

New York City

Department of Environmental Protection

2003 Environmental, Health & Safety

Annual Report



November 2003



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1. A MESSAGE FROM COMMISSIONER WARD

The New York City Department of Environmental Protection (DEP) is a large and complex agency, charged with an important public mission: the delivery of water to millions of New York City residents and the treatment of millions of gallons of wastewater every day. We have begun a major campaign to teach our employees that delivering clean water to the City -- as difficult and as critical a task as that is -- is not DEP's only mission. Concern for the environment and for the worker's safety must always be central to our employees' thinking.

I am pleased to report that, over the past year, DEP has made a number of significant steps towards building a comprehensive Environmental Health and Safety Program. For example, we have developed an aggressive schedule for the development and implementation of more than 50 separate environmental health and safety (EH&S) compliance programs. We are in the process of training more than 2,000 employees on environmental, health and safety issues. We have audited all of our facilities within the Bureau of Water Supply (BWS) and the Bureau of Water and Sewer Operations (BWSO) for serious hazards and have developed an audit program to ensure that those facilities will be fully assessed on a regular schedule.

We have established an Executive Oversight Committee, attended by all senior staff, and myself so that environmental health and safety issues are addressed monthly at the highest level of the agency. We have formed a disciplinary committee to review the efficacy of our disciplinary actions. For the first time, we will be issuing awards to employees who display excellence on these issues. We have also established a compliance newsletter, an intranet site and an Employee Concerns Program, each of which provides an avenue through which employees raise concerns, either openly or anonymously. Most significantly, we now have an Office of Environmental Health and Safety Compliance, led by Assistant Commissioner Gerould McCoy, who reports directly to me.

Our goal is to develop an EH&S program that will have a lasting impact on the agency's culture -- one that will survive well into the future. It is not easy to change a governmental agency or to change the way people think about their jobs. Based on the strong foundation that has been put into place over the past year, I am optimistic that, in my annual report in 2004, I will detail additional successes.

2. DEP ENVIRONMENTAL HEALTH & SAFETY POLICY STATEMENT

DEP's primary mission is to protect the environmental health and well-being of City residents by providing an abundant and safe supply of drinking water, treating and properly disposing of wastewater, and ensuring that adequate drainage is provided for stormwater runoff. In furtherance of this mission, DEP operates and maintains the City's water supply and wastewater systems, including (among other facilities) reservoirs, dams, aqueducts, tunnels, gatehouses, wastewater treatment plants, pumping stations, laboratories, and combined sewage overflow facilities.

DEP also interprets, administers and enforces a number of local laws, rules and regulations intended to protect the environmental health, welfare and natural resources of the City, including the New York City Air and Noise Codes, local laws on hazardous material spills and asbestos remediation, and the City's community Right-to-Know Law.

In performing all of these activities, DEP's employees are committed to providing the people of New York City with superior service and a healthy environment.

As an agency with an environmental mission, DEP is especially sensitive to protecting natural resources, ensuring the health and safety of its employees, and promoting a healthy environment in the communities in which it operates. Accordingly, in performing its day-to-day functions, DEP is committed to:

- *Informing and educating our employees, contractors, suppliers, and the general public about the importance of environmental, health and safety concerns;*
- *Ensuring that our daily operations are conducted in a manner that protects the environment and safeguards the health and well-being of our workforce and of the public we serve;*
- *Establishing effective programs that ensure the agency's compliance with all applicable environmental, health and safety laws, rules and regulations;*
- *Encouraging policies and practices which prevent or reduce pollution, conserve resources, and promote efficiency without sacrificing adherence to such laws, rules and regulations; and*
- *Establishing appropriate and effective systems to monitor and gauge the agency's progress in meeting the foregoing commitments.*

DEP and its predecessor agencies have a proud legacy of service to the City and its residents, spanning a period of over 150 years. In a complex and changing world, it is incumbent on all DEP employees not only to do their jobs well, but to conduct themselves in a manner that is consistent with the underlying purpose behind everything we do — namely, protecting and preserving a healthy environment and quality of life for all New Yorkers. By following the principles enumerated in this Statement, which are intended to reflect and embody this standard of conduct, we hope to continue the legacy of service and dedication over the next 150 years and beyond.

3. DEP'S OPERATIONS

DEP's 6,000 employees are committed to supplying the best possible service to the people of New York while providing a safe and healthy environment. The agency's responsibilities cover a broad range of activities, centered on managing the City's water supply and wastewater treatment systems. They also include handling hazardous materials emergencies and toxic site remediation, overseeing asbestos removal, managing citywide water conservation programs, and collecting water and sewer fees. DEP's chief operations are implemented among the following bureaus.

Office of Environmental, Health & Safety Compliance

The Office of Environmental, Health & Safety Compliance is charged with the responsibility of ensuring that DEP complies with applicable federal, state and local environmental and occupational health and safety laws and regulations. It is also responsible for overseeing Bureau compliance with such laws as well as policy development, facility compliance auditing and employee training.

Bureau of Customer Services

The Bureau of Customer Services oversees water conservation through metering and leak survey and enforces water use regulations to prevent water waste, theft of service, and threats of contamination from illegal connections. The Bureau of Customer Services also provides consumers of New York City's municipal water and sewer systems with accurate billings and courteous customer service.

Bureau of Environmental Compliance

The Bureau of Environmental Compliance is comprised of the Division of Air & Noise Policy, Permitting and Enforcement, the Asbestos Control Program, the Division of Emergency Response and Technical Assessment, and the Environmental Economic Development Assistance Unit. These divisions respond to hazardous material emergencies, as well as air and noise code complaints and inspect and monitor for asbestos removal projects. The Bureau is also responsible for certifying asbestos handlers, inspecting and issuing operating certificates to stationary combustion and industrial process sources, maintaining a comprehensive database of facilities containing hazardous and toxic materials, and helping to implement the requirements of the Clean Air Act.

Bureau of Environmental Engineering

The primary responsibility of the Bureau of Environmental Engineering is to plan, design, and construct major water quality related capital projects. These projects focus on two important issues for the City: the continued improvement of water quality within the New York Harbor and estuaries, and the delivery of high quality drinking water.

Bureau of Management & Budget

The Bureau of Management and Budget provides administrative support and oversight for the entire Department in a number of areas such as Human Resources Management, Facilities Management and Construction, Fleet Administration, Downstate Security, Management Analysis, Fiscal Services, Capital Budgeting and Expense and Revenue Budgeting.

Bureau of Public and Intergovernmental Affairs

The Bureau of Public and Intergovernmental Affairs manages the public information function of the Agency in New York City and its watershed. It is responsible for all press releases and media inquiries, environmental education, special projects and events; production of all public information, both print and electronic; and for management of the graphic and photographic needs of all DEP bureaus. The Bureau is also responsible for communicating with all federal, state and local government officials regarding legislative issues, and is the liaison between New York City's 59 Community Boards and the Agency.

Bureau of Water & Sewer Operations

The primary responsibilities of the Bureau of Water & Sewer Operations are to operate, maintain and protect the City's drinking water and wastewater collection (sewer) systems; to protect adjacent waterways; and to plan and develop the Department's Capital Water and Sewer Design projects. The Bureau also approves and inspects water and sewer connections performed by licensed plumbers and/or authorized contractors. The Bureau has overall responsibility for the approval and inspection of all public and private construction projects within New York City that could impact the City's water or sewer systems.

Bureau of Water Supply

The Bureau of Water Supply is responsible for managing, operating, maintaining and protecting New York City's upstate water supply system to ensure delivery of a sufficient quantity of high quality drinking water. The Bureau is also responsible for water system planning, water resources management, acquisition and management of water supply and watershed lands, and providing security for the water supply system.

Bureau of Wastewater Treatment

The Bureau of Wastewater Treatment maintains the chemical and physical integrity of New York Harbor and other local water bodies and viability of the New York water environment through the removal of organic and toxic pollutants from the City's wastewater; control of discharges from the Combined Sewer Overflows and dry weather bypassing; management of operation of treatment plant collection systems; and integration of watershed management concepts into facilities' planning and design. The Bureau is also responsible for the enforcement of a city-wide industrial pretreatment program, and pollution prevention program, and operation of water pollution control plants, wastewater pumping stations, and dewatering facilities.

Bureau of Legal Affairs

The Bureau of Legal Affairs is charged with providing all legal services required by DEP to fulfill its mission. The bureau is also responsible for identifying potential legal problems, bringing them to the attention of appropriate personnel, explaining options and the risks associated with each, and assisting staff in carrying out the actions decided upon by management.

4. DEP'S ENVIRONMENTAL, HEALTH & SAFETY PROGRAMS

4.1 BACKGROUND

In August 2001, the New York City Department of Environmental Protection entered into a plea agreement following violations of federal environmental and health & safety (EH&S) laws. In compliance with this agreement and under the guidance of the federal monitor, A. Patrick Nucciarone, Esq., DEP began developing environmental and health & safety compliance and education programs for its 6,000 employees. This Annual Report summarizes the accomplishments, challenges and future EH&S goals for DEP.

Putting Structures Into Place

Commissioner Ward's first major step in building a comprehensive EH&S Program was to establish the Office of Environmental, Health & Safety Compliance (OEHSC). OEHSC is charged with the development of EH&S compliance, training and auditing programs. OEHSC also provides technical and regulatory assistance to DEP's operating bureaus.

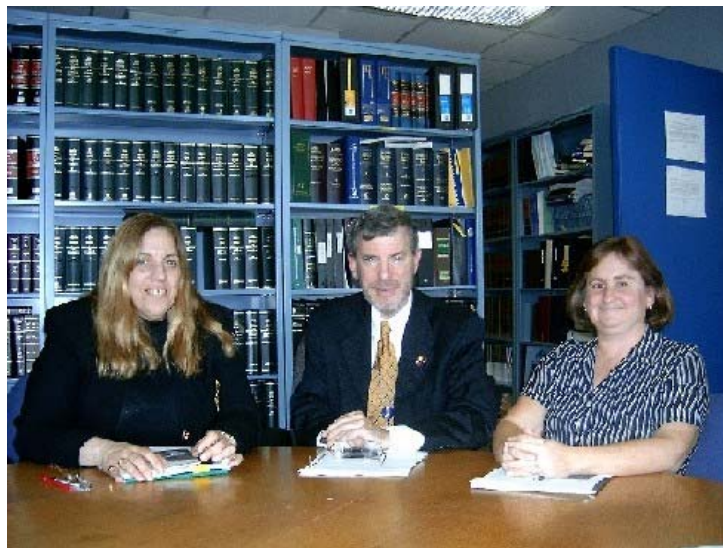


OEHSC Staff

DEP has also worked to establish and enhance bureau-level EH&S units. Thus, DEP established EH&S divisions within two of its largest bureaus, Water Supply and Water & Sewer Operations, and expanded EH&S activities in the Bureau of Wastewater Treatment's EH&S division. Together, OEHSC and Bureau EH&S' mission is to provide support and direction in complying with relevant federal, state, and local standards, guidelines and regulations as well as to establish a management system for monitoring the effectiveness of agency-wide environmental, health and safety policies.

A number of committees were also formed to ensure that senior management, as well as all bureaus within DEP, are involved in the building of the EH&S program. Over the past year, DEP has established an Executive Oversight Committee, which is comprised of Commissioner 21Ward and senior management. This committee oversees all elements of the EH&S program and ensures that resources are made available to this effort. DEP also established an Environmental Coordination Committee and a Health and Safety Committee, each including bureau representatives, to participate in the drafting of EH&S programs.

The EH&S Program has a number of key elements: written programs, training, and implementation of programs, employee concerns and auditing. These elements, together, make up DEP's Compliance Action Plan (CAP). DEP is well on its way to implementing the CAP.



General Counsel and EH&S Legal Staff

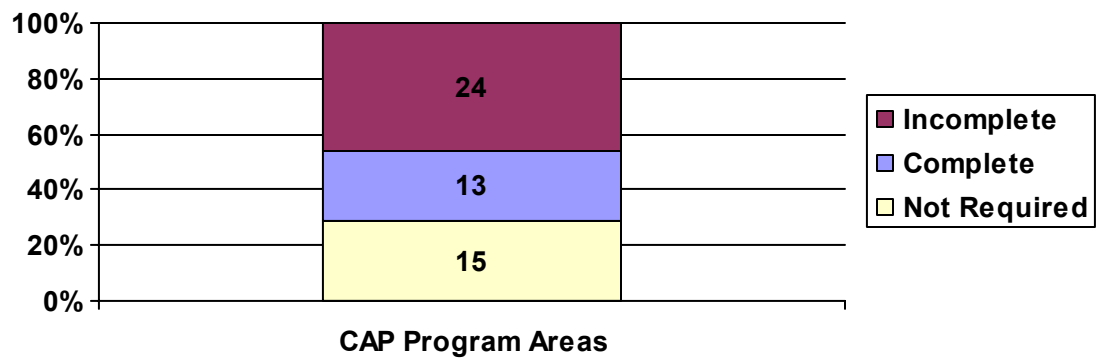
4.2 PROGRAMS

DEP conducts a wide range of activities in providing its core services of water delivery and wastewater treatment. Over the past year, DEP has identified over 50 regulatory areas that are involved in DEP's day-to-day operations for which DEP is in the process of adopting written environmental and health and safety programs. These programs serve as the cornerstone of the DEP's environmental, health & safety compliance effort. In short, the programs will instruct employees on how to perform their jobs in compliance with EH&S requirements. They will detail how to comply with applicable laws and regulations.

To date, programs on confined space entry, personal protective equipment, emergency action plans, handling of hazardous energy, spill response, storage tanks and hazardous waste management have been written. By spring 2004, DEP will complete the remaining programs. The programs are developed with input from DEP Bureau EH&S staff, and are reviewed and approved by the Health and Safety Committee and/or Environmental Committee, as appropriate.

The following chart summarizes DEP's progress in this area.

CAP Program Area Procedure Development



4.3 EMPLOYEE TRAINING



DEP Staff at Con Ed's Learning Center

Historically, DEP has provided EH&S training through bureau level training programs conducted by bureau staff and contractors. Until recently, DEP lacked a formal, centralized agency-wide EH&S training program. To address this void, DEP has taken three important steps: (i) it has established, as part of OEHS, an EH&S professional training team; (ii) it has partnered with Con Edison Incorporated (Con Ed) to provide to DEP employees EH&S training covering an array of safety and environmental compliance topics; and (iii) it has begun actively developing a plan to ensure that DEP employees continue to receive all necessary EH&S training in an effective and timely manner.

OEHS Training Division

- This unit began operating in May 2003. The OEHS Training Unit focuses primarily on the administration of classes from outside sources (e.g., Con Ed) and the planning for agency-based training. In addition, OEHS Training is responsible for developing training materials and the OEHS employee newsletter and website.



DEP employees receive practical training on equipment at a Con Ed Learning Center simulator

Con Ed Based Employee Training

- EH&S training for DEP employees at Con Edison began in June 2003. More than 2,000 DEP employees, from the Bureaus of Water and Sewer Operations, Environmental Engineering, Management & Budget and Water Supply will have had awareness and competency training on more than 20 programs when the initial training cycle concludes in June, 2004.



BWS EH&S Training Staff

Future Training Goals

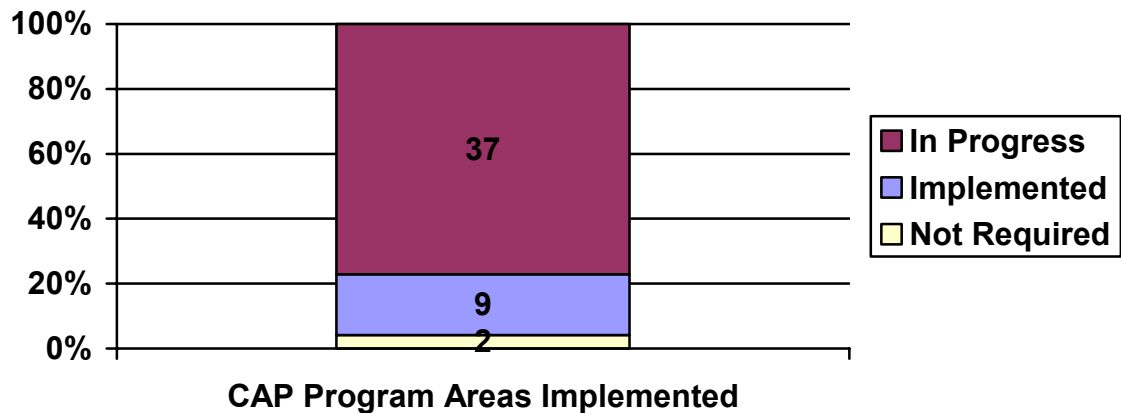
- OEHSC's Training Unit will continue to guide DEP's training efforts after the initial training cycle is completed in June 2004. As the unit prepares for this transition, it is reviewing the bureaus' training records and training materials to determine which classes should be conducted by bureau EH&S or by OEHSC and which should be conducted by outside sources. Moreover, as part of an agency-wide initiative, through the Department's Division of Human Resources, the OEHSC Training Unit is helping to develop a personnel/training database management system. A key feature of this management information system will be notification to the employee and the appropriate EH&S office when any refresher training, re-certification or re-licensing is required. The database will also perform basic scheduling and record-keeping functions. This system is expected to be in place by mid-2004.

4.4 IMPLEMENTATION

DEP has implemented numerous bureau level health and safety programs over the years. However, standardization of implementation activities is now being assured through EH&S programmatic efforts. Implementation of certain procedures is well underway, while implementation of others is in the beginning stages. OEHSC is working with bureau staff to develop Program Implementation Plans (PIPs) to ensure that all implementation steps are identified and adequate staff and resources are in place to implement the programs.

DEP is on track to implement a substantial majority of the programs by August, 2004. One notable exception is the completion of a major effort to inventory and assess each of the more than 350 BWS and BWSO facilities for "legacy" issues: lead, mercury, PCBs and asbestos. In this regard, DEP has assessed each facility (and will continue to do so) to address any immediate issue with any of these contaminants to ensure the health and safety of its workers and the protection of the environment. DEP has also commenced gathering the relevant historical data necessary for the legacy program. The chart below indicates DEP's progress to date in implementing programs.

Progress on CAP Implementation



4.5 EMPLOYEE PROGRAMS

Employee Concerns Programs

As a standard work policy practice, DEP encourages free and open expression and communication of any concerns between and among its managers, supervisors, and employees. To further this effort, in June, 2003, DEP launched its Employee Concerns Program. This program offers an additional vehicle by which DEP employees may report concerns relating to environmental, safety and health issues at DEP and for preventing harassment and intimidation of co-workers who make such reports. Employees may communicate concerns by a toll-free telephone number that is available to employees 24 hours a day, 7 days a week. Employees can dial the toll-free telephone number from anywhere in the DEP operations areas. Each report of an environmental or health and safety concern is assigned a complaint number, and an investigation is conducted to resolve or address the concern. Upon completion of the fact-finding stage, the results are reviewed to ensure that any appropriate corrective actions are implemented.

To date, thirteen (13) complaints have been received under the program. Complaints consist of safety questions and concerns at individual facilities, employee training needs, safety equipment requests, and concerns or questions about water discharges containing regulated substances. All complaints are promptly addressed, including any appropriate follow-up by OEHS or bureaus. Although some issues may require referral to outside agencies, thereby extending the time to close the complaint, most complaints are investigated and closed within two weeks.

Environmental & Health and Safety Recognition Awards

Beginning in November, 2003, DEP will present environmental and health and safety achievement awards at the Department's annual Employee Recognition Day award ceremony. Two awards, one for environmental and one for health and safety, will be presented to the

winning employees by the DEP Commissioner. Award recipients will receive a certificate and a monetary award, and have their photos taken with the Commissioner. Presenting these awards at the Employee Recognition Day is an excellent opportunity to celebrate accomplishments of DEP employees while promoting the importance and awareness of environmental, health and safety compliance.

4.6 FACILITY AUDITING

Historically, DEP has not had a formalized program to audit its facilities. Over the past year, DEP's consultant, Framatome AN&P (Framatome), conducted "High Priority Compliance Assessments" at all BWS & BWSO facilities. The purpose of the High Priority Compliance Assessments was to identify compliance deficiencies which posed the greatest risk of safety, health and environmental exposures and which violated existing laws and regulations. As the assessments were completed, findings and recommendations were communicated to the appropriate Bureau and progress was tracked by OEHSC.

DEP has recently launched a full regulatory compliance auditing program conducted by OEHSC staff. The primary objective of DEP's Facility Auditing Program is to ensure that DEP's facilities are in full compliance with all environmental and health and safety laws and regulations. The program is also intended to reinforce EH&S employee training and to raise awareness of DEP's environmental and health and safety goals. Teams composed of environmental and health and safety professionals from OEHSC (using EH&S specific software) have commenced the process of conducting full regulatory compliance audits of DEP facilities.

DEP has assigned to each facility a rank of either "high," "medium," or "low," depending upon the facility's risk potential for environmental harm and/or health and safety issues. Facility rankings are based on several objective criteria -- e.g., number of employees working at the facility, type and quantity of hazardous materials used or stored at the facility, and history of negative incidents (injuries, illness, hospitalization) -- as well as on the subjective assessment of OEHSC staff and the bureaus as to potential compliance issues.

The facility rankings determine the frequency of auditing, as follows: "High" ranked facilities are audited once every eighteen months with follow-up or "spot" audits to identify progress on specific corrective actions or other compliance initiatives in any year in which a full audit is not performed; "Medium" ranked facilities are audited every three years; "Low" ranked facilities are audited every five years. Based upon the ranking criteria, OEHSC has determined that there are 24 high-ranked facilities, 66 medium-ranked facilities, and 255 low-ranked facilities.

Recommendations for corrective action, based upon findings made during the audits, fall into one of three categories: priority I, II or III. A priority I finding represents a situation imminently dangerous to human health or the environment, such as an uncontrolled release to the environment or high voltage equipment with energized exposed wiring. Where such a finding is made, special notices are issued to the bureau as well as to Commissioner Ward. All audit findings, regardless of their priority ranking, are tracked, and progress on correcting action items is monitored.

The total number of regulatory compliance audit action items, actions completed and actions incomplete, to date, are summarized below. There are a large number of action items due to past shortcomings and more than 350 High Priority Compliance Audits done over a fairly short period of time. A significant amount of work is being undertaken to correct these deficiencies.

In September 2003, OEHS began the first regularly scheduled monthly meetings with bureau Accountable and Responsible Managers (these are senior management personnel who oversee an operation at a single or multiple facilities). The purpose of these initial meetings was to more clearly define the roles and responsibilities of the Accountable and Responsible Managers and to identify available resources (e.g. personnel, contracts, etc.) to assist them in addressing their respective outstanding action items with special attention given to priority I action items. Future monthly meetings will focus on the progress in correcting all action items. As a result of meetings with the managers, OEHS senior auditors will provide further regulatory guidance necessary for completing recommended corrective actions and will assist the managers in identifying equipment, services, personnel, or other resources to address recommended corrective actions.



BWS EH&S Staff

5. BUREAU ACHIEVEMENTS

Over the past year DEP has focused on rolling out the EH&S programs to two of its largest bureaus - the Bureau of Water Supply and the Bureau of Water and Sewer Operations. Both bureaus have made tremendous strides toward establishing EH&S organizations and in carrying forward the EH&S program as it has been rolled out.

5.1 BUREAU OF WATER SUPPLY

DEP's Bureau of Water Supply (BWS) is responsible for managing water from a network of 19 reservoirs and three controlled lakes in a 2,000 square mile watershed extending 125 miles north and west of New York City. There are three distinct watersheds that supply drinking water to the City: Croton (also referred to as East-of-Hudson), Catskill, and Delaware. Each is operated as a District, under the supervision of a District Engineer. Historically, EH&S activities within BWS were integrated into the Operations and Drinking Water Quality Control (DWQC) divisions of BWS. A small number of staff provided EH&S support to Bureau personnel with limited resources, budgets, and equipment. In May 2001, BWS formed the Division of Regulatory Compliance and Facilities Remediation and assigned EH&S personnel to the three Districts as well as to the Division of Drinking Water Quality Control.

Division of Regulatory Compliance and Facilities Remediation

The chief point-of-contact for handling EH&S issues within BWS is the Division of Regulatory Compliance and Facilities Remediation (DRCFR), which is staffed by 26 employees. DRCFR has primary responsibility for the development, implementation, and oversight of all BWS EH&S compliance programs. The mission of the DRCFR is multi-faceted: (1) to serve as the technical resource for BWS as it achieves compliance with applicable rules and regulations regarding the environment and employee health and safety; (2) to provide emergency spill response and remediation at BWS facilities and to supervise contractors hired for hazardous waste/materials remediation and waste disposal; (3) to provide EH&S training to BWS personnel; and (4) to provide compliance guidance to EH&S personnel assigned to other Divisions within BWS.

Croton, Catskill, Delaware District EH&S Programs

Each of BWS' districts (i.e., East of Hudson (Croton), Catskill, Delaware) has been assigned personnel (3 to Croton, 1 to Catskill and 1 to Delaware) dedicated to EH&S activities at their respective District. District EH&S personnel implement many of the EH&S programs developed by the Agency, conduct in-field assessments of EH&S related conditions at BWS Operations facilities, respond to inquiries regarding worker health and safety issues, provide training and other information sessions to Operations staff, develop EH&S programs tailored to the Districts' individual needs, work with personnel from state and federal agencies, and coordinate their efforts with other BWS or DEP EH&S personnel.

Division of Drinking Water Quality Control

The mission of the Division of Drinking Water Quality Control (DWQC) is to ensure the quality of New York City's drinking supply. In order to accomplish this mission, DWQC performs extensive water quality monitoring and research. Given the complexities of the drinking water laboratory and field programs managed by DWQC, specialized EH&S personnel have been assigned specifically to work with Division personnel, in both the watershed and the Distribution Laboratories and Field Programs. DWQC has assigned one EH&S employee to cover the Watershed Laboratory and Field Operations (outside of New York City) and one employee to cover the in-City Distribution Laboratory. DWQC EH&S personnel regularly interact with EH&S staff from the DRCFR and Croton, Catskill, and Delaware Districts.



BWSO EH&S Staff

5.2 BUREAU OF WATER & SEWER OPERATIONS

BWSO's core mission is to operate, maintain and protect the City's drinking water and wastewater (sewer) collection systems. BWSO's EH&S division was created in January 2002 and is staffed by 15 EH&S professionals. The BWSO EH&S division is responsible for overseeing EH&S compliance within BWSO operations, conducting employee training, providing regulatory guidance and assistance, and conducting and responding to facility regulatory compliance audits or assessments.

In addition, BWSO has designated certain in-field facility personnel as Safety Officers. Safety Officers assist BWSO EH&S staff by apprising them of concerns, providing input to and from the facilities, and providing support to BWSO EH&S initiatives at the facility level.

BWSO EH&S staff hold monthly meetings with the Safety Officers to identify problems and provide a venue to educate Safety Officers on EH&S issues and policies.

5.3 MAJOR ACCOMPLISHMENTS

Major accomplishments within the past year of BWS and BWSO EH&S staff include:

A. PROGRAMS

Bureau of Water Supply

- Chaired Environmental Coordination Committee and participated in Health and Safety Committee responsible for drafting EH&S programs.
- Developed bureau level EH&S programs related to potable water compliance testing for facilities not on municipal water sources.
- Developed and implemented Facility Safety Monitor Program.

Bureau of Water and Sewer Operations

- Participated in Environmental Coordination Committee and participated in Health and Safety Committee responsible for drafting EH&S programs.

B. EMPLOYEE TRAINING

Bureau of Water Supply

- Trained BWS employees on a number of topics including: Environmental Release Reporting and Investigation; Confined Space Training (skills course).
- Chaired employee and Supervisor Health & Safety Meetings, which were held bi-monthly between EH&S Training staff and Operational EH&S liaisons and at which critical compliance information as discussed.

Bureau of Water and Sewer Operation

- BWSO took the key initiative of identifying Con Edison as a training provider, negotiating the terms of its contract and ensuring that Con Edison would be available to train employees in other DEP bureaus. This foresight was key to DEP's ability to train over 2,000 employees between June 2003 and the present.

- BWSO developed training in the following areas: Right To Know; CPR/First Aid; West Nile Virus; Confined Space Entry; and Fire Extinguisher Usage. BWSO had Responsible Managers trained in OSHA regulations.

C. CAP IMPLEMENTATION

Both bureaus took a number of critical steps toward implementing EH&S programs. These efforts included:

Bureau of Water Supply

- Completed of bureau-wide effort to identify and classify all confined spaces
- Hazardous Materials Response Team conducted RCRA-required inventories and inspections
- Remediated soil contamination caused by leaking equipment or vehicles at BWS facilities
- Installed spill containment equipment at BWS facilities
- Arranged for 24-hour on-call response to spills
- Developed database to track facility permit compliance
- Chaired Technical Working Group – bi-monthly meetings with representatives from USEPA, NYS DOH and NYS DEC to discuss status of remediation projects and permitting issues

Bureau of Water and Sewer Operations

- Commenced process of identifying and classifying all Confined Spaces – over 200 evaluated to date
- Initiated aggressive program to clean up sites where hazardous materials were previously stored and to dispose of hazardous waste; provided guidance to Safety Officers and Responsible Managers on how to properly store used oils, universal waste and hazardous waste
- Developed work task-specific PPE guide and distributed it to all employees
- Prepared Emergency Action Plans for all manned facilities
- Procured monitoring equipment for performing job hazard assessments

- Installed spill containment platforms for petroleum product storage and vented fireproof cabinets for storage of flammables
- Arranged for on-call system for notifying appropriate personnel in event of EH&S emergency
- Identified discharge outlets from facilities and tested the contents of building sumps; advised facility personnel of testing results and any potential EH&S-related risks as well as precautions to be taken.

D. EMPLOYEE COMMUNICATION

Both bureaus have been very active in communicating EH&S programs to their employees as follows:

Bureau of Water Supply

- Information Sessions held on quarterly basis for all BWS employees
- Employee/Supervisor EH&S meetings held bi-monthly
- Monthly meetings at facilities to convey EH&S information to employees and to obtain their input on concerns and needs

Bureau of Water and Sewer Operations

- Monthly EH&S Communications meetings held between Safety Officers and facility Responsible Managers (RM) to ensure that RM's are being apprised of all policies and procedures relevant to the safe operation of their facilities and that Safety Officers are being made aware of issues and concerns at the facilities



BWSO Safety Officers

E. AUDITS/CORRECTIVE ACTIONS

Both bureaus coordinated with Framatome on the results of its High Priority Compliance Assessments at each of their facilities and commenced efforts to address assessment findings. The bureaus are now working with OEHSC to ensure correction of audit findings made by OEHSC after completion of OEHSC Full Regulatory Compliance Audits. Notable achievements of the bureaus include the following.

Bureau of Water Supply

- Created Action Item Tracking (AIT) table to track corrective progress on Deficiencies

LIST SOME CRITICAL DEFECIENCIES ADDRESSED?

Bureau of Water and Sewer Operations

- BWSO's EH&S staff performed basic EH&S compliance facility assessments from 2002 into 2003.

LIST SOME CRITICAL DEFECIENCIES ADDRESSED?

5.4 PERFORMANCE INDICATORS

To gauge the effectiveness of the newly created environmental and health & safety programs, OEHSC developed a set of indicators to monitor DEP's performance and progress within these areas. Based upon the most frequent types of reported or observed non-compliance concerns, DEP developed a list of basic performance indicators to measure and monitor trends within each area: environmental (including total reported releases, notices of violation,

unpermitted discharges, and wastewater treatment bypasses); and health& safety (including notices of violation/failure to abate, recordable injury/illnesses (including total lost work days) and vehicle accidents).

The status of the indicators is presented in quarterly reports by Bureau EH&S personnel to the Executive Environmental, Health & Safety Oversight Committee. For example, to better review the cause of spills and/or permit exceedences, OEHSO tasked the Bureau of Management & Budget, Bureau of Environmental Engineering, Bureau of Water Supply and Bureau of Water & Sewer Operations with providing a spill/exceedence analysis. This analysis is presented to the EH&S Oversight Executive Committee on a quarterly basis (one bureau per quarter). The Bureaus' presentations consist of a narrative and statistics, including any trends in spills or permit exceedences. The information presented during the quarterly meetings is shared with other bureaus to assist them in identifying methods to reduce future spills and permit exceedences.

A review of Bureau reports concerning releases or spills revealed that most were caused by either equipment failure or human error. The Committee offered its recommendations for minimizing or eliminating such releases: preventive maintenance to reduce equipment failure and development of a spill awareness campaign for DEP employees and contractors to address human error. Other indicators reviewed appear to suggest that the agency needs to provide additional regulatory guidance (e.g., hazardous waste management, chemical/petroleum bulk container storage, job hazard analysis) as program policies and procedures are implemented.

6. CONCLUSION

As this first Annual Report demonstrates, much has been accomplished this past year in laying the foundation for a comprehensive Environmental Health and Safety Program. Developing and implementing new EH&S programs, initiating training curricula, auditing facilities and remediating deficiencies identified in those audits has been a challenging and time-consuming process. At times, the Agency has been in overdrive to meet deadlines and correct past shortfalls. Significantly, we are on track to complete program development and awareness training in all areas identified in the CAP by August of 2004, with a significant number of employees also being exposed to skills training in a variety of disciplines. In addition, we have developed a timetable (now embodied in a Court order) for the completion of other essential EH&S tasks, and we anticipate having a firm foundation in place for an ongoing EH&S compliance program by next August.

By far the greatest challenge for any agency embarking on a new EH&S initiative is changing the way that employees think about EH&S issues. It is essential that a steadfast concern for the environment and for workers' safety permeates our daily routine. That process began in earnest in 2003, and is undoubtedly the most noteworthy and important achievement of this past year.