. The owner gave permission for DEP to inspect the site if he is not home. He also mentioned that he has two boxers that are usually inside the house if he is not home; sometimes they are in his fenced in area though. The area of the previously approved proposed SSTS and area of previous failure are outside of the fenced in area, and safe from dogs, per owner. DEP contacted the owner on 8/16/13, who will reach out to the engineer again for re-certification. DEP performed a site visit on 9/13/13; septic failure was not observed. There was no one home and DEP could not see failure as the back yard is fenced in. House is now for sale. DEP called the owner on 1/14/14. He is not having an issue with his septic at this time but is going to renew a plan and move forward with the remediation in the spring 2014. He also stated that he has not had a problem in years and that is why he has not moved forward.

Name: Johnson Hill Road (Log #2000-CN-0066) I.D. #: 1206
Location: Walton
Type of Use: Residence
Discovery Date: 11/12/98
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP called the engineer/surveying firm on 2/13/13 regarding the expired plans. The original engineer has retired and DEP inquired as to who will be handling the projects at this juncture. DEP received a letter from the engineer on 4/9/13 regarding the renewal of their plans for construction. DEP called and spoke with the owner on 4/15/13 regarding how to obtain re-approval. DEP called the owner on 9/12/13 and left a message to call back, but mentioned that he did not appear to follow-through with asking engineer/surveyor to recertify plans. DEP received a return call from the owner on 9/25/13. Said he had many medical issues this year. DEP asked the owner to keep DEP informed with his plans/schedule. DEP called and left a message on 1/14/14 for the applicant to call back. DEP received a call on 1/21/14 from the owner. DEP called the owner on 2/28/14. He said the failure is ongoing, and gave DEP permission to inspect. He requested a 24 hour notice. The owner was given an engineering company's contact information that is assisting clients of the former retired engineer. The owner said he would call them right away, and mentioned concerns about dosing tank burial depth, no curtain drain on the design, etc. DEP will be in touch with the owner to set up site visit in near future to document failure status and discuss any concerns the owner has. DEP performed a site visit on 3/4/14; septic failure was not observed. DEP spoke with the owner on site. He said the septic is failing but it was hard to see because of the snow. He said it was alright to revisit to verify when the snow melts. He expressed his dislike for the design that was approved and will contact the engineer and CWC to see if an alternative design is possible. He is concerned about the depth of his tank and location of proposed leach field.

Name: Sholam Road, (Log #2001-RO-0730) I.D. #: 1570
Location: Wawarsing
Type of Use: Residence
Discovery Date: 7/1/01
Type of Violation: Failed septic system

Status: Approved

Overview and action:

DEP called the property owner on 2/1/12; he is going to renew his application and is still trying to find a third contractor to submit a bid on the system for CWC. The owners engineer will send a letter to re submit plans. DEP received a letter from the engineer on 2/8/12 requesting design approval extension. DEP issued a renewed Approval determination on 2/21/12. DEP issued a letter to the owner on 6/27/12 stating that construction has not yet commenced. DEP called the applicant on 1/13/14 regarding his project. The applicant has gotten the property to the point that the contractor can start. However, he was attempting to speak with CWC to see if he could construct just the SSTS part of the system. The second house on his lot has not been constructed completely and he does not have the money to complete that portion of the project. (No one has lived in the second residence due to the incomplete construction.) He was trying to get CWC to correct the bedroom counts (the failure residence has 3 bedrooms and the new residence has 2 bedrooms) so that he could start construction on the replacement SSTS. DEP issued a Design Approval Expiration letter on 3/12/14.

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

Town: Carmel
Basin: Croton Falls
Project Name: Putnam County Landfill, (Log #2010-CF-0088)
Project Description: Capping existing landfill.
Project Type: Stormwater (SP)
Status: **Closed**

DEP sent an e-mail with inspection reports and photos attached to DEC Region 3 advising of water quality violations relative to Landfill closure operations. DEC issued a NOV on 7/27/12. DEP performed a site visit on 7/27/12; there were deficiencies, there was no discharge and the site was vacant. DEP issued the NOCA and Approval Determination letters on 7/27/12. DEP performed a site visit on 8/10/12; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 8/20/12; there were deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 9/5/12; there were no deficiencies, there was no discharge and the site was vacant. DEP called DEC 9/11/12 for an update on the referral to the DEC law department for the water quality violation (NOV). DEC will visit the site and based on the conditions, will decide if it will be referred. DEP performed a site visit on 9/19/12; there were no deficiencies, there was a discharge and the site was occupied. DEP performed site visits on 10/1 and 11/21/2012; there were deficiencies, there was no discharge and the site was vacant. DEP sent photo documentation and punch list of outstanding items to DEC per his request via WECC. Wetland cleanup and final stabilization work are pending. DEP performed a site visit on 3/12/2013; there were deficiencies, there was a discharge and the site was vacant. DEP spoke with DEC on 4/8/13 regarding status of final remediation/stabilization of site conditions. He explained that he has advised DEC Solid Waste to follow up with Putnam County on these issues. DEP left a message for Putnam County Dept. of Highways & Facilities Commissioner on 4/26/13 seeking a combined inspection between DEP, DEC and Putnam County to resolve outstanding compliance issues. Deputy Commissioner returned the call on 5/3/13 and agreed to follow up with dates for the inspection. DEP has been in regular contact with DEC Solid Waste since the 4/18/13 Stormwater WECC discussion. DEP

performed a site visit on 5/31/13; there were no deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to Putnam County on 6/7/13 regarding Stormwater Compliance Field Report. DEP performed a site visit on 6/21/13; there were deficiencies, there was a discharge and the site was vacant. DEP sent an e-mail to DEC on 6/28/13 regarding the status of DEP's SWPPP inspection of the landfill on 6/21/13. DEP performed a site visit on 7/23/13; there were deficiencies, there was a discharge and the site was vacant. DEP performed a site visit on 8/13/13; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 12/24/13; there were no deficiencies, there was no discharge and the site was vacant. DEP completed construction inspections on 12/24/13. DEP sent an e-mail to the engineer on 12/30/2013 regarding the status of the 12/24/13 site inspection. DEP has resolved the Enforcement Action on 12/30/13.

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:

DEP received an email from several parties indicating photos were taken on 8/31/11. 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.

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.

3.3. DEP Police Actions

3.3.1. Catskill District

Name:	Stillwater Road, Catskill Aqueduct	CA-691-13, SJS 43634
Location:	Olive	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	10/15/13	
Status:	Closed	

Overview and Action:

DEP Police, while on bike patrol, observed a dumping consisting of tire planters, a chicken coop, a metal cylinder and other miscellaneous items deposited onto city property. Officer was subsequently able to interview current resident of adjoining private property whom stated that dumping occurred during the previous tenant's tenure. Subject advised that any dumping of items onto city property is illegal. DEP Police involved.

Name:	State Route 28	CA-024-14, SJS 44952
Location:	Olive	
Type of Use:	Commercial	
Type of Violation:	Sewage Discharge	
Date Discovered:	1/12/14	
Status:	Closed	

Overview and Action:

DEP Police were requested by a BWS Engineering Division employee to assist over the course of the weekend in monitoring a recently conducted dye test at the Olive Country Store on State Route 28. Site was checked by officers multiple times with all checks showing negative results for any green dye. Requestor/Division advised of the results. DEP Police and BWS Engineering involved.

Name: Dividing Weir Bridge, Ashokan Reservoir **CA-033-14, SJS 45051**
Location: Olive
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 1/20/14
Status: Closed

Overview and Action:

DEP Police received a phone complaint reporting a gasoline spill of approximately ¾ gallon from a generator inside the Dividing Weir Bridge. Spill was contained with spill pads and speedi-dri. Generator was removed from site by contractor. No impact to the water supply. DEP Police involved.

Name: State Route 28A **CA-078-14, SJS 45456**
Location: Olive
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 2/19/14
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite near the shoulder of the roadway which did not yield any traceable evidence. DEP Operations contacted for removal. DEP Police and DEP Operations involved.

Name: State Route 28, Hudler Cemetery **CA-750-13, SJS 43983**
Location: Shandaken **Spill # 1308017**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 11/5/13
Status: Closed

Overview and Action:

DEP Police responded to a motor vehicle accident involving a tractor trailer pulling an empty milk tanker in which approximately 60 gallons of diesel fuel spilled as well as a small amount of engine oil. Upon arrival, Shandaken Fire Department was already on scene and had laid out pads to absorb the fuel on the roadway. DEC contacted for spill number. Officers determined there was negative impact to the watershed including the nearby Esopus Creek. DEP Police and DEC involved.

Name: 72 Fox Hollow Road **CA-847-13, SJS 44702**
Location: Shandaken **S Pill # 1309413**
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 12/24/13
Status: Closed

Overview and Action:

DEP Police responded to a fuel oil leak in the basement at the above location approximately 40' from a water source. The basement had a dirt floor and a concrete pad only under the tank. Fuel

Company had filled the tank with 84 gallons of fuel oil just 12 days prior. DEC contacted for spill number, Oil Company sent truck to pump the remaining oil out of leaking tank and American Petroleum on scene to clean up spill. Shandaken Fire Department also on scene to assist. No impact to the water supply. DEP Police, DEC, and Shandaken Fire Dept. 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: OPEN

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. OPEN

3.3.2. Delaware District

Name: Miller Hollow Road **CB-324-13, SJS 43509**
Location: Colchester
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 10/8/13
Status: Closed

Overview and Action:

DEP Police observed a dumpsite of multiple plastic bags of household refuse. The disposed materials were consistent with refuse from a hunting camp and did not yield any traceable evidence. DEP Operations contacted for clean-up. DEP Police and DEP Operations involved.

Name: State Route 30 **CB-348-13, SJS 43988**
Location: Colchester
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 11/6/13
Status: Closed

Overview and Action:

DEP Police observed a residential sized window mount air conditioner deposited over an embankment on NYC property. No traceable evidence found on the unit. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: 926 McArthur Hill Road **CS-006-14, SJS 45265**
Location: Kortright
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 2/4/14

Status: Closed

Overview and Action:

DEP Police requested by Engineering Division to monitor results of dye test over the weekend, but test was conducted one day earlier and assistance was not needed. DEP Police involved

Name: City Road 55A

CG-111-13, SJS 40109

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/14/13

Status: Closed

Overview and Action:

DEP Police observed a small dumpsite on city property which did yield traceable evidence. Initial attempt to locate subject for interview resulted in negative contact. Officer will make another attempt to contact and resolve case during next work shift. Repeated attempts to contact subject had negative results. DEP Police involved.

Name: County Route 105

CG-397-13, SJS 42607

Location: Neversink

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 8/23/13

Status: Closed

Overview and Action:

DEP Police secured and checked a large bag of household trash in the middle of the roadway which did yield traceable evidence. Officer will follow-up and attempt to contact subject. Officers unable to locate suspect, investigation closed. DEP Police involved.

Name: 225 Thunder Hill Road

CG-541-13, SJS 44657

Location: Neversink

Type of Use: Residential

Type of Violation: Dumping

Date Discovered: 12/20/13

Status: Closed

Overview and Action:

DEP Police investigated a complaint of dumping which did yield traceable evidence. Subject was located and explained that her husband had taken garbage to dispose of on his way to work. Officer issued Notice of Warning for Unlawful disposal of Solid Waste and Trespass. Subject advised to pick up the garbage and dispose of properly. DEP Police involved.

Name: State Route 55

CG-012-14, SJS 44984

Location: Neversink

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 1/15/14

Status: Closed

Overview and Action:

DEP Police located a small dumpsite on city property which did not yield any traceable evidence. DEP Land Management notified for removal. DEP Police and DEP Land Management involved.

Name: 9 Hillcrest Road **CG-015-14, SJS 45008**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/17/14
Status: Closed

Overview and Action:

DEP Police on foot patrol of city property discovered a small dumpsite consisting of bags of household garbage, several tires and other miscellaneous household items. Officer interviewed resident of trailer located just above property line where dumping appeared to have originated. Subject was issued Notice of Warning for Trespass and immediately began to clean up dumped materials from the site. DEP Police involved.

Name: State Route 55, Neversink Reservoir **CG-022-14, SJS 45034**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/19/14
Status: Closed

Overview and Action:

DEP Police alerted by passerby on roadway of debris up ahead consisting of three large cardboard boxes, two plastic bags and some of the refuse blowing toward the Neversink Reservoir. Officer was able to retrieve and remove all of the refuse but no traceable was found. Documented placed in case file. DEP Police involved.

Name: State Route 55 **CG-086-14, SJS 46041**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/22/14
Status: Closed

Overview and Action:

DEP Police located a small dumping on the highway near a Class A stream that leads to the Rondout Reservoir. Officer removed the dumping from the stream after documenting for case file. DEP Police involved.

Name: 610 State Route 10 **CS-007-13, SJS 39337**
Location: Stamford
Type of Use: Commercial
Type of Violation: Possible Sewage Discharge into Stream
Date Discovered: 1/14/13

Status: Closed

Overview and Action:

DEP Police investigated an anonymous complaint of a possible stream violation. On scene at the building location which operates as a wholesale salmon smoking facility, officer observed two metal pipes protruding from an earthen embankment behind the building. There was nothing currently flowing out of the pipes however, mineral-like deposits were present inside the pipes and the grass underneath was dead. Business owner stated her belief is that the whole building discharges into the village sewer system. Officer will make contact with DEP Engineering, Village of Hobart WWTP and Village of Hobart Code Enforcement Officer in an attempt to determine the purpose of the pipes. Investigation revealed that the business had been discharging wastewater onto the ground behind the facility. Owner was issued summonses for discharge of waste without SPDES permit, and discharge of waste into the waters of the state. DEP Police involved.

Name: State Route 10

CB-329-13, SJS 43669

Location: Walton

Spill # 1307373

Type of Use: Municipal

Type of Violation: Haz Mat

Date Discovered: 10/17/13

Status: Closed

Overview and Action:

DEP Police observed a tractor trailer pulled over on State Route 10 in front of the DEP Police Beerston Precinct. When interviewed, driver stated that the engine had blown depositing oil on the road for a distance of approximately 675 feet. DEC contacted for spill number. Walton Fire Dept. arrived to begin clean-up by spreading speedi-dri on pavement. No impact to the water supply. DEP Police, DEC and Walton Fire Department involved.

Name: State Route 206, Bear Spring Mtn. State Parking Area

CB-010-14, SJS 45166

Location: Walton

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 1/28/14

Status: Closed

Overview and Action:

DEP Police observed a small dumpsite consisting of a discarded cooler and miscellaneous household refuse which did not yield any traceable evidence. DOT contacted for clean-up of site. DEP Police and DOT involved.

Name: Palmer Hill Road

CB-052-14, SJS 46047

Location: Walton

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/22/14

Status: Closed

Overview and Action:

DEP Police investigated a dumping of household items including a large area rug, numerous

pieces of old furniture and a treadmill. No traceable evidence found at scene. Town of Walton Department of Public Works notified for removal and discard. DEP Police and Walton DPW involved.

Name: Lundy Road, DEP Shaft 2 **CG-534-13, SJS 44417**

Location: Wawarsing

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 12/3/13

Status: Closed

Overview and Action:

DEP Police responded to Shaft 2 (NYC property) for a dumping of seven large black garbage bags which produced an allergic reaction when officers attempted to examine them for traceable evidence. Name and address were located. Subject, when interviewed, stated that she pays a private company for removal. Officer issued a Notice of Warning for Unlawful Disposal of Solid Waste and Trespass and advised subject that garbage would have to be removed by the following morning. DEP Police involved.

Name: Sholam Road **CG-016-14, SJS 45013**

Location: Wawarsing

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 1/17/14

Status: Closed

Overview and Action:

DEP Police identified a dumping on city property in a location where previous dumping's have occurred and been documented. Officer found six large plastic bags with household refuse as well as Christmas tree and arrangements indicating that this dumping is new and recent. No traceable found but officer and DEP Watershed Maintainers will monitor site more closely for future activity. DEP Police and DEP Operations involved.

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

Name: Reservoir Road **CE-1437-13, SJS 43561**

Location: Carmel

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 10/11/13

Status: Closed

Overview and Action:

DEP Police identified a dumpsite consisting of two large black garbage bags each containing numerous one gallon paint cans that had been deposited alongside the roadway. No traceable evidence found. DEP Field Maintenance Supervisor notified of location for removal. DEP Police and DEP Field Operations involved.

Name: Rock Mill Road **CE-1720-13, SJS 44378**
Location: Carmel
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 12/1/13
Status: Closed

Overview and Action:

DEP Police, while on patrol in the Town of Carmel, discovered a large dumpsite containing seventeen large black garbage bags some filled with household refuse and some with grass clippings. No traceable evidence found at site. Officer notified Field Operations for removal. DEP Police and DEP Field Operations involved.

Name: 3249 Route 301 **CE-1162-13, SJS 42848**
Location: Kent
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 9/2/13
Status: Closed

Overview and Action:

DEP Police observed a large dumping of household refuse which did yield traceable evidence. DEP Field Operations contacted for removal. Officer will conduct follow-up to locate possible subject responsible. Suspect unable to be located, with no forwarding address. DEP Police and DEP Field Operations involved.

Name: Magnetic Mine Road **CE-299-14, SJS 45637**
Location: Southeast
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/2/14
Status: Closed

Overview and Action:

DEP Police on patrol near Reservoir Road observed a dumping of one sofa-bed covered in black garbage bags. The sofa-bed was partially in the roadway pushed up against the guide rail on the reservoir side. No traceable evidence. DEP Operations notified of location for removal. DEP Police and DEP Field Operations involved.

3.3.4. Kensico Basin

Name: West Lake Drive, Shaft 18 **CE-812-13, SJS 41713**
Location: Mt. Pleasant **Spill # 1303143**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 6/24/13
Status: Closed

Overview and Action:

DEP Police noticed a smell of gasoline emanating from DEP Police Marine 12 boat which was

moored near the boat dock at Shaft 18. DEP Haz Mat was already present, preparing to bring turbidity booms out into the reservoir so they inspected the vessel and observed a rainbow-like sheen forming on the water along with the noticeable gas odor. Haz Mat determined that one or two ounces of fuel which had settled under the boat emerged when officers walked onto the dock. Spill pads were immediately placed to absorb the fuel and within minutes the sheen and odor were gone. DEC contacted for spill number. DEP Police, DEP Haz Mat and DEC involved.

Name: 5 West Lake Drive **CE-1826-13, SJS 44649**
Location: Mt. Pleasant **Spill # 1309307**
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 12/20/13
Status: Closed

Overview and Action:

DEP Police responded to a spill of home heating oil and interviewed the homeowner who stated that the above ground fuel tank began leaking from two small holes on the bottom of the tank causing approximately 50 gallons of heating oil to drain into a small stream on the property. The stream flows into a local pond controlled by DEC. Westchester County Haz Mat and DEC both on scene to oversee clean-up already underway by private company. Spill was contained with no impact to the water supply. DEP Haz Mat notified. DEP Police, DEP Haz Mat, DEC and Westchester Haz Mat involved.

Name: Nannyhagen Road **CE-1878-13, SJS 44789**
Location: Mt. Pleasant
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 12/31/13
Status: Closed

Overview and Action:

DEP Police observed a dumping of a sofa and a love-seat off the road and in the woods. Officer took photos for case file; no traceable evidence recovered. DEP Field Operations contacted for removal. DEP Police and DEP Field Operations involved.

Name: Nannyhagen Construction Site **CE-1499-13, SJS 43748**
Location: North Castle
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/22/13
Status: Closed

Overview and Action:

DEP Police observed a dumping of construction debris approximately 200 feet from the road that had been placed in a hole created when a tree fell over and pulled out the root ball. The debris consisted of four large garbage bags filled with Portland cement and wire mesh, two 20 pound bags of Thin-Set compound along with demolished floor tiles scattered throughout. No traceable evidence recovered. DEP Field Operations contacted for removal. DEP police and DEP Field Operations involved.

Name: Cooney Hill Road, Shaft 17 **CE-082-14, SJS 45010**
Location: North Castle **Spill # 1310122**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 1/17/14
Status: Closed

Overview and Action:

DEP Police were dispatched to Shaft 17 for a reported spill approximately 100 feet from the entrance gate. Upon arrival, officer observed a fallen tree which had taken down some electrical wires and a transformer on a separate pole was dripping oil. Spill initially contained by placing a bucket underneath the drip and spill pads on the ground. DEC contacted for spill number. ConEdison employee arrived and contained the non-toxic mineral oil drip by placing a plastic cover over the transformer. Employee advised officer that private company was en-route to complete the clean-up. No impact to the water supply. DEP Operations employees removed tree and cleared roadway for vehicles. DEP Police, DEP Field Operations and DEC involved.

Name: West Lake Drive, Post 69 **CE-248-14, SJS 45499**
Location: North Castle **Spill # 1311013**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 2/21/14
Status: Closed

Overview and Action:

DEP Police Project Manager along with private contractor hired to remove snow and ice from barrier bays noticed a hydraulic fluid leak in the exit barrier bay resulting from a mechanical malfunction. DEP Haz Mat notified and DEC contacted for spill number. DEP Haz Mat advised Eastview Precinct that they will be on scene for clean up in the morning. DEP Police, DEP Haz Mat and DEC involved.