

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

**Filtration Avoidance 6.1 Enforcement Actions  
For the period April 1, 2020 through September 30, 2020**

**October 2020**

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



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## 1. Introduction

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

This semi-annual report on enforcement actions for the period April 1, 2020 through September 30, 2020 has been submitted as required by the 2017 FAD and provides valuable information about the implementation of *New York City's Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The report first presents is an overview of the responsibilities of the Regulatory and Engineering Programs Division (REP) which administers Bureau enforcement activities and the associated City entities that assist in those efforts. Next, the report addresses new enforcement actions that have been undertaken during the above-mentioned reporting period and includes updates to ongoing violations.

The report is divided into sections relative to applicable FAD watershed areas. The **West of Hudson** (WOH) area is comprised of the following reservoir basins: Ashokan and Schoharie in the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Further included are those portions of the **East of Hudson** (EOH) area which is comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.<sup>1</sup> Within each of these sections of the report, enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), or in connection with subsurface sewage treatment systems (SSTs) and active construction sites, as well as with other regulated activities, such as solid waste management facilities. In addition, individual actions of the DEP police are included.

## 2. Enforcement Responsibilities

The Bureau is charged with implementation of the Watershed Regulations which identify activities that are prohibited in the watershed as well as those that require New York City Department of Environmental Protection (DEP) review and approval. Among activities that require such review and approval are the construction of new or the alteration of existing

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<sup>1</sup> As used in this report, the term East of Hudson (EOH) refers only to projects, permits or approvals for activities located in the West Branch, Boyd Corners, Croton Falls, Cross River or Kensico basins, the reservoir basins relevant to the 2017 Filtration Avoidance Determination. This report does not describe the Bureau's activities in the basins of other EOH reservoirs that serve exclusively as portions of the New Croton water supply system.

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

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

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

## **2.1. The Regulatory & Engineering Programs Division**

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

### **2.1.1. Wastewater**

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

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

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

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

### **2.1.2. Stormwater**

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

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

### **2.2. DEP Police**

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

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

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

### **2.3. DEP's Bureau of Legal Affairs**

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

### **2.4. New York City Law Department**

The New York City Law Department, in conjunction with BLA, may enter into formal negotiations with alleged violators, and, when necessary, undertake legal action. NYC can take actions under, among other laws: the State Public Health Law, to enforce the Watershed Regulations; and, the federal Clean Water Act, to bring SPDES violators into compliance. The New York City Law Department also defends, where necessary, regulatory decisions rendered by REP and renders legal opinions, interpretations and advice on enforcement matters, as necessary.

### 3. Specific Enforcement Actions

#### 3.1. Subsurface Treatment Systems and Stormwater

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

#### Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	39		33		35	1
CONESVILLE	13		10		10	
GILBOA	19		15		17	
HUNTER	117		88		96	
HUNTER (V)	17		9		10	
HURLEY	49		48		47	
JEWETT	51		47		51	
LEXINGTON	48		45		46	
OLIVE	197		167		174	1
PRATTSVILLE	33		24		33	
ROXBURY	31		23		27	
SHANDAKEN	145		132		140	
TANNERSVILLE (V)	7		2		7	
WINDHAM	84		66		81	
WOODSTOCK	61		53		51	
<b>Total</b>	<b>911</b>		<b>762</b>		<b>826</b>	<b>1</b>

#### Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	83		75		74	
ANDES (V)	4		2		2	
BOVINA	36		33		34	
COLCHESTER	5		6	1	8	1
DELHI	71		65		74	
DELHI (V)	3		2		2	
DENNING	34		33		31	
FALLSBURGH	6		4		4	
FLEISCHMANN'S (V)	1		1		1	
FRANKLIN	6		4		4	
HALCOT	7		7		7	
HAMDEN	33		30		30	1
HARDENBURGH	12		10		12	
HARPERSFIELD	8		6		6	
JEFFERSON	6		6		6	
KORTRIGHT	64		54		61	

LIBERTY	1		1		1	
MASONVILLE	13		11		11	
MEREDITH	22		20		19	
MIDDLETOWN	119		106		112	
NEVERSINK	223		188		202	
ROCHESTER	1		1		1	
ROXBURY	34		29		38	1
STAMFORD	36		34		36	
TOMPKINS	42		37		40	
WALTON	93		86		84	
WALTON (V)	1		1		1	
WAWARSING	35		32		31	
<b>Total</b>	<b>999</b>	<b>0</b>	<b>884</b>	<b>1</b>	<b>934</b>	<b>3</b>

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

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

### Kensico Basin

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
GREENWICH CT.	0		0		0	
HARRISON	1		0		0	
MT. PLEASANT	0		0		0	
NEW CASTLE	1		1		0	
NORTH CASTLE	4		1		1	
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>

### 3.1.1. Catskill District

Project Name: 3680 Route 10 (2018-SC-0185)  
Town: Ashland  
Basin: Schoharie  
Type of Use: Stormwater (SP)  
Type of Violation: RE-Likely to Fail-Cesspool-CWC - 60%; SP.1 - Property Disturbance of 3+ acres. DEP NOV for land clearing of greater than 2 acres without an approved SWPPP.  
Discovery Date: 4/23/19  
Status: **Closed**

#### Overview and Action:

DEP initiated an Enforcement Action on 4/23/19. DEP issued an NOV to the owner on 4/23/19. DEP received a call from the property owner on 4/29/19 acknowledging the NOV. DEC issued an NOV on 5/03/19. DEP received a call from the project engineer on 5/15/19 setting up an onsite meeting to discuss the SWPPP. A meeting to discuss stormwater issues was held with the project engineer on 5/17/19. DEP received an e-mail from the engineer on 5/28/19 regarding the temporary erosion and sediment control plan. DEP performed a site visit on 5/31/19. There were deficiencies. There was a discharge. The site was vacant. DEP observed that construction commenced on or before 5/31/19. DEP received the Draft Certificate of Compliance from DEC on 5/31/19. DEP received an e-mail from the engineer on 6/4/19 with a temporary Erosion & Sediment Control (E&SC) plan. DEP responded to the engineers' email on 6/6/19 with comments on the interim E&SC plan. DEP exchanged emails with the engineer on 6/7/19 regarding the flagged areas that were done by DEP staff of the same day. DEP performed a site visit on 6/21/19. There were deficiencies. There was a discharge. The site was vacant. DEP exchanged emails with the engineer on 7/02/19 regarding the Interim E&SC plan. DEP performed a site visit on 7/16/19. There were deficiencies. There was a discharge. The site was vacant. DEP sent an e-mail to the owner and the engineer on 7/23/19 regarding the need for the surveyor's map of the disturbed area. DEP sent an e-mail to the applicant, engineer and DEC on 7/31/19 regarding the 7/30/19 site visit and the need for a SWPPP to be prepared. DEP received an e-mail from the owner on 8/1/19 regarding the site visit on 7/30/19. DEP received a letter from DEC on 8/16/19 acknowledging receipt of the NOI. DEP received the general planting plan, maintenance plan and the SWPPP Permit from the engineer on 8/19/19. DEP received plans from the engineer on 8/19/19. DEP sent an e-mail to the engineer on 8/22/19 with application to be filled out and comments on the plans received. DEP received an Application for a SWPPP on 8/26/19 from the engineer with plans. DEP issued a NOCA on 8/28/19. DEP issued an Approval Determination letter on 9/4/19. DEP performed site visits on 9/11 and 9/26/19. There were no deficiencies. There was no discharge. The site was occupied. DEP performed a site visit on 10/2/19. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 10/3/19 regarding the previous day's site visit and included the Inspection Report with photos. DEP performed site visits on 10/16/19 and 3/27/20. There were deficiencies, there was no discharge and the site was vacant. The site is on winter shutdown. DEP sent an e-mail to the engineer on 6/2/20 regarding construction status. DEP issued a letter to the owner on 6/16/20 advising that the NOV is still outstanding, outlying the work required to close the NOV and requesting a construction schedule. DEP received an e-mail

from the owner on 6/16/20 advising that the plantings are scheduled for early July 2020. DEP received an e-mail from the engineer on 6/29/20 advising that work was complete and ready for final inspection. DEP performed a site visit on 6/30/20. There were deficiencies. There was no discharge. The site was occupied. DEP sent an e-mail to the owner and engineer on 7/1/20 advising that the berm must be installed. DEP received an e-mail from the owner on 7/2/20 advising that the remaining work will be completed as soon as possible. DEP performed site visits on 7/10, 7/15 and 7/22/20. There were no deficiencies, there was no discharge and the site was vacant. DEP completed construction inspections on 7/22/20. DEP received As-Built plans and an engineer's certification letter from the engineer on 7/23/20. DEP issued a letter of Construction Compliance on 7/28/20. DEP has resolved the Enforcement Action on 7/28/20. The violation was resolved and the case was closed on 7/28/20 with DEP Closure letter dated 7/28/20. DEP sent an e-mail to the CWC on 8/7/20 regarding project type.

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

Overview and Action:

DEP emailed Schoharie County Health Department (SCHD) on 12/19/17 with a summary of this project to date, and an inquiry how they would handle the site if it was inhabited year-round vs. seasonal. DEP has resolved the Enforcement Action on 12/19/17 per enforcement meeting same day. DEP exchanged emails with SCHD regarding enforcement history of this site. DEP field staff will be checking on the status of the Certificate of Occupancy (CO) with the town, then DEP will update SCHD. DEP acquired a copy of the CO issued by the town on 11/26/17 for the trailer used for living quarters. DEP issued an email to SCDOH on 1/17/18 including copy of CO and DEP's Approval of the SCHD SSTS design. DEP performed a site visit on 3/12/18; septic failure was not observed. The driveway was plowed and there was no visible effluent. DEP performed a site visit on 4/9/18; septic failure was not observed. There was no visible effluent or signs of pumping or of recent use. DEP performed a site visit on 5/1/18. There was no sign of recent inhabitation and the skirting has not been repaired. DEP performed a site visit on 5/15/18. There was some indication that the property was visited recently. The trailer skirting has been repaired and there were vehicle tracks in the access to the property. DEP performed a site visit on 9/6/18. The trailer appears to be used periodically. The grass was mowed at least once this summer. The septic tank has not been exposed. DEP performed a site visit on 5/28/19; septic failure was not observed; no sign of inhabitation. DEP performed a site visit on 12/26/19. Septic failure was not observed. No sign that the trailer has been used recently. No visible signs of pumping or effluent. DEP performed a site visit on 6/22/20, Septic Failure was not observed. DEP spoke with the owner and encouraged him to finish the system. On 8/17/20, DEP met with the owner to provide guidance to construct the SSTS. Informed him he would need to hire an engineer to certify construction.

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

Overview and Action:

DEP issued an Approval Determination letter on 5/1/18. DEP was informed on 6/8/18 that construction will start on 6/11/18. DEP sent an e-mail to the owner on 8/9/18 asking for a time frame for completing the stormwater controls at the site. DEP met with the applicant and engineer on the site for a pre-construction meeting on 9/14/18. DEP observed that construction commenced on or before 10/12/18. DEP performed site visits on 10/12 and 11/9/18. There were deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 11/16/18 due to winter. DEP exchanged emails with the owner on 11/16/18 regarding the winter shutdown of the retention pond and water bar. DEP sent an e-mail to the owner and engineer on 3/26/19 regarding setting up a meeting to go over the plan for this season. A site meeting is scheduled for 4/12/19 to discuss the work being performed this season. DEP, CWC, the engineer and applicant will attend. DEP held a meeting with the applicant, original engineer and the new engineering firm on 4/12/19, which E&S inspections were performed. The applicant anticipates restarting within the next two weeks. DEP performed site visits on 6/5, 7/9 and 7/16/19; there were no deficiencies and there was no discharge. The site was vacant. DEP sent an e-mail to the owner on 7/24/19 regarding no further progress noticed at site visits. DEP would like to see this closed out by the end of summer. DEP received an e-mail from the owner on 7/25/19 stating that the project should be completed by the first part of September 2019. DEP spoke with the engineer and the applicant said they should be starting work next week. DEP performed a site visit on 9/10/19; there were deficiencies and there was no discharge. The site was vacant. DEP performed a site visit on 10/8/19. There were deficiencies, there was no discharge and the site was occupied. DEP observed that construction commenced on or before 10/8/19. DEP performed site visits on 10/16, 10/22, 10/30, and 11/19. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner and the engineer on 11/7/19 regarding the site visit on 11/1/19 and the deficiencies noted. DEP performed site visits on 11/8 and 11/22/19. There were no deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 03/26/20 regarding scheduling a site visit to get construction completed this season. DEP performed a site visit on 3/27/20. There were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/17, 5/28, 6/18 and 7/10/20. There were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 7/29/20 confirming that construction was put on hold. Owner plans on resuming and completing construction later this year. DEP sent an e-mail to the owner on 8/28/20 asking when work will resume. DEP performed a site visit on 9/3/20. There were no deficiencies, there was no discharge and the site was occupied. A meeting to discuss reimbursement was held with the project applicant and CWC on 9/3/20. According to the applicant, work is to resume next week. DEP performed a site visit on 9/15/20, there were no deficiencies, there was no discharge and the site was vacant.

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

DEP received an e-mail from the owner on 9/24/19 regarding the status of the work. He is looking for estimates, but is having difficulties finding someone. DEP exchanged e-mails with the owner on 11/26/19 regarding meeting in the spring to get the rain gardens in. DEP exchanged emails with the owner on 3/24/20 regarding contacting a contractor and getting the work done. DEP issued a letter to the applicant on 6/16/20 advising that the NOV was still outstanding, outlining what work is required to close out the NOV and requesting a construction schedule. DEP received an e-mail from the owner on 6/21/20 advising that a meeting is setup for the next day with a new contractor. DEP sent an e-mail to the owner on 6/23/20 setting up a site visit. DEP sent an e-mail to the CWC on 6/24/20 requesting that they attend the meeting. A meeting was held with the project applicant, contractor and CWC on 6/26/20. The site work will start in approximately three weeks. DEP sent an e-mail to the owner on 7/28/20 regarding starting the work. DEP responded to an email from the CWC on 8/17/20 regarding the contractor's estimate. DEP and the CWC responded to an email from the owner on 9/9/20 regarding cost estimates from the contractor.

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

Overview and Action:

On 11/4/19 DEP performed a follow-up inspection of the septic system. DEP called the CEO and received a call back on 12/10/19 regarding locating a proper address to resend the NOV. DEP also commented that there is a third house on the property which is not on tax rolls. DEP issued an NOV to the owner on 12/12/19 to three separate addresses, return receipt. DEP sent the NOV via email to CWC, and DEP attorneys on 12/12/19. The two NOV's that were sent to the Shandaken addresses were returned. On 12/23/19, DEP performed a follow-up inspection of the septic system. DEP received signed return receipt requested on 12/31/19 that was sent to the Kentucky address. DEP sent an e-mail to the on building inspector for Lexington 1/10/20 regarding a request for information on the three homes and their addresses located at this one property. DEP sent an email to DEP attorneys on 2/5/20 that the draft NOV follow up letter to the owner, regarding lack of response to the DEP issued NOV. DEP received the NOV that was signed for on returned as the addressee is deceased 02/11/20. On 2/20/20 DEP performed a follow-up inspection of the septic system. DEP issued a copy of the former NOV to several new addresses on 9/23/20 in an attempt to gain resolution to the SSTS failure.

Project Name: 245 Watson Hollow (2019-AS-0188)  
Town: Olive  
Basin: Ashokan  
Type of Use: Individual Residential SPPP (IR)  
Type of Violation: DEP NOV for the construction of a new single family home within 100 feet of a perennial stream without obtaining a DEP approved IRSP.  
Discovery Date: 5/1/19  
Status: **Closed**

Overview and Action:

DEP performed a site visit on 4/25/19. It appears that a one bedroom house to replace a two bedroom trailer with existing tank. New building is less than 100 feet from the stream. DEP initiated an Enforcement Action on 5/1/19. DEP issued an NOV to the owner on 5/1/19. DEP received the preliminary engineers' report on 5/7/19. DEP performed a site visit on 5/8/19; there were no deficiencies and there was no discharge. The site was vacant. DEP called the engineer on 5/10/19 to discuss minor revisions to the IRSP. DEP received an Application for an IRSP on 5/13/19 from the engineer. DEP issued a NOCA on 5/15/19. DEP issued an Approval Determination letter on 5/15/19. DEP observed that construction commenced on or before 6/3/19. DEP performed site visits on 6/3, 6/7, 6/21, 7/9, 7/22, 8/12 and 9/3/19; there were no deficiencies and there was no discharge. The site was vacant. DEP performed site visits on 10/15, 10/31, 11/15, 12/9/19, 1/2 and 1/31/20. There were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/1, 4/20 and 5/14/20. There were no deficiencies, there was no discharge and the site was occupied. DEP received a call from the applicant on 5/15/20 regarding the status of the IRSP and that he is getting prices for site work and plantings to submit to CWC. DEP requested to be notified before the site work on the stormwater treatment system begins. DEP performed a site visit on 6/10/20. There were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the owner on 6/16/20 requesting to make changes to the plan. DEP performed a site visit on 6/17/20. There were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the project applicant, engineer, CWC and contractor on 6/17/20 to discuss the minor changes to the rain gardens and go over the installation requirements. The engineer will inspect the rain gardens as they are being installed. DEP performed site visits on 6/23, 7/7 and 7/14/20. There were no deficiencies, there was no discharge and the site was occupied. DEP completed construction inspections on 7/14/20. DEP received As-Built plans and an engineer's certification letter from the engineer on 7/17/20. The violation was resolved and the case was closed on 7/21/20 with DEP Closure letter dated 7/21/20. DEP issued a letter of Construction Compliance on 7/21/20. DEP has resolved the Enforcement Action on 7/21/20.

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

#### Overview and Action:

DEP performed a site visit on 7/18/18. Septic failure was observed. Collapsed/poor condition septic tank, cesspool, drywell. Cesspool exposed on one side to relieve itself into a ditch dug by the owner/caretaker. Level in ditch is letting higher with what appears to be solids. Nothing appears to be leaving the ditch or getting into a watercourse at this time. DEP called the engineer on 8/17/18 and left message with receptionist. DEP received a return phone call from the engineer on 8/20/18. Engineer left message that the water/sewer design for the outbuilding on the property is holding up the design. They are trying to complete the design and satisfy the owner's desires. DEP performed a site visit on 10/23/18. Septic failure was observed. The ditch is full of sewage coming from the cesspool. The level in the ditch is the highest it's ever been but still not to the surface or leaving the ditch. A very strong odor was observed. DEP's Assistant Counsel issued a letter to the owner on 11/21/18 regarding the NOV and the lack of response. DEP received an email from the owner on 12/17/18 stating he is waiting for drawings from engineer to approve before submittal to DEP. DEP called the engineer on 12/18/18 who stated that the previous approved design could be implemented without impacting the future addition of a courtesy toilet to the existing garage, which may not happen for years. This possible improvement is what has been holding up revised plans from being submitted. DEP stated a construction commencement date will probably be required come spring. On 1/8/19 DEP REP, Legal, and NYC Law Department discussed and determined that stipulation agreement is a reasonable approach at this time. DEP Legal will draft a document for review, with milestone dates for construction commencing and completion/receiving DEP's construction approval. DEP received the Stipulation letter from the Bureau of Legal Affairs (BLA) on 6/19/19. DEP received a copy of the signed Certified Receipt from BLA on 7/24/19. DEP received digital draft revision from engineer of plans on 4/1/20. DEP sent email to engineer that plans are ready to be approved and they should submit hardcopies. DEP received revised plans from the engineer on 4/20/20. DEP issued a Modified Approval Determination letter on 4/23/20 to the engineer along with the approved plans. DEP emailed the owner for a construction schedule on 8/18/20. DEP performed a site visit on 9/9/20, the property as unchanged. The cesspool is still exposed on one side to a manmade ditch. DEP couldn't visibly see if sewage was in the ditch due to overgrowth, but did smell a strong odor. DEP sent an email to the engineer on 9/17/20 to check if they had any information on a proposed schedule to get this project done.

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

#### Overview and Action:

DEP has put the Enforcement Status on hold as of 9/22/17 due to the property not being inhabited. Project will be monitored by tasks every six months for re-inhabitation and will deal with possible loss of NCRA status and compliance with regulations time of re-inhabitation. DEP is monitoring this project site for inhabitation/failure. DEP performed a site visit on 1/11/18. The house is abandoned and boarded. DEP performed a site visit on 7/10/18. Septic failure was not

observed. It appears that the residence has not been accessed and the house is in disrepair. DEP performed a site visit on 1/4/19. Septic failure was not observed. The property still appears to be abandoned. DEP performed a site visit on 7/9/19; septic failure was not observed. The house appears to be vacant and in disrepair. DEP performed a site visit on 7/9/20. Septic failure was not observed. No sign of inhabitation. The prospective buyer called DEP on 9/10/20 inquiring about what needs to be done to be compliant on this site. He already had a copy of the NOF from the current owner. DEP asked that he get the owner's permission to share the project information with him via email.

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

DEP performed a site visit on 11/21/19; septic failure was observed. Backup of sewage into house, surfacing of sewage on ground. Sewage with strong odor pooling on the surface of the ground. Tenant stated that the septic was backing up into the house. Landlord did something, she didn't know what, and it's been better. DEP Police were called initially and forwarded it to REP septic group. DEP observed and prepared a violation report on 11/22/19 DEP initiated an Enforcement Action on 11/22/19. DEP issued an NOV to the owner on 11/25/19. DEP's Assistant Counsel issued a letter to the owner on 12/11/19 regarding the NOV and the need to contact DEP. DEP performed a follow-up site investigation on 12/23/19 and observed sewage puddled on the ground as noted on a prior inspection. On 1/23/20, DEP performed a follow-up inspection of the property and did not observe sewage on the surface as the ground was snow covered. DEP received a call from the project engineer on 1/24/20 regarding the failing septic system and that he was contacted for engineering services. This project is funded under CWC Septic Repair Program. On 2/4/20, DEP received CWC's notice of likely to fail for all three houses listed as a Small Business. DEP called the Engineer on 2/25/20 to explain proper emergency repair procedures and note that there is no emergency repair paperwork on file, so this does not constitute emergency repair at this point. (This is in follow to the Engineers phone conversation with DEP project manager on 1/24/20 that the Engineer did an emergency repair). DEP explained we are aware the applicant is now in the CWC repair program but if the project does not progress DEP will work with NYC Law to pursue gaining compliance. DEP removed this project from the priority enforcement project list on 3/24/20. DEP sent an e-mail to the engineer on 6/2 and 6/17/20 requesting a status update. The engineer left a voicemail advising that a design was in the works. DEP called the project engineer on 6/19/20 regarding the project status and when DEP might see proposed plans for review. DEP performed a follow-up inspection on 6/25/20 and found no failure observed. DEP sent an e-mail to the engineer on 7/24 and on 8/27/20 requesting a status update. DEP received an e-mail from the engineer on 9/1/20 advising that design is nearly complete.

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

Overview and Action:

DEP issued an Incident Referral Report to DEC on 4/4/19 with a map of the parcels and the area of disturbance. DEP initiated an Enforcement Action on 4/9/19. DEP issued an NOV to the owner on 4/16/19. DEP received a call from the land owner responding to the NOV on 4/22/19. A meeting was held with the landowner on 4/22/19. He acknowledged the NOV and suggested the next step of have a meeting with DEP, engineer and CWC to discuss the SWPPP. DEC issued a NOV on 5/3/19. DEP exchanged emails with DEC on 5/31/19 regarding the SWPPP and temporary stabilization. DEP received an e-mail from the engineer on 7/02/19 regarding target dates for the project. DEP received the site stabilization plan from the engineer on 7/23/19. DEP sent an e-mail to the engineer and DEC on 7/25/19 regarding comments on the interim stabilization plan. No check dams in the roadside swale have been installed. DEP exchanged emails with the engineer on 10/8/19 regarding the site conditions and the check dams. DEP sent an e-mail to the engineer on 11/26/19 regarding working on the SWPPP and asked if the check dams were put in. DEP discussed the project with the engineer. The applicant never had the check dams installed and now there is too much snow to get the check dams in. The engineer will be working on the SWPPP over the winter and the site will be stabilized in the spring when weather permits. DEP sent an e-mail to the engineer on 2/25/20 regarding submission of the SWPPP. DEP called the engineer on 2/27/20 regarding the E&S plan. The engineer indicated the applicant has not responded to several attempts by the engineer to discuss the project. DEP received an e-mail response from the engineer on 6/2/20 advising that there are no updates on the project. DEP issued a letter to the applicant on 6/16/20 requesting a construction schedule and outlining the outstanding work necessary to close out the NOV. DEP sent an e-mail to the owner on 7/7/20 regarding the owner's plan to address the remaining work as soon as funding is received. DEP drove by the site and there are no changes.

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

Overview and Action:

DEP received a letter of Intent to purchase the property from the new owners on 11/8/18. Their plan is to change the purpose of the property from a gas station/convenience store, to an Equipment Rental Facility and a home heating delivery service. They plan to finish the rain

gardens and the concrete loading dock with the 500-gallon oil/water separator tank. DEP performed a site visit on 11/19/18. There were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 11/30/18 regarding plans for the SWPPP. The engineer is not ready to stamp the SWPPP plans as he is not sure what changes he wants to make. DEP received a call from the engineer on 11/30/18 regarding modifications to the stormwater controls. The engineer will work on reducing the size of the practices due to less impervious cover over the winter. DEP performed a site visit on 2/22/19. There were deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 3/7/19 regarding the revised SWPPP. The engineer replied that he didn't want to revise the entire plans but to wait until spring and propose some tweaks to the approved plans. DEP performed a site visit on 3/15/19. There were deficiencies, there was no discharge and the site was occupied. DEP sent the latest field report to the engineer on 3/26/19. The engineer responded the same day that they should have something soon that addresses the deficiencies. DEP performed a site visit on 4/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP exchanges emails with the engineer on 4/9/19 regarding items discussed at the last meeting. DEP sent an e-mail to the engineer on 4/16/19 regarding the need for stabilization work to be completed. DEP received an e-mail from the engineer on 4/16/19 stating that most of the items in DEP's email of the same day have been completed. DEP performed a site visit on 4/19/19; there were deficiencies and there was no discharge. The site was occupied. A meeting was held with the project applicant and engineer on 5/03/19 to discuss site stabilization. DEP performed site visits on 5/10 and 5/24/19; there were deficiencies and there was no discharge. The site was occupied. DEP issued a letter to the owner on 5/30/19 regarding un-resolved issues at the site. A meeting was held with the project applicant on 5/31/19. There is a hold up with the engineer and NYS DOT. DEP will discuss the project with the engineer on 6/3/19. DEP performed a site visit on 6/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP received a call from the engineer on 6/13/19 regarding the redesign of the bioretention cells. DEP received modified plans and drainage sketch from the engineer on 7/2/19. DEP received Final Plans for approval by DEP from the engineer on 7/11/19 regarding SWPPP revisions. DEP issued a Modified Approval Determination letter on 7/15/19 to the engineer along with the approved plans. DEP performed a site visit on 8/15/19; there were deficiencies and there was no discharge. The site was occupied. A meeting was held with the project engineer on 9/3/19 to discuss the project. The permit from NYSDOT has been issued. The engineer will stake out the stormwater controls in the next two weeks and construction will commence after. DEP performed a site visit on 9/12/19; there were deficiencies and there was no discharge. The site was occupied. DEP performed a site visits on 10/2, and 10/8/19. There were no deficiencies, there was no discharge and the site was occupied. DEP issued a letter to the owner on 10/10/19 regarding the punch list of items that still need to be addressed and requested the status for a winter shutdown. DEP performed site visits on 10/30, 11/8, and 11/22/19. There were no deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 12/1/19 due to winter shutdown. DEP performed a site visit on 2/27/20. There were deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 4/17 and 5/15/20. There were deficiencies there was no discharge and the site was occupied. DEP issued a letter to the applicant on 6/16/20 requesting a construction schedule and outlining the outstanding work necessary to close out the NOV. The applicant responded advising DEP that construction resumed on 6/8/20. DEP setup an inspection for 6/18/20. DEP performed site visits on 6/18 and 7/10/20. There were deficiencies, there was no discharge and

the site was occupied. DEP received an e-mail from DEC on 7/28/20 regarding the oil/water separator. DEP performed site visits on 7/30, 7/20, 9/3 and 9/15/20. There were no deficiencies, there was no discharge and the site was occupied.

### 3.1.2. Delaware District

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

#### Overview and Action:

DEP issued a Revocation of the Approval letter to the applicant on 6/19/17 effective 5/8/17 the date specified in the Notice of Intent dated 3/24/17. DEP performed site visits on 10/13/17 and 1/29/18; septic failure was not observed. DEP called the owner on 3/16/18 and spoke with the secretary. DEP requested that the owner call back for an update on the property status, plans, and ownership change, if applicable. DEP performed a site visit on 12/3/18. Septic failure was not observed. There was no visible failure. DEP performed a Follow-up site visit on 12/6/19. Septic failure was not observed; the residence is still unoccupied. DEP performed a site visit on 6/25/20; septic failure was not observed. The house is still unoccupied. DEP received a call from the adjoining property Owner on 9/9/20 regarding an active interest of prospective buyer(s) of the property. She is concerned about the possibility of the property becoming occupied without the SSTS being fixed. She was informed that the T/Andes CEO was sent a copy of the DEP NOV from October 2015 that documents the condition of the existing septic system and the Town has authority to address sanitary issues.

Project Name: Miller Hollow Road (2018-PE-0180)  
Town: Colchester  
Basin: Pepacton  
Type of Use: Intermediate Repair (CR)  
Type of Violation: Campground; failing SSTS; DEP NOV for a discharge from a septic tank surfacing on the ground. Eight unapproved sewer connections to campers and mobile homes, and eleven greywater discharges from seasonal campers.  
Discovery Date: 5/4/18  
Status: **Approved/Closed**

#### Overview and Action:

DEP sent an e-mail to the Engineer on 2/25/19 requesting a design status update. DEP received an e-mail from the Engineer on the same day indicating that a wetland delineation is needed when the weather improves in order to proceed with the SSTS location and design. On 2/27/19, DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic tank was inspected and is full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP's Stormwater staff

issued a letter to the engineer on 3/13/19 stating that the cabins are considered mini camper trailers on wheels and are not considered impervious surfaces and, therefore, no SWPPP review and Approvals are required. This project is funded under CWC Septic Repair Program. On 3/14/19 DEP received CWC's notice of failure. DEP sent an e-mail to the Owner on 3/19/19 to schedule a site visit follow-up on 3/21/19. On 3/21/19, DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic tank was inspected and is full after being pumped out on 3/20/19. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP received an e-mail from the owner on 3/22/19 asking if the septic holding tank option is a permanent fix or temporary solution. DEP replied the same day that DEP does not have approval authority for septic holding tanks and advised the owner to contact DOH regarding the matter. DEP received a request for a pre-application meeting from the engineer on 4/16/19. DEP sent an e-mail to the engineer on 4/18/19 to schedule the pre-application meeting for 4/26/19. DEP sent an e-mail to DOH on 4/23/19 regarding the pre-application meeting scheduled for 4/26/19 and status of the DOH permit. DEP received an e-mail from DOH on 4/23/19 with the 2019 Operating Plan Proposal Review Comments. DEP received an e-mail from the Engineer on 4/24/19 requesting to postpone the pre-application meeting scheduled for 4/26/19. On 4/26/19 DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic and graywater tanks were inspected and are full with infiltration of groundwater observed. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP received an e-mail from the engineer on 4/26/19 regarding the 2019 Operating Plan Proposal Review Comments issued by DOH. DEP received DOH approval to operate for the 2019 season using porta johns on 5/14/19. DEP sent an e-mail to the owner on 5/14/19 requesting a copy of their 5/3/19 letter to DOH. DEP sent an e-mail to the owner on 5/20/19 regarding their proposal letter to DOH and to schedule a site visit for 5/22/19. On 5/22/19 DEP performed a site visit. The camp is currently closed and will open for the 2019 season on Memorial Day weekend. The septic and graywater tanks were inspected and are full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. Present for Inspection: Owner. Property Status: Currently inhabited, Full time use. DEP received an e-mail from the owner on 6/10/19 regarding a conference call with DOH scheduled for 6/12/19. DEP held a call with DOH, the current owner, the prospective buyer, and the buyer's engineer on 6/12/19 regarding plans to advance the SSTS design. The buyer's engineer will continue the SSTS design and submit a progress letter to DOH by 7/30/19. The property sale closing date is tentatively scheduled for September 2019. DEP sent an e-mail to the owner on 6/25/19 to schedule a site visit on 6/28/19. On 6/28/19 DEP performed a site visit. An alarm float was installed in the septic tank. The septic and graywater tanks were inspected and were half full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP sent an e-mail to the engineer on 7/22/19 requesting an update on their involvement. DEP received a letter from the engineer on 7/29/19 regarding an update on their involvement and stated that plans for a new SSTS would be submitted prior to 9/30/19. DEP received an e-mail from the engineer on 7/29/19 with a letter to DOH regarding the current state of the onsite wastewater disposal system. On 8/01/19 DEP performed a site visit. The camp is currently open with customers using the onsite slop sinks and porta-johns. The alarm float was in the septic tank. The septic and graywater tanks were inspected and about one quarter full. Sewage was ponded in the hand dug trench. Some tank effluent was migrating near the bank and absorbing into the ground. On 8/22/19 DEP performed a site visit. The camp is currently open

with customers using the onsite slop sink and porta- johns. The alarm float was in the septic tank. The septic and graywater tanks were inspected and about half full. Little evidence of sewage was present in the hand dug trench compared to previous visits. The trench dried significantly and there is no evidence of sewage migrating away from the septic tank and trench area. On 10/01/19 DEP performed a site visit. The property sale took place on 9/16/19; the camp is currently closed and all customers have moved offsite. The alarm float was in the septic tank. The septic and graywater tanks were inspected and about half full. Little evidence of sewage was present in the hand dug trench compared to previous visits. The trench dried significantly and there is no evidence of sewage migrating away from the septic tank and trench area. DEP received an e-mail from the engineer on 10/7/19 stating that they are finishing the SSTS drawings based on the new campground layout and will be sending them for review. DEP sent an e-mail to the engineer on 11/18/19 requesting the status of the SSTS design. DEP received an e-mail from the engineer on 11/18/19 stating that the SSTS drawings will be submitted to DOH the week of 11/18/19. DEP received an e-mail from the engineer on 11/18/19 with drawing for review and comment. On 11/19/19 DEP performed a site visit. The driveway is blocked with chains and traffic cones to prohibit entry to the property. The campground is closed and the owners and customers have moved offsite. The alarm float remains in the septic tank. There is little evidence of sewage present in the hand dug trench. The trench has some ponded water in it and there is no evidence of sewage migrating away from the trench area. DEP sent an e-mail to the engineer on 12/9/19 with DEP's initial comments on the preliminary sewer design drawings. DEP received an e-mail from DOH on 12/10/19 stating that their office received the SSTS design drawings on 12/5/19. DEP received revised drawings based on DEP's initial preliminary comments from the engineer on 12/20/19. DEP issued comments to the engineer on 1/24/20 for the latest submission. DEP exchanged emails with the engineer and DOH on 1/31/20 to schedule a conference call to discuss the SSTS design comments. DEP held a call with the engineer and DOH on 2/3/20 regarding the revised sewer and SSTS design drawings. DEP received an Application for an SSTS on 2/18/20 from the engineer with revised plans. DEP received the hard copies of the plans from the engineer on 2/26/20. DEP issued a NOICA to the owner on 3/9/20 requesting additional information. DEP issued design comments to the engineer on 3/9/20 along with the EPA Inventory of Injection Wells form. DEP received a response to the NOICA from the engineer on 5/4/20. DEP issued a NOCA on 5/8/20. DEP exchanged e-mails with the engineer on 5/13/20 regarding the status of a hard copy of the SSTS full plan set for design review. DEP received the SPDES Permit Application from DEC on 5/15/20. DEP received the hard copy of the plan for review from the engineer on 5/19/20. Site Visit type: Meeting. Date: 5/26/20. On 5/26/ 20 DEP attended the stormwater preconstruction meeting and performed a site walkthrough with the engineer and contractor. DEP observed that construction commenced on or before 6/8/20. On 6/8/20, DEP performed a follow-up site visit. DEP received an e-mail from the engineer on 6/10/20 advising DEP that DOH is satisfied with the plans. DEP issued a comment letter on 6/12/20 to the engineer/applicant. DEP received a letter and revised plans from the engineer on 6/19/20. DEP sent an e-mail to the DEC on 6/22/20 advising that DEP had no comments on the draft SPDES permit. DEP has resolved the Enforcement Action on 6/23/20 based upon this site is not in use, has new ownership, new plans, and a new design which will be constructed before it is put into use. The violation was resolved and the case was closed on 6/23/20 with no DEP Closure letter issued as the former owners causing the violation sold the property and the violation ceased. The new owners have no use and now have a new design which will be constructed before the camp is put into use. They are not part of any former violation. DEP

received an email with revised plans attached from the engineer on 6/24/20. DEP received the SPDES Permit from DEC on 6/29/20. DEP received a transmittal letter and revised plans from the engineer on 6/30/20. DEP issued an Approval Determination letter on 7/2/20. DEP received DOH Approved plans on 7/21/20. Site Visit type: Construction. Date: 7/27/20. On 7/27/20 DEP performed a construction inspection of the sanitary collection system including gravity sewer, force mains, and manholes. DEP sent an e-mail to the engineer on 7/27/20 regarding the start of construction. DEP observed that construction commenced on or before 7/27/20. DEP sent an e-mail to the engineer and owner on 7/27/20 regarding the need for the design engineer's construction observation of the SSTS. DEP sent an e-mail to the owner and engineer on 7/28/20 to request the engineer's construction inspection schedule or coordination for weekly joint construction inspections by the engineer and DEP. On 7/30/20, DEP performed a construction inspection of the sanitary collection system including gravity sewer, force mains, and manholes. DEP received an e-mail from the engineer on 7/31/20 providing a status update. DEP exchanged e-mails with the engineer on 8/3/20 regarding coordination of joint onsite construction inspections. On 8/6/20, DEP performed a construction inspection of the sanitary collection system and absorption fill placement. DEP exchanged e-mails with the engineer on 8/11/20 regarding sanitary sewer construction inspections. The engineer indicated that sanitary sewer work is currently on hold while the contractor completes work on the stormwater system. On 8/20/20 DEP performed a construction inspection. No sanitary sewer work had taken place since my last site inspection on 8/6/20. The contractor is currently installing rain gardens and electrical conduit. DEP exchanged e-mails with the engineer on 9/2/20 regarding a new manhole and to schedule a construction inspection on 9/3/20. On 9/3/20 DEP performed a construction inspection of the sanitary sewer force main and stormwater rain gardens. DEP exchanged e-mails with the engineer on 9/3/20 regarding replacement of sanitary manhole 4. On 9/10/20 DEP performed an inspection of the stormwater rain gardens and site stabilization. On 9/17/20 DEP performed a construction inspection of the absorption fill material and witnessed sanitary sewer pressure testing. On 9/22/20 DEP performed a construction inspection of the absorption fill material and witnessed sanitary sewer pressure testing.

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

Overview and Action:

DEP received revised plans in response to the NOV/NOV comment letter on 8/8/18. DEP sent an e-mail to the Engineer on 8/9/18 requesting soils testing data for the proposed reserve area. DEP called the Engineer on 10/9/18 regarding additional soils data. DEP received a letter from the engineer on 11/21/18 regarding the additional soils data. This system may be an Alteration/Modification to an existing SSTS. DEP issued an Approval Determination letter on 11/26/18. DEP performed a site visit on 12/5/18, septic failure was not observed. DEP issued a letter to the owner on 3/20/19 stating that construction has not yet commenced. DEP performed a site visit on 4/30/19; septic failure was not observed. DEP issued a letter to the owner on 8/14/19

stating that construction has not yet commenced. DEP performed a follow-up site visit on 12/4/19. Septic failure was not observed. DEP called the Engineer on 12/10/19 regarding the project status. He indicated that the Owner had been soliciting bids from contractors this fall. No word on when construction might commence. DEP called and left messages on 5/18/20 with the owner and the engineer regarding moving forward on the site. DEP was informed on 7/7/20 that construction will start on 7/9/20. DEP performed construction inspections on 7/13, 7/14, 7/15, 7/21, 7/22, 7/28, 7/30 and 8/11/20. DEP completed construction inspections on 8/11/20. DEP received As-Built plans and an engineer's certification letter from the engineer on 9/17/20. DEP issued a letter of Construction Compliance on 9/17/20. DEP has resolved the Enforcement Action on 9/17/20. The violation was resolved and the case was closed on 9/17/20 with DEP Closure letter dated 9/17/20.

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

DEP sent an e-mail to the owner on 10/2/18 regarding moving forward with the project. DEP received an e-mail from CWC on 10/2/18 stating that the estimate was approved and will send the paperwork when they get the contract back from being reviewed. DEP called the CWC on 3/26/19 regarding project status. CWC sent the applicant a contract but never heard back. CWC is going to reach out to the applicant again. DEP exchanged emails with the owner on 7/2/19 requesting a completion date. DEP received a call from the applicant's realtor on 10/9/2019 regarding the site. The realtor indicated there is confusion as to what is required. DEP has explained what is required to the applicant on several occasions prior to this call. DEP exchanged emails with the broker on 10/23/19 regarding the site. DEP issued a letter to the owner on 12/5/19 regarding the location of the house and that it may deviate from the location shown on the approved plans. DEP exchanged emails with the owner on 3/26/20 regarding getting construction started this season and finished. DEP sent an e-mail to the owner on 6/16/20 requesting a construction schedule. DEP received a response e-mail from the owner on 6/26/20 advising that her contractor is awaiting an approval. DEP sent an email explaining that no additional approvals are required and received an e-mail response from the owner on 6/29/20 advising that plans to construct the house were abandoned. A meeting was held with the project applicant on 7/20/20. The applicant will be doing the work themselves and will notify DEP two weeks prior to starting. DEP responded to an e-mail from the owner on 7/20/20 advising that the contractor should email or provide a phone number to DEP. DEP sent an e-mail to the engineer on 8/28/20 requesting an update on construction. DEP received an e-mail from the owner on 8/30/20 advising that she will reach out to her contractor. DEP received an e-mail from the owner on 9/16/20 regarding materials that were ordered. DEP responded to the owners email on 9/16/20 requesting when the work will be started so that DEP can meet on-site.

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

Overview and Action:

DEP called the owner and left a message on 7/5/17 regarding the date and time of the pump out that he wishes to do. DEP received a call from the owner on 7/10/17 regarding the date and time of the pump out. The tank will be pumped on 7/12/17. DEP performed a site visit on 7/12/17; septic failure was observed. The owner was having the tank pumped out. The tank looked good after the pump out. There were no sounds of water flow coming into the tank after the pump out was completed. DEP performed a site visit on 10/26/17. Septic failure was not observed. The laterals were open for gravel placement. In the area of the previous failure, additional topsoil was added. The failure seems to be abated with the additional topsoil. Effluent was visible with four laterals open for gravel placement. The owner is trying to keep the water usage down to help mitigate the failure. DEP performed a site visit on 1/8/18. Septic failure was not observed. The area of failure was covered in approximately two inches of snow. The owner stated that the work that was started prior to winter has been completed. DEP called the Owner on 9/17/18 and left a message requesting an appointment to review the situation in the field. DEP performed a site visit on 9/17/18. There was a minor discharge; the site was stable; the site was occupied. DEP called the owner on 3/18/19 regarding scheduling a site visit. The owner indicated that there is still several inches of snow over the absorption area. DEP performed a site visit on 3/28/19. Septic failure was not observed. DEP called the owner on 11/14/19 and left a message regarding the new CWC program for 2nd time SSTS replacements and requested that he/she contact CWC directly to determine if they qualify for the program. DEP left a message for the owner on 12/13/19 requesting a return call to set up a site visit. DEP called the owner on 3/16/20 was unable to leave a message on the answering machine. DEP called the Owner on 7/17/20 and scheduled a site visit for 7/21/20. DEP visited the site on 7/21/20. Septic failure was not observed. The CWC 2nd repair program was discussed with the Owner.

Project Name: Upper Meeker Hollow Road (2006-PE-1174)  
Town: Roxbury  
Basin: Pepacton  
Type of Use: Intermediate Repair (CR)  
Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence. 2013 NOV is for violating the conditions of approval.  
Discovery Date: 3/29/13  
Status: **Closed**

Overview and Action:

DEP inspected the holding tank, bathroom and SSTS on 1/2/18. The facility appeared to be closed for the season. No problems were observed. DEP inspected the facility on 3/22/18. The house was occupied but the apartment and barn appeared unused. No signs of the SSTS failing

were observed. On 6/26/18, DEP inspected the SSTS and holding tanks, no problems were observed. On 8/28/18, DEP inspected the site. The holding tank was found in the alarm state, but was not close to over flowing. The pumper was called and scheduled for a pump out. DEP returned a call to the owner on 9/19/18. The owner advised DEP that he sold the property. The closing was on 9/17/18. He is no longer involved with the property in anyway. On 10/25/18 and 1/17/19, DEP inspected the site. There was no evidence of the SSTS failing. DEP received a call from the code enforcement officer on 3/18/19. He was inquiring about hooking the apartment up to the septic system because the owner wants to get off the holding tank. DEP advised that WAC would have to be consulted because the connection had to be compliant with the easements on the parcels. DEP called the owner on 4/16/19 regarding holding tank. Watershed Agricultural Counsel (WAC) is meeting the owner at the property next week to discuss connection options. DEP received a call from WAC on 4/19/19 regarding the easement. WAC confirmed that the easement precludes connecting the apartment plumbing to the SSTS without a waiver or modified ADA. On 6/28/19 DEP inspected the site. No evidence of the SSTS failing was observed. On 3/12/20 DEP performed a follow-up inspection of the existing SSTS components and reviewed the timed dose pump panel with the property manager. The violation was resolved and the case was closed on 4/1/20 based upon expiration of consent decree and based upon March 2020 site visit revealed no remaining issues.

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

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

#### **Overview and Action:**

DEP performed a site visit on 10/9, 11/26, 12/12/18, and 1/7/19; temporary erosion controls have disintegrated and site is no longer secured, some exposed soil is visible but it does not appear to be leaving the site at this time. DEP received a copy via email of DEP's Legal letter to the owner on 1/9/19 regarding the judgement awarded. DEP performed a site visit on 2/11, and 3/8/19; no work in progress. Temporary erosion controls have disintegrated and site is no longer secured, site snow covered. DEP received an email from DEP Legal on 3/12/19 regarding a conversation they had with the owner and his unwillingness to comply with the judgment. DEP received an e-mail from DEP Legal on 3/12/19 regarding updated attorney information for the project. DEP performed site visits on 4/9, 5/3, and 6/7/19; there was no work in progress. Temporary erosion controls have disintegrated and site is no longer secured. Although temporary erosion controls have disintegrated the site is now vegetated. Discussions between DEP, DEP Legal and the County via email on 6/13/19 regarding status of the property. DEP received an e-mail from DEP Legal on 6/26/19 regarding an update on the bankruptcy situation. DEP performed a site visit on 7/8, 7/26, 8/8, and 9/3/19. No change, No work in progress. DEP performed site visits on 10/2, 11/13, 12/13/19, 1/9, and 2/12/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Discussions between DEP Legal and the Town

Attorney as well as discussions between DEP Legal and the DEC via email 2/10 to 2/19/20. DEP performed a site visit on 3/9/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Site Visits on 4/14, 5/8, 5/26, 6/10/20, no work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. Site is no longer secured. Internal e-mail sent on 6/10/20 regarding 6/9/20 EOH Enforcement meeting. DEP received a copy of DEC's letter to the owner on 6/11/20 regarding cleanup responsibility. Site Visits on 7/13/20. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. Site is no longer secured. DEP received an email from the Law Department on 7/29/20 regarding recent correspondence among DEC Regional Director, Town Supervisor, and County Legislator. Site Visit on 8/10/2020. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. DEP received a copy of the deed and NYS Department of State entity information sheet from Legal via email on 9/3/20 which the property has been recently conveyed to a new entity (the owner sold the property). Site Visit on 9/8/20. No work in progress at the time of this inspection but site has been secured and vegetation has recently been cut down. Erosion controls must be maintained in multiple areas where it is devoid of vegetation. REP emailed field report to DEP Legal on 9/16/20. DEP received an update from the Law Department on 9/16/20 via email. DEP sent photos of site conditions to the Law Department via email on 9/17/20. Site Visit on 9/28/20. Site has been graded with hay and seed applied and a minimal amount of germination has occurred. Silt fence has been installed but is not keyed in.

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

Overview and Action:

DEP issued an e-mail to WIG and DEC with comments and concerns on the pending closure plan. DEP received NYC Law's letter to the applicant's attorneys on 12/23/16. DEP received a Site Remediation Work Plan from the engineer on 2/14/17. DEP received a Stormwater Addendum from the engineer on 8/10/17. DEP received a copy of the Revised Site Remediation Work Plan from the geo tech engineer on 8/25/17. Communication between NYC attorneys and the Watershed Inspector General 5/2/19 to 6/11/19. Correspondence received on 9/17/19 from the NYC Law Department. DEP received a copy of the owner's response to the Watershed Inspector General via email on 9/26/19. DEP received the Executed Certification for the On-Site Areas Remedial Work Pan from DEP Legal on 1/24/20 via email. DEP issued comments to the applicant's attorney on 3/4/20 regarding the On-Site Areas Remedial Work Plan. DEP received a letter from the applicant's attorney via email on 4/1/20 in response to comments regarding the Off-Site Areas Remedial Work Plan. DEP received a copy of the DEC comment letter to the applicant's attorney and applicant on 5/12/20 via email. REP sent an internal e-mail on 7/6/20 regarding property status from the engineer. DEP received DEC's approval of remedial work relative to the property on 7/23/20 via email. DEP received a copy of the SWPPP from the applicant's attorney via email on 7/31/20 for the removal of construction and debris material

from the Property. DEP received a copy of the discussion between DEP Legal and the Watershed Inspector General on 8/11/20 in response to the 7/31/20 email received from the applicant's attorney. DEP issued a SWPPP Approval to the engineer via email on 8/25/20 for removal of construction and debris material from the property.

#### **3.1.4. Kensico Basin**

**No enforcement actions to report during this time frame.**

### **3.2. DEP Police Actions**

#### **3.2.1. Catskill District**

Name:	South Mountain Road	<b>SJS 89763</b>
Location:	Conesville	
Type of Use:	Rural	
Type of Violation:	Dumping	
Date Discovered:	9/22/20	
Status:	Closed	

##### **Overview and Action:**

DEP Police on sector patrol, observed a small dumping site consisting of large contractor bags of household garbage that had been dumped along the roadside. No traceable evidence present. Conesville Department of Public Works to be contacted for removal. DEP Police and Conesville DPW involved.

Name:	Maple Avenue	<b>SJS 87216</b>
Location:	Hunter	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	5/24/20	
Status:	Closed	

##### **Overview and Action:**

DEP Police on parcel patrol observed a dumpsite consisting of household furniture discarded onto NYC Property at the end of Maple Avenue in the snowplow turnaround. No traceable evidence found. DEP Land Management notified for removal. DEP Police and DEP Land Management involved.

Name:	Boulevard Rd Bow Parcel	<b>SJS 87872</b>
Location:	Hurley	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	6/28/20	
Status:	Closed	

##### **Overview and Action:**

DEP Police on parcel patrol came across a dumping of an old, damaged guitar and a discarded

utility pole that had been cut up into two foot sections. No traceable evidence found. DEP Land Management notified for removal. DEP Police and DEP Land Management involved.

Name: Route 28A **SJS 86695**

Location: Olive

Type of Use: Municipal

Type of Violation: Dumping Medical Waste

Date Discovered: 4/21/20

Status: Closed

Overview and Action:

DEP Police on patrol observed multiple syringes on the side of the roadway in the area of 2349 State Route 28A. Further investigation determined there were 11 syringes, some intact and some crushed by car traffic. Officer collected syringes into three sharps containers and logged into evidence. DEP Police involved.

Name: State Rte 28A, Gate W-12 **SJS 88543**

Location: Olive

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 7/31/20

Status: Closed

Overview and Action:

DEP Police on patrol observed refuse in the Ashokan Reservoir adjacent to Esopus Creek. Further investigation of the site currently at low water level, revealed approximately ten tires, two traffic cones and one wheeled household garbage can now visible along the shore. Photos taken for documentation, no traceable evidence found. DEP Operations notified for removal.

Name: Reservoir Road, Gate W-1 **SJS 88748**

Location: Olive

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 8/6/20

Status: Closed

Overview and Action:

DEP Police observed a bag of household refuse near the entrance at Gate W-1, Reservoir Road. No traceable evidence found. Operations notified for removal. DEP Police and DEP Operations involved.

Name: 3981 State Rte 28A **SJS 89346**

Location: Olive

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 8/30/20

Status: Closed

Overview and Action:

DEP Police responded to the location of a dumping on NYC property and observed three large

white garbage bags. Bags contained food waste, paper plates and beer bottles with no traceable evidence found. DEP Operations notified for removal. DEP Police and DEP Operations involved.

### **3.2.2. Delaware District**

Name: NYC Road #9 **SJS 88379**  
Location: Andes  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 7/22/20  
Status: Closed

#### **Overview and Action:**

DEP Police investigated a dumping complaint located on NYC property received from DEP Land Management. Officer arrived on scene and observed small dump site consisting of Household refuse in the parking area near Bush Hill Road. No traceable evidence found. DEP Land Management to be contacted for removal. DEP Police and DEP Land Management involved.

Name: 285 Sutherland Road **SJS 86815**  
Location: Delhi  
Type of Use: Residential  
Type of Violation: Encon - Stream Violation  
Date Discovered: 4/29/20  
Status: Closed

#### **Overview and Action:**

DEP Police responded to the location of an anonymous complaint of turbidity coming from a logging operation in the T/Delhi. On scene, officer observed a skidder trail coming out through private property causing turbidity in a small headwater stream. Interview with property owner confirmed logging operation underway and officer advised him to put hay bales and silt fence in place to mitigate the ensuing turbidity. Officer conducted follow-up and observed hay bales and silt fence functioning well with no turbidity visible. DEP Police involved.

Name: County Route 26 **SJS 86687**  
Location: Hamden  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 4/20/20  
Status: Closed

#### **Overview and Action:**

DEP Police received a dumping complaint from DEP Land Management located across from McDonald Road in the Town of Hamden. Upon arrival, officer observed three large black garbage bags within the parking/pull off area on NYC Property. Bags were found to contain common household refuse with no traceable evidence present. Land Management notified for removal. DEP Police and DEP Land Management involved.

Name: 362 Pearl Street **SJS 88468**  
Location: Hobart  
Type of Use: Residential  
Type of Violation: Encon - Stream Violation  
Date Discovered: 7/27/20  
Status: Closed

Overview and Action:

DEP Police received a complaint generated from DEC of a stream violation located in the Village of Hobart in which the homeowner had placed pea gravel along the bank of a CTS stream in her yard in order to create a sitting area. When interviewed, subject stated that she is in the process of remediating the area according to DEC guidelines with DEC oversight.

Subsequent follow-up by patrol determined that remediation is complete; the stones have been raked back and removed from the stream bank. DEP Police and DEC involved.

Name: Aden Road **SJS 85395**  
Location: Neversink  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 1/14/20  
Status: Closed

Overview and Action:

DEP Police patrolling along the Neversink Reservoir, observed a dumping over the guiderail at one of the pull offs. Further investigation determined that two large black bags of household garbage had been tossed over the guiderail. Officer searched bag contents and located traceable evidence connecting to possible subjects. Initial attempt to make phone contact was met with negative results. Officer will make further attempts to contact. DEP Land Management notified for removal of garbage. Numerous attempts to locate the responsible party (ies) negative. DEP Land Management cleaned the site of the refuse dumped. DEP Police and DEP Land Management involved.

Name: Paddy Lane **SJS 88881**  
Location: Neversink  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 8/11/20  
Status: Closed

Overview and Action:

DEP Police responded to the location of a dumping complaint received through DEP Land Management. Upon arrival to the location observed no dumped material. Officer was notified that Land Management had already removed dumped evidence to their office for disposal. At Land Management office, employee showed officer a number of tires, (eight of which had been recovered from current dumping complaint), investigation closed. DEP Police and DEP Land Management involved.

Name: West Shields Road **SJS 89407**  
Location: Neversink  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/3/20  
Status: Closed

Overview and Action:

DEP Police on patrol was flagged down on the road by a DEP employee who reported that while mowing NYC property, he observed four black 30 gallon garbage bags down the embankment. Officer responded to the scene and searched the bags which contained paper goods and plastic cups from an outdoor picnic or camp with no traceable evidence recovered. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: Feak Hollow Road **SJS 86734**  
Location: Walton  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 4/24/20  
Status: Closed

Overview and Action:

DEP Police were notified by Ashokan Dispatch of a dumping complaint filed by a local resident in the town of Hamden. Upon arrival on scene, officer observed a television, a picture frame and a large black contractor grade garbage bag in the pull-off at the Hamden – Walton line. Bag contained discarded board games, several large coloring books and penciled drawings with no traceable evidence present. Hamden Highway Department to be notified for removal. DEP Police and Hamden Highway Department involved.

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

Name: 80 Woods Bridge Road **SJS 86678**  
Location: Bedford  
Type of Use: Municipal  
Type of Violation: Sewage Discharge  
Date Discovered: 4/19/20  
Status: Closed

Overview and Action:

DEP Police was dispatched to the location of a possible sewage complaint where it was reported that a bright green substance was flowing from a storm drain which runs into the Muscoot Reservoir. Officer arrived on scene and determined that substance had no odor and was consistent with dye used for septic testing. Officer traced the flow line back to a nearby address in the area. DEP Hazmat arrived on scene and conducted a test deeming substance to be neutral test dye. When contacted, DEP Hazmat/Storm Water Department and Westchester County DOH were unaware of any testing being conducted in the area; case was turned over to them for follow-up and closure. DEP Police, DEP Hazmat and Westchester DOH involved.

Name: Maple Ave **SJS 89862**  
Location: Bedford  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/27/20  
Status: Closed

Overview and Action:

DEP Police on patrol near the Cross River Dam was flagged down by a pedestrian and notified of a dumping on city property adjacent to Boat Area CR-11. The dumping consisted of three mattresses and other household garbage with no traceable evidence found. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: Croton Falls Road **SJS 86707**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 4/22/20  
Status: Closed

Overview and Action:

DEP Police on patrol observed a dumping near Boat Area 3 consisting of two large rectangular-shaped black containers that were sealed but had no weight to them. Labels with the name Ace Roto Mold (Hospers, IA) and inspection stickers were present on the containers. Officer took photos for file and notified DEP Hazmat and Field Crew for further investigation and removal. Officer later received e-mail from DEP Supervisor indicating containers had been removed by an unknown party prior to DEP Hazmat arriving on scene. Having no evidence, case was closed. EP Police, DEP Operations DEP Hazmat involved.

Name: Hemlock Dam Road **SJS 89006**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 8/16/20  
Status: Closed

Overview and Action:

DEP Police on patrol in the vicinity of the boat ramp came upon a dumping of an old recliner sectional. No traceable evidence present. DEP Operations notified for removal. DEP Police and DEP Operations involved.

### **3.2.4. Kensico Basin**

Name: Nannyhagen Road **SJS 83498**  
Location: Mount Pleasant  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/24/19  
Status: Closed

Overview and Action:

DEP Police identified a dumping consisting of one black trash bag containing rabbit pellets and dirty cage bedding and one white trash bag containing cat food cans, general household debris and traceable evidence in the form of a New Rochelle Police Department accident report receipt. Officer called their records unit attempting to identify possible subject responsible for dumping. Investigation to continue. Investigation revealed that the subject on the receipt had passed away. No further suspects. Site Cleaned of Debris by DEP Operations. DEP Police and New Rochelle Police Department involved.

Name:	Nannyhagen Road	<b>SJS 86088</b>
Location:	Mt. Pleasant	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	3/8/20	
Status:	Closed	

Overview and Action:

DEP Police observed a dumping of household refuse along Route 120. Further investigation of the dumped material did yield possible traceable evidence in the form of four pieces of mail showing a local address approximately 1.2 miles from the dumping site. Photos of dumping location and mail were taken for case file. Investigation follow-up yielded no further leads. DEP Field Crew notified for clean-up. Site Cleaned of all debris by DEP Field Crew. DEP Police and DEP Field Crew involved. Closed.

Name:	Nannyhagen Road	<b>SJS 87674</b>
Location:	Mt. Pleasant	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	6/17/20	
Status:	Closed	

Overview and Action:

DEP Police on patrol located a dumping in the area of the Lime Plant. The dumping consisted of two large white bags filled with recyclables and one green garbage bag filled with lumber. No traceable evidence recovered; photo taken for file. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name:	Nannyhagen Road	<b>SJS 86758</b>
Location:	North Castle	
Type of Use:	Rural	
Type of Violation:	Dumping	
Date Discovered:	4/26/20	
Status:	Closed	

Overview and Action:

NYC DEP Police was dispatched to a substantial dumping consisting of 40-50 bags of miscellaneous household debris, construction materials, two air conditioners and one microwave. Photos were taken and traceable evidence was recovered which led to interview of subject who stated that he had contracted a company for removal of junk from house clean-

out. Officer then contacted a junk hauler and determined that first load had been properly disposed but second load was improperly disposed by kid working for the junk hauler. Hauler insisted on assuming full responsibility for action in the illegal dumping which had already been removed from the site; producing a receipt from the Rockland County Solid Waste Management Authority for 2580 lbs. of debris. Officer issued Appearance ticket for Trespass (140.05) and Illegal Disposal of Solid Waste (NYS ECL). DEP Police involved.