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July 30, 2013

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RE: CSO Order on Consent (DEC Case No. CO2-20110512-25,  
modification to DEC Case No. CO2-20000107-8)  
Citywide CSO Program - Quarterly Report

Dear Mr. DiMura:

In accordance with the above named CSO Order on Consent, the New York City Department of Environmental Protection hereby submits the Citywide CSO Quarterly Report for the period of April 1 through June 30, 2013. The next Quarterly Meeting will be on September 16 at Hazen and Sawyer's offices in New York, NY.

Should you require further information, please contact me at (718) 595-5045.

Sincerely,

Anthony Maracic, P.E.  
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Bureau of Engineering Design & Construction

CSO Order on Consent  
DEC Case # CO2-20110512-25, Modification to CO2-20000107-8

QUARTERLY PROGRESS REPORT

**SECOND QUARTER 2013**  
**(April 1 to June 30)**

**July 30, 2013**

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## 1.0 Executive Summary

The Combined Sewer Overflow Order on Consent (DEC Case # CO2-20000107-8) was entered into by the City of New York (City), the New York City Department of Environmental Protection (DEP) and the New York State Department of Environmental Conservation (DEC) on January 14, 2005. This Order on Consent was modified on April 14, 2008, September 3, 2009, and March 8, 2011 (collectively, the "Order"). Pursuant to the Order, the City shall submit quarterly status reports to DEC (Quarterly Reports). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress made by DEP in complying with the milestones set forth in the Order between **April 1, 2013 and June 30, 2013**.

### Critical Events This Quarter

The following critical events occurred this quarter:

1. DEP submitted the Approvable Drainage Basin Specific LTCP for Alley Creek on July 2, 2013 in accordance with Milestone I.E.1 of Appendix A of the Order as modified and approved by DEC. A copy of the cover letter is provided in Appendix A of this quarterly report. DEC acknowledged receipt of the LTCP on July 3, 2013.
2. DEP certified the Notice to Proceed to Construction of the Newtown Creek Enhanced Aeration in Lower English Kills on April 2, 2013 in accordance with Milestone VIII.H.3 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A of this quarterly report.
3. DEP certified Final Design Completion of the Newtown Creek Bending Weirs/Floatables Control Project on July 1, 2013 in accordance with Milestone VIII.K.2 of Appendix A of the Order. DEC acknowledged receipt of the design package on July 2, 2013. A copy of the Certification letter is provided in Appendix A of this quarterly report.
4. DEP Certified Construction Completion of the Newtown Creek Green Infrastructure Demonstration Project on May 10, 2013 in accordance with Milestone VIII.L.3 of Appendix A of the Order. DEC accepted the Certification on June 24, 2013. A copy of the Certification letter is provided in Appendix A of this quarterly report.
5. DEP Certified Construction Completion of the Hutchinson River Green Infrastructure Demonstration Project on April 30, 2013 in accordance with Milestone XI.H.3 of Appendix A of the Order. DEC accepted the Certification on June 24, 2013. A copy of the Certification letter is provided in Appendix A of this quarterly report.
6. DEC accepted DEP's Certification of Construction Completion for the Bronx River Floatables Control Project on June 25, 2013 in accordance with Milestone X.C.4 of Appendix A of the Order.

7. DEC accepted DEP's Certification of Construction Completion for the Jamaica Bay Green Infrastructure Demonstration Project on June 24, 2013 in accordance with Milestone XII.J.3 of Appendix A of the Order.
8. DEP submitted the first Annual Report on implementation of its Green Infrastructure Program on April 30, 2013 in accordance with Paragraph IV.C of the Order.
9. DEP submitted the Hutchinson River Waste Load Allocation Water Quality and Sewer System Report on July 1, 2013 in accordance with Milestone XI.F.3 of Appendix A of the Order. DEC acknowledged receipt of the report on July 2, 2013.
10. DEP submitted a Modification Request for the Final Design Completion milestone for the Flushing Bay Divert Low Lying Sewers / Raise Weir BB-R02 (Milestone V.J.2) on May 1, 2013. A date extension from June 30, 2013 to January 31, 2014 for the milestone was requested based on coordination efforts with outside agencies and the impact of Hurricane Sandy on the schedule.
11. On May 24, 2013, DEP provided an update to the March 1, 2013 Modification Request for Milestones XII.K.5 through XII.K.8 of the Jamaica Bay 26<sup>th</sup> Ward Wet Weather Stabilization. The update included discussion outcomes from a technical meeting between DEP and DEC staff that occurred on May 14, 2013. DEC issued a Notice of Violation for Milestone XII.K.5 (Final Design Completion) on June 10, 2013.
12. On April 12, 2013 DEP provided an update on the Force Majeure related to impact from Hurricane Sandy on the Inner Harbor Gowanus Canal Pump Station and Flushing Tunnel (Milestones III.F.2 and III.G.2).
13. On June 18, 2013 DEP met with DEC to review the draft permit for Gowanus Canal Dredging.

### **Major Actions This Quarter**

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report. As required by the Order, DEP and DEC held a Quarterly Progress Meeting on **May 14, 2013 at DEP's offices in Valhalla, New York** to discuss issues related to the Order and to review milestones met during the last quarter. **As noted previously, a technical meeting was also held at the 26<sup>th</sup> Ward Wastewater Treatment Plant.**

Table 1 presents the milestones that occurred this quarter. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Table 2 presents milestones from the reporting quarter that are under consideration for potential modification.

### **Major Actions Next Quarter**

The following major actions are expected to occur from **July through September 2013**:

Hold the next Quarterly Progress Meeting between DEC and DEP on **September 16, 2013** at **Hazen and Sawyer's** offices in New York, NY.

**Table 1 – Milestones Certified This Quarter (April 2013 – June 2013)**

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Alley Creek	Submit LTCP	Jul 2013	Submittal	Submitted Jul 2 2013
Newtown Creek	Bending Weirs / Floatables Control	Jun 2013	Final Design Completion	Certified Jul 1 2013
Newtown Creek	Enhanced Aeration in Lower English Kill	Apr 2013	NTP	Certified Apr 2 2013
Newtown Creek	Green Infrastructure Demonstration	May 2013	Construction Completion	Certified May 10 2013
Hutchinson River	Green Infrastructure Demonstration	Apr 2013	Construction Completion	Certified Apr 30 2013

**Table 2 – Milestones Under Consideration for Modification (April 2013–June 2013)**

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Flushing Bay	Divert Low Lying Sewers / Raise Weir BB-R02	Jun 2013	Final Design Completion	Modification Request submitted May 1 2013

**Table 3 – Milestones Next Quarter (July 2013 – September 2013)**

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Jamaica Tributaries	Parallel 48-Inch Siphon / Interceptor	Aug 2013	Submit Final Design to DEC	On Schedule



**Table 4 – Outstanding Modification Requests and Force Majeure Notices from Previous Quarters**

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION(S)	REASON FOR ACTION(S)	MILESTONE DATE	STATUS
Inner Harbor	Gowanus Pump Station and Flushing Tunnel Modernization	Notice of Force Majeure Nov 19 2012	Hurricane Sandy	Construction Completion Sep 2014	<b>Update provided Apr 12 2013</b>
Flushing Bay	Tallman Island WWTP	Notice of Force Majeure Nov 19 2012	Hurricane Sandy	Construction Completion Jul 2015	<b>Under Consideration</b>
Newtown Creek	Enhanced Aeration LEK	Modification Request Nov 2 2012	USACE Permit Delay	NTP Dec 2012	<b>Certified Apr 1 2013</b>
Newtown Creek	Green Infrastructure Demonstration	Notice of Force Majeure Nov 19 2012	Hurricane Sandy	Construction Completion May 2013	<b>Certified May 10 2013</b>
Hutchinson River	Green Infrastructure Demonstration	Notice of Force Majeure Nov 19 2012	Hurricane Sandy	Construction Completion Apr 2013	<b>Certified May 10 2013</b>
Jamaica Bay	26 <sup>th</sup> Ward Green Infrastructure Demonstration	Notice of Force Majeure Nov 19 2012	Hurricane Sandy	Construction Completion Dec 2012	<b>Under Consideration</b>
Jamaica Bay	26th Ward Wet Low Level MSPs	Modification Request Mar 1 2013	Design Procurement	Multiple Milestones	<b>Update provided May 24 2013</b>

Changes from the previous reporting period are shown in **bold**

## 2.0 Construction Contracts

The 2012 CSO Consent Order contains milestones and schedules governing the planning, design and construction of DEP's Citywide CSO Program. Numerous CSO related facilities will be constructed to reduce combined sewage discharges to the receiving waters surrounding the City. The table below provides a list of construction contracts, identified in Appendix A of the Order, necessary to fulfill the requirements of the Order. This table identifies, by percentage, the estimated amount of construction that has been completed.

**Table 5 – Construction Contracts and their Status**

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED <sup>(1)</sup>
Alley Creek	CSO Retention Facility	Dec 2006	Dec 2009	Certified <b>Mar 2011</b>	100%	100%
Inner Harbor	Gowanus Flushing Tunnel Modernization	Feb 2010	Sep 2014	Sep 2014	<b>73%</b>	<b>69%</b>
	Gowanus Pump Station Reconstruction	Feb 2010	Sep 2014	Sep 2014	<b>73%</b>	<b>69%</b>
	Dredging of Gowanus Canal	TBD <sup>(2)</sup>	TBD <sup>(2)</sup>	TBD <sup>(2)</sup>	-	-
Paerdegat Basin	Structures and Equipment	Sep 2005	May 2011	Certified <b>May 2011</b>	100%	100%
	Dredging of Paerdegat Basin	Mar 2013	Mar 2015	Mar 2015	<b>13%</b>	0%
Flushing Bay	Tallman Island Whitestone Interceptor	Dec 2011	Jul 2015	May 2015	<b>42%</b>	19%
	Tallman Island Flushing Interceptor	TBD	TBD	-	-	-
	Divert Low-Lying Sewers	Jun 2014	Dec 2016	Dec 2016	-	-
	<b>Raise Weir BB-R02</b>	<b>Jun 2014</b>	<b>Dec 2016</b>	<b>Dec 2016</b>	-	-
	Regulator Modifications	Dec 2015	Jun 2018	Jun 2018	-	-
	Environmental Dredging of Flushing Bay	TBD <sup>(3)</sup>	TBD <sup>(3)</sup>	TBD <sup>(3)</sup>	-	-
Jamaica Tributaries	Destratification Facility	Sep 2010	Mar 2012	Certified <b>Mar 2012</b>	100%	100%
	Parallel 48-Inch Siphon / Interceptor	Aug 2014	Feb 2017	Feb 2017	-	-
	Bending Weirs	Dec 2014	Jun 2016	Jun 2016	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Jun 2012	Certified <b>Jun 2012</b>	100%	100%
	Avenue V Force Mains	Jul 2007	Jun 2012	Certified <b>Jun 2012</b>	100%	100%
Newtown Creek	Enhanced Aeration Lower English Kills	<b>Apr 2013</b>	Dec 2013	Dec 2013	<b>25%</b>	-
	Enhanced Aeration East Branch, Upper Newtown Cr	Jun 2015	Jun 2018	Jun 2018	-	-
	Enhanced Aeration Dutch Kills, Lower Newtown Cr	Dec 2016	Dec 2019	Dec 2019	-	-

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED <sup>(1)</sup>
	Bending Weirs / Floatables Control	Dec 2014	Dec 2017	Dec 2017	-	-
	GI Demonstration	Oct 2012	May 2013	<b>Certified May 2013</b>	<b>100%</b>	<b>100%</b>
Westchester Creek	Modifications to CSO-29 and CSO-29A	Dec 2015	Dec 2019	Dec 2019	-	-
	Pugsley Creek Parallel Interceptor	Jun 2016	Dec 2019	Dec 2019	-	-
Bronx River	Floatables Control	Jun 2009	Oct 18 2012	<b>Certified Oct 2012</b>	100%	100%
Hutchinson River	GI Demonstration	Aug 2012	Apr 2013	<b>Certified Apr 2013</b>	<b>100%</b>	<b>100%</b>
Jamaica Bay	Hendrix Creek Dredging	Feb 2010	Feb 2012	Oct 2011	100%	100%
	26 <sup>th</sup> Ward HLSS Phase 1	Mar 2016	Dec 2018	Dec 2018	-	-
	26 <sup>th</sup> Ward HLSS Phase 2	Mar 2018	Dec 2020	Dec 2020	-	-
	26 <sup>th</sup> Ward HLSS Phase 3	Mar 2020	Dec 2022	Dec 2022	-	-
	GI Demonstration 26 <sup>th</sup> Ward	Jun 2012	Dec 2012	<b>Certified Dec 2012</b>	100%	100%
	26 <sup>th</sup> Ward Low Level MSPs	Sep 2012	Apr 2015	Jun 2014	-	-
	26 <sup>th</sup> Ward PST#5 and High Level MSPs	Apr 2014	Dec 2017	Aug 2018	-	-
	26 <sup>th</sup> Ward Stabilization of PSTs #1to 4	Dec 2017	Jul 2019 <sup>(4)</sup>	Nov2019	-	-
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-

Note: Changes from the previous reporting period are shown in **bold**

(1) Percentage Construction Completion is tracked based on cost incurred.

(2) Dredging NTP 3 years from effective date of permit (EDP) (DEC and USACE); completion within 5 years of EDP.

(3) Dredging NTP 2 years from EDP; completion TBD per permits.

(4) For escrow recovery; enforceable milestone is July 2019.

### 3.0 Detailed Description of Work Performed

#### 3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area is within the Tallman Island Wastewater Treatment Plant (WWTP) service area in Queens and included Consent Order projects constructed under contracts ER-AC1 and AC2. DEP certified Construction Completion of the Alley Creek CSO Facility on June 27, 2011. The facility was certified as being operational as of March 11, 2011 and the certification of Construction Completion was accepted by DEC on September 25, 2012.

**All projects under this planning area have been certified complete and accepted by DEC.**

**Table 6 – Alley Creek CSO Projects**

<i>Phase I, Stage 2</i>	
<i>Contract ID</i>	ER – AC2
<i>Plan Elements</i>	Alley Creek CSO Abatement Facilities
<i>Location</i>	Northern Boulevard and Alley Park in Bayside, Queens
<i>Actions</i>	Construction of CSO abatement facilities, including modifications to the Old Douglaston Pumping Station; hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; and rehabilitation of the CSO Outfall TI-008 structure.
<i>Cost</i>	\$35,629,594
<i>Status</i>	Certification accepted Sep 25 2012
<i>Other Issues</i>	<b>None – all projects in this planning are have been certified and accepted</b>

### **3.2. Inner Harbor CSO**

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook WWTPs and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. The Consent Order projects are constructed under contracts CSO-DRDG/DRG-GC and CSO-GCER, which include the following items:

- ◆ Environmental dredging in approximately 825 feet of the head end of Gowanus Canal to a final water depth of 3.0 feet below mean lower low water
- ◆ Gowanus Canal Pumping Station reconstruction to improve operational reliability and to redirect flow directly to the Columbia Street Interceptor via a new force main to be constructed within the Flushing Tunnel.
- ◆ Rehabilitation of the Gowanus Flushing Tunnel to eliminate shutdowns during low tide and many maintenance operations with the installation of a new pumping system with redundant, interchangeable pumps.

Gowanus Canal was added to the US EPA Superfund National Priorities List (NPL) on March 2, 2010. According to EPA, placing the Gowanus Canal on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination. EPA issued a proposed plan for remediation of the Canal in December 2012.

#### **Design Work Performed During This Quarter**

- The DEP is incorporating design modifications to address flood adaptation, which will be a combination of dyke walls, raising of control rooms / equipment, flood gates and door bulkheads.
- Environmental Dredging
  - On June 18, 2013, DEP and DEC met to discuss the draft permit for dredging (received on March 26, 2013). DEC issued minutes on June 24, 2013 and DEP provided input to those minutes on June 27, 2013. DEP and DEC continue to discuss a tentative schedule for completing sampling and CEQR process.
  - On May 17, 2013 DEP responded to the January 8, 2013 USACE comments on the Joint Application Permit (JAP).

#### **Construction Work Performed During This Quarter**

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
  - The Interim Wastewater Pumping System continued operation on interim power.
  - The Interim Oxygen Transfer System was placed back into operation on May 3, 2013 using portable oxygen tanks.
  - Flushing Tunnel: The Contractor completed all tunnel work, removed all temporary utilities and tunnel dewatering pumps, and allowed the tunnel to fill with water. All work inside the tunnel is complete.

- Flushing Tunnel Building: The excavation was completed. Reinforcing steel, formwork, and concrete were placed for the base slab of the intake chamber, and other building repairs and construction continued.
- Force Main: Installation of all piping was completed and the final hydrostatic test of the force main was successful.
- Wastewater Pumping Station: Concrete spall repairs were performed in the wet well. Installation of conduit supports and ductwork continued. The main influent sluice gate leading into the new pump station was installed. Roof work and painting continued.
- Service Building: The west wall flood protection was completed. Installation of all conduit and supporting devices for the Incoming Service Switchgear, Motor Control Centers, generator, generator switchgear, automatic transfer switches and Variable Frequency Drives in the first floor electrical room continued. Installation of conduit and supporting devices for the second floor mechanical equipment and roof top HVAC units continued. Ductwork at the first floor electrical room and storage rooms was installed, and the installation of electric unit heaters throughout the building began. The emergency generator was delivered.
- CSO Screening Area –Excavation for the CSO extension was completed and concrete was placed for the base slab, pilaster columns, and walls. Contractor also began sawcutting of existing structure openings into the new extension area.

#### **Anticipated Construction Activities for Next Quarter**

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
  - The Interim Wastewater Pumping System will continue operation.
  - The Oxygen Transfer System will continue operation.
  - Flushing Tunnel: All tunnel work is completed and awaiting pumping system completion and testing.
  - Flushing Tunnel Building: Complete new concrete intake and discharge structure for the pumping system. Begin installation of conduit, piping and ductwork. Continue building work.
  - Force Main: Complete installation of force main vent piping platform at the Exit Chamber and Tompkins manhole.
  - Wastewater Pumping Station: Continue installation of electrical conduit, support racks and panels. Installation of sluice gates, main sewage pumps and floor gratings.
  - Service Building: Continue with the installation of conduit, piping and ductwork at the first and second floors. Continue brick veneer and stone masonry work on the north façade.
  - Complete the installation of Con Edison Network Protection equipment and coordinate primary cable feeds into the Con Edison Transformer Vault.
  - CSO Area: Installation of new Tide Gate No.1. Continue installation and construction of CSO extension.

**Table 7 – Inner Harbor CSO Projects**

	<i>Dredging of Gowanus Canal</i>	<i>Gowanus Canal Pumping Station and Flushing Tunnel</i>
<i>Contract ID</i>	CSO-DRDG/DRG-GC	CSO-GC
<i>Plan Elements</i>	Dredging Gowanus Canal Head End	Rehabilitation of Pumping Station and Flushing Tunnel
<i>Location</i>	Gowanus Canal	Gowanus Pumping Station Property Brooklyn
<i>Actions</i>	Design on hold	Wastewater Pumping Station and Flushing Tunnel Pumping System upgrades
<i>Construction Cost</i>	\$13,100,000 (based on concept design)	<b>\$156,513,422</b>
<i>Status</i>	In Design	In Construction
<i>Other Issues</i>	<b>DEP and DEC continue to discuss a tentative schedule for completing sampling and CEQR process</b>	

Changes from the previous reporting period are shown in **bold**

### **3.3. Paerdegat Basin CSO**

The Paerdegat Basin CSO Facility Planning area includes the portion of the Coney Island WWTP service area, associated sewers, and pumping stations that discharges to Paerdegat Basin in Brooklyn. The Consent Order projects are constructed under contracts CSO-5 and CSO-DRDG, which include the following items:

- ◆ The Paerdegat Basin CSO Retention Facility, located at the intersection of Flatlands and Ralph Avenues. The facility receives combined sewer overflows from outfalls CI –004, CI-005, and CI-006 serving approximately 6,000 acres of Brooklyn. The facility consists of a four bay underground storage tank and operations buildings. The stored CSO is pumped back to the Coney Island WWTP for treatment after each rain event.
- ◆ Environmental dredging in the head end of Paerdegat Basin to a final water depth of 3.0 feet below mean lower low water.

DEP Certified Construction Completion of the Paerdegat Basin CSO Retention Facility and the certification of Construction Completion was accepted by DEC on August 24, 2012.

#### **Design Work Performed During This Quarter**

- Environmental Dredging
  - The design is complete; design services during construction (DSDC) continued in this quarter.
  - DEP is in receipt of the analytical results provided by National Grid related to the September 28, 2012 oil spill event and is evaluating potential impacts to the construction cost and schedule.

#### **Construction Work Performed During This Quarter**

- Environmental Dredging
  - Start-up of the construction management and construction contracts continued in this quarter.

#### **Anticipated Design Activities for Next Quarter**

- Design services during construction for environmental dredging will continue.

#### **Anticipated Construction Activities for Next Quarter**

- CM and construction activities for environmental dredging will continue, including project start-up activities, including health and safety, regulatory and construction management plans.



**Table 8 – Paerdegat Basin CSO Projects**

	<i>Phase III</i>	<i>Dredging</i>
<i>Contract ID</i>	CSO - 5	DRG-PB
<i>Plan Elements</i>	Structures and Equipment	Environmental Dredging
<i>Location</i>	West Shore of Paerdegat Basin	Head end of Paerdegat Basin
<i>Actions</i>	Minor items and documentation	Dredge bottom sediments to finish depth of three ft below MLLW
<i>Construction Cost</i>	\$ 207,324,114	\$8,884,940
<i>Status</i>	DEC formally accepted construction completion on Aug 24 2012.	Construction NTP issued on Mar 18 2013
<i>Other Issues</i>		National Grid oil spill (Sep 28 2012) (Notice of FM submitted Oct 18 2013)

Changes from the previous reporting period are shown in **bold**

### 3.4. Flushing Bay CSO

The Flushing Bay CSO Facility Planning area includes the portions of the Tallman Island WWTP and the High Level Interceptor of the Bowery Bay WWTP drainage areas, associated sewers, and pumping stations that discharge to Flushing Bay and Flushing Creek in Queens. The Consent Order projects are constructed under contracts TI-WW-1, EE-DSGN-4, CS-FB-LLD, CS-FB-BWR, and CSO-DRDG, which respectively include the following items:

- ◆ Tallman Island Whitestone Interceptor
- ◆ Tallman Island Flushing Interceptor
- ◆ Diversion of low-lying sewers and raising of the weir at BB-R02
- ◆ Regulator Modifications
- ◆ Environmental dredging of Flushing Bay

#### Design Work Performed During This Quarter

- Tallman Island Flushing Interceptor
  - Conceptual design work, flow monitoring, and possible structural assessment of the sewer invert have been assigned to an engineering consultant, who will be soliciting proposals from subcontractors for the flow monitoring and structural assessment work.
- Divert Low-Lying Sewers
  - Design started on May 2, 2013.
  - Preliminary design plans received on June 24, 2013 and alignment meeting to be held on July 23, 2013.
  - DEP submitted a Modification Request for the Final Design Completion milestone on May 1, 2013. A date extension from June 30, 2013 to January 31, 2014 for the milestone was requested based on coordination efforts with outside agencies and the impact of Hurricane Sandy on the schedule.
- Regulator Modifications
  - 30% design is progressing, including documentation and field studies required for submittal and for value engineering.
  - Performed traffic studies, commenced maintenance of traffic drawings, and held coordination meeting with NYCDOT and NYSDOT.
  - Completed soil borings and geotechnical investigation.
  - Commenced utility coordination with Con Edison, National Grid, FDNY, and cable.
  - Advanced hydraulic modeling.
  - Completed Regulatory Compliance Plan for Design.
- Environmental Dredging

- DEP received a nationwide permit for dredging from USACE on May 10, 2013.

### **Construction Work Performed During This Quarter**

- Tallman Island Whitestone Interceptor
  - Completed Construction of the first 500 linear feet of New Whitestone Interceptor in Powell's Cove Park.
  - Whitestone Interceptor Turning Chambers 1 & 2 completed.
  - Began construction at new connection chamber at Tallman Island WWTP.
  - Began construction of new storm sewer chambers at 11<sup>th</sup> Ave and 131<sup>st</sup> Street
  - Continued operation of dewatering system.
  - Maintained erosion and sediment control measures in wetland and adjacent areas.

### **Anticipated Design Activities for Next Quarter**

- Tallman Island Flushing Interceptor
  - Select subcontractors for the flow monitoring and structural assessment
  - Design work will commence for the replacement/repair of the interceptor
- Divert Low-Lying Sewers
  - Design continuing
- Raise Weir BB-RO2
- Regulator Modifications
  - Submit 30% design for internal DEP review.
  - Continue coordination with NYCDOT and NYSDOT.
  - Continue utility coordination.
  - Complete hydraulic modeling.
  - Submit materials for value engineering orientation meeting.
- Environmental Dredging
  - Respond to comments and questions from DEC and/or USACE on the JAP.

### **Anticipated Construction Activities for Next Quarter**

- Tallman Island Whitestone Interceptor
  - Continue construction of New Whitestone Interceptor in Powell's Cove Park and North toward Tallman Island WWTP.
  - Complete Demolition of Pier at 7<sup>th</sup> Avenue.
  - Begin work for new connection chamber at Tallman Island WWTP.

- Continue work on storm sewer chambers and new interceptor diversion chamber at 11<sup>th</sup> Avenue.

**Table 9 – Flushing Bay CSO Projects**

	<i>Tallman Island Whitestone Interceptor</i>	<i>Tallman Island Flushing Interceptor</i>	<i>Divert Low- Lying Sewers / Raise Weir BB- R02</i>	<i>Regulator Modifications</i>	<i>Environmental Dredging of Flushing Bay</i>
<i>Contract ID</i>	TI-WW-1	TBD	CS-FB-LLD	CS-FB-BWR	CSO-DRDG DRG-FB
<i>Plan Elements</i>	New section of Whitestone Interceptor; Regulators 10, 10A and 13	Address Flushing Interceptor sag in Ulmer Street	Divert Low Lying sewers in the vicinity of Bowery Bay WWTP. Raise the weir at regulator BB - 02	Bowery Bay High Level Interceptor regulator modifications at 10 regulators	Environmental Dredging
<i>Location</i>	From existing junction chamber at 11 <sup>th</sup> Ave / 130 <sup>th</sup> St to the WWTP, College Point, Queens	From MH 45 at Whitestone Expressway to MH 29 at Ulmer Street and 25 <sup>th</sup> Avenue	Regulator BB- 02. Berrian Blvd and 19 <sup>th</sup> Ave between 43 <sup>rd</sup> St. and 45 <sup>th</sup> St.	Six of ten regulators along 108 <sup>th</sup> street, Ditmars Blvd and the LaGuardia Airport site	Proximate to CSO Outfalls BB006 and BB008
<i>Actions</i>					Dredge bottom sediments to final depth of 4 ft below MLLW
<i>Cost</i>	\$22,071,512	TBD	\$5,610,000	\$41,400,000	\$38,100,000 (based on 30% Design)
<i>Status</i>	Construction NTP Issued Dec 22 2011	<b>TOC (PW-088- 03) issued</b> for potential design activities described above	In Design	In Design	30% Design complete; JAP submitted
<i>Other Issues</i>	<b>FM submitted Nov 19 2012 (Superstorm Sandy)</b>				None

Changes from the previous reporting period are shown in **bold**

### **3.5. Jamaica Tributaries CSO**

The Jamaica Tributaries CSO Facility Planning area includes the drainage area of the Jamaica WWTP and its associated sewers and pumping stations. The receiving waters of the study area are Bergen, Thurston, Shellbank, and Hawtree Basins, which are located along the eastern shore of Jamaica Bay on either side of JFK International Airport. The Consent Order projects are constructed under contracts CSO-JT-SB, CS- JA-BBS, and CS-JA-BWR, which include the following items, respectively:

- ◆ The Destratification Facility, a permanent diffused-air bubble mixing system at Shellbank Basin designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills.
- ◆ A Parallel 48-inch sewer under the Belt Parkway to complement the existing 36-inch double barrel Belt Parkway crossing in the West interceptor.
- ◆ Bending Weirs at regulators J3 and J14 in the West Interceptor and J6 in the East interceptor drainage area.

DEP Certified Construction Completion of the Destratification Facility, and DEC accepted the certification on July 23, 2012.

#### **Design Work Performed During This Quarter**

- Parallel 48-inch Siphon/Interceptor
  - Advancing with 90% Design Documents.
  - HDD investigation in progress.
  - Performed geotechnical borings and soil sampling.
  - EAS has been drafted.
  - Held meeting with NYCDOT/DPR.
- Bending Weirs
  - Advancing with 90% Design Documents.
  - Performed geotechnical borings and soil sampling.
  - Completed laser survey of Regulator JA-03.
  - EAS has been drafted
  - Held meeting with NYCDOT/DPR.

#### **No Construction Work Performed During This Quarter**

#### **Anticipated Design Activities for Next Quarter**

- Parallel 48-inch Siphon/Interceptor
  - Complete HDD investigation.
  - Submit Final Design to DEC.

- Bending Weirs
  - Circulate 90% Design for internal DEP review.

**Table 10 – Jamaica Tributaries CSO Projects**

	<i>Destratification Facility</i>	<i>Parallel 48-inch Siphon / Interceptor</i>	<i>Bending Weirs</i>
<i>Contract ID</i>	CSO-JT-SB	CS-JA-BBS	CS-JA-BWR
<i>Plan Elements</i>	Destratification	Parallel 48-inch Sewer	Bending Weirs
<i>Location</i>	Shellbank Basin Queens	Belt Parkway Queens	Regulator J6 on the East Interceptor and regulators J3 and J14 on the West Interceptor
<i>Actions</i>	Construct Permanent Facility	Design and construct system upgrades	Design and construct system upgrades
<i>Construction Cost</i>	<b>\$2,776,054</b>	\$24,725,000	\$6,468,000
<i>Status</i>	Complete	Design	Design
<i>Other Issues</i>	Certification Accepted Jul 23 2012	<b>Final Design Submittal to DEC Aug 2013</b>	

Changes from the previous reporting period are shown in **bold**

### 3.6. Coney Island Creek CSO

The Coney Island Creek CSO Facility Planning area is within the Owls Head WWTP service area in Brooklyn and included Consent Order projects constructed under contracts PS-79 F, G, H, P, and E. DEP certified Construction Completion of the Avenue V Pumping Station and Force Mains on June 29, 2012. The certification was accepted by DEC on October 23, 2012.

**All projects under this planning area have been certified and accepted.**

**Table 11 – Coney Island Creek CSO Projects**

	<i>Avenue V Pumping Station Upgrade</i>	<i>Avenue V Force Mains</i>
<i>Contract ID</i>	PS-79G, H, P, E	PS-79F
<i>Plan Elements</i>	Upgrade Pumping Station	42-inch and 48-inch force mains
<i>Location</i>	Avenue V and West 11th Street Brooklyn	Shore Parkway to Regulator 9A Brooklyn
<i>Actions</i>	Increase capacity to 80 MGD; Lower wet well operating level; Improve station reliability; Architectural restoration	New force mains to convey dry and wet weather flow
<i>Construction Cost</i>	\$80,213,297	\$116,818,080
<i>Status</i>	Certification Accepted Oct 23 2012	Certification Accepted Oct 23 2012
<i>Other Issues</i>		

Changes from the previous reporting period are shown in **bold**

### 3.7. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area includes the portions of the Newtown Creek WWTP and the Low Level Interceptor of the Bowery Bay WWTP drainage areas that discharge to Newtown Creek, English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch along the Brooklyn-Queens border. The Consent Order projects are constructed under contracts CSO-NC-2, CSO-NC-3, CSO-NC-4, CS-NC-REG & FLO, GBNC15-05, which include the following items:

- ◆ Enhanced Aeration in the Lower English Kills
- ◆ Enhanced Aeration in East Branch and Upper Newtown Creek
- ◆ Enhanced Aeration in Dutch Kills and Lower Newtown Creek
- ◆ Bending Weirs / Floatables Control
- ◆ Green Infrastructure Demonstration project in the Newtown Creek watershed
  - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Newtown Creek was added to the EPA Superfund National Priorities List (NPL) on September 29, 2010. According to EPA, placing Newtown Creek on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

#### Design Work Performed During This Quarter

- Enhanced Aeration
  - Construction contract for the Enhanced Aeration in Lower English Kills project was issued with a Notice to Proceed to Construction date of April 1, 2013.
  - 30% design for the Enhanced Aeration in East Branch and Portions of Newtown Creek Enhanced Aeration project was accepted by DEP.
  - DEP met with the Department of City Planning and Community Board Number 5 to discuss development of the Enhanced Aeration in East Branch and Portions of Newtown Creek project property.
  - Continued development of the Basis of Design Report (BODR).
- Bending Weirs and Floatables Control
  - Completed and submitted Final Design to DEC on July 1, 2013 in accordance with the Consent Order Milestone.

#### Anticipated Design Activities for Next Quarter

- Enhanced Aeration
  - Construction to commence on the Enhanced Aeration in Lower English Kills project.
  - Initiate 60% design for the Enhanced Aeration in East Branch and Portions of Newtown Creek project.



- Continue development of the BODR for the Enhanced Aeration in Dutch Kills and Portions of Newtown Creek project.
- Bending Weirs and Floatables Control
  - Prepare for procurement phase

**Table 12 – Newtown Creek CSO Projects**

	<i>Enhanced Aeration 1</i>	<i>Enhanced Aeration 2</i>	<i>Enhanced Aeration 3</i>	<i>Bending Weirs / Floatables Control</i>
<i>Contract ID</i>	CSO-NC-2	CSO-NC-3	CSO-NC-4	CS-NC-REG & FLO
<i>Plan Elements</i>	Enhanced Aeration	Enhanced Aeration	Enhanced Aeration	Floatables Controls and Overflow Reduction
<i>Location</i>	Lower English Kills	East Branch and Upper Newtown Creek	Dutch Kills and Lower Newtown Creek	Dutch Kills, Maspeth Creek, English Kills and East Branch
<i>Actions</i>	<b>NTP Issued Apr 2, 2013 in accordance with modified milestone date</b>	The design of the blower building and aeration system continues.	The design of the blower building and aeration system continues	Design of bending weirs and baffles, to reduce overflows/floatables
<i>Construction Cost</i>	\$1,769,000	\$17,180,731	\$20,583,632	<b>\$30 Million (Construction Cost Forecast )</b>
<i>Status</i>	Construction Bid	Design	Design	<b>Final Design</b>
<i>Other Issues</i>				

Changes from the previous reporting period are shown in **bold**

### 3.8. Westchester Creek CSO

The Westchester Creek CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to Westchester Creek and Pugsley Creek in the Bronx. The Consent Order projects are constructed under contracts CS-ER-WCM and CS-ER-WCP, which respectively include the following items:

- ◆ Modifications to CSO-29 and CSO-29A to increase conveyance to the WWTP and reduce discharges from Outfall HP-014
- ◆ Pugsley Creek Parallel Interceptor to increase conveyance to the WWTP and reduce discharges from Outfall HP-013

#### Design Work Performed During This Quarter

- Modifications to CSO-29 and 29A
  - Initiate 30% Design Activities
- Pugsley Creek Parallel Interceptor
  - Survey has been completed

#### Anticipated Design Activities for Next Quarter

- Modifications to CSO-29 and 29A
  - Complete 30% Design activities
- Pugsley Creek Parallel Interceptor
  - Preparation of design drawings to commence

**Table 13 – Westchester Creek CSO Project**

	<i>Modifications to CSO-29 and CSO-29A</i>	<i>Pugsley Creek Parallel Interceptor start from CSO-24</i>
<i>Contract ID</i>	CS-ER-WCM	CS-ER-WCP
<i>Plan Elements</i>	Improve flow control structures in sewers to convey more flow to the Hunts Point WWTP	Add capacity to convey more flow to the Hunts Point WWTP
<i>Location</i>	Eastchester Road, Bronx	Classon Point, Bronx
<i>Actions</i>	Continue Design	Continue Design at DDC
<i>Construction Cost</i>	\$9 Million	\$65.8 Million (Estimated)
<i>Status</i>	<b>Basis of Design Report under review</b>	<b>Preparation of design drawings to commence</b>
<i>Other Issues</i>		

Changes from the previous reporting period are shown in **bold**

### 3.9. Bronx River CSO

The Bronx River CSO Facility Planning area includes the portion of the Hunts Point WWTP service area, the associated sewers, and pumping stations that discharge to the Bronx River in the Bronx. The Consent Order project is constructed under contract ER-BR-1 which includes the following items:

- ◆ Floatables Control at the Bronx Zoo site (CSO-27)
- ◆ Floatables Control at the Bronx Park Avenue site (CSO-27A)
- ◆ Floatables Control at the Soundview Park site (CSO-13)
- ◆ Floatables Control at the West Farm Road site (CSO-28)
- ◆ Green Infrastructure Demonstration project in the Bronx River watershed
  - The Green Infrastructure Demonstration project originally intended for the Bronx River CSO drainage area has been modified to take place in the Hutchinson River drainage area due to a lack of viable sites in the originally planned area. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

#### Construction Work Performed During This Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
  - Completed site restoration.

#### Anticipated Construction Activities for Next Quarter

- Continue working on punchlist items.

**Table 14 – Bronx River CSO Project**

<i>FloatablesControl</i>	
<i>Contract ID</i>	ER – BR - 1
<i>Plan Elements</i>	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
<i>Location</i>	West Farms Road, Bronx Park Avenue, Bronx Zoo, Soundview Park
<i>Actions</i>	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
<i>Construction Cost</i>	\$29,025,336
<i>Status</i>	Certified Completion on Oct 18 2012
<i>Other Issues</i>	

Changes from the previous reporting period are shown in **bold**

### 3.10. Hutchinson River CSO

The Hutchinson River CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to the Hutchinson River in the Bronx. The Consent Order projects are being executed under contracts LTCP1, CSO-PLANYC, and GXHP-24-03 (DPR), which include the following items:

- ◆ Waste Load Allocation Field Sampling
- ◆ The Green Infrastructure Demonstration project that had originally been planned for the Bronx River drainage area, which will now be conducted in the Hutchinson River drainage area within subcatchment HP-024, per Modification Request submitted by DEP to DEC on Mar 30, 2012. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

#### Planning Work Performed During This Quarter

- Completed and submitted Waste Load Allocation field sampling report to DEC on June 30, 2013.

#### Anticipated Planning Activities for Next Quarter

- Initiate modeling and analysis needed to develop TMDL.

**Table 15 – Hutchinson River CSO Project**

<i>Waste Load Allocation Field Sampling</i>	
<i>Contract ID</i>	LTCP1
<i>Plan Elements</i>	Surface water and discharge outfall water quality sampling and characterization to develop Waste Load Allocation (WLA) for the Hutchinson River
<i>Location</i>	Hutchinson River
<i>Actions</i>	
<i>Construction Cost</i>	n/a
<i>Status</i>	Completed
<i>Other Issues</i>	

Changes from the previous reporting period are shown in **bold**

### **3.11. Jamaica Bay CSO**

The Jamaica Bay CSO Facility Planning area includes the drainage areas of the 26<sup>th</sup> Ward, Coney Island, and Rockaway WWTPs and their associated sewers and pumping stations. The receiving waters of the study area include Fresh Creek, Hendrix Creek, Spring Creek, and the open waters of Jamaica Bay. The Consent Order projects are constructed under contracts CSO-DRG and CSO-GCER, which include the following items:

- ◆ Interim dredging of the head-end of Hendrix Creek
- ◆ Improving conveyance to the Rockaway WWTP
- ◆ 26th Ward High Level Sewer Separation (HLSS)
- ◆ 26th Ward Wet Weather Stabilization

In addition, the 26<sup>th</sup> Ward Green Infrastructure Demonstration Project is being performed under a separate contract. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

#### **Design Work Performed During This Quarter**

- 26<sup>th</sup> Ward High Level Sewer Separation
  - DDC is awaiting survey for Phases 1a and 1b (SE-851, SE-852) which include sewer work in the vicinity of East 108th Street between Flatlands Avenue and the outfall at Avenue K, and on Vandalia Avenue from Pennsylvania Avenue to the outfall west of Louisiana Avenue. An EAS has been requested.
  - DEP sent CPIs to DDC for Phases 2a and 2b (SE-853, SE-855) which include sewer work on Louisiana Avenue between Stanley and Flatlands Avenue, and on Farragut Road between East 102nd and East 108th Street. DDC ordered surveys for SE-853 and SE-855, and an EAS has been requested.
  - DEP sent CPIs to DDC for Phases 3a and 3b (SE-856, SE-857) which includes sewer work on Flatlands Avenue between Georgia and Van Sicken Avenues, and on Foster Avenue between Rockaway Parkway and Bank Street.
- 26<sup>th</sup> Ward Wet Weather Stabilization
  - On May 24, 2013, DEP provided an update to the Mar 1, 2013 Modification Request for Milestones K.5 through K.8 of the 26th Ward Wet Weather Stabilization. The update included discussion outcomes from a technical meeting between DEP and DEC staff that occurred on May 14, 2013. DEC issued a Notice of Violation for Milestone K.5 (Final Design Completion) on June 10, 2013. DEP contacted DEC by June 28, 2013 to request informal negotiation.

#### **Construction Work Performed During This Quarter**

- Hendrix Street Canal Dredging
  - Completed and submitted second Post-Dredge Monitoring Report to DEC.

**Anticipated Design Activities for Next Quarter**

- 26<sup>th</sup> Ward Wet Weather Stabilization
  - Complete new Design Consultant procurement and continue with design of 26W-20.

**Anticipated Construction Activities for Next Quarter**

- Hendrix Street Canal Dredging
  - Conduct and complete bathymetric survey and benthic field activities for the third Post Dredge Monitoring Report.

**Table 16 – Jamaica Bay CSO Projects**

	<i>Hendrix Creek Dredging</i>	<i>Rockaway WWTP Conveyance Improvements</i>	<i>26<sup>th</sup> Ward HLSS</i>	<i>26<sup>th</sup> Ward Wet Weather Stabilization</i>
<i>Contract ID</i>	CSO-HC	Project not yet initiated	CS-FB-SEW	26W-12 (CO 128) 26W-20
<i>Plan Elements</i>	Removal of CSO sediment mounds from the head end of the Hendrix Street Canal	Improve collection system and WWTP capacity to achieve 2DDWF		Low Level MSPs High Level MSPs PST#5 PST1-4 Stabilization
<i>Location</i>	Hendrix Creek, Brooklyn	Rockaway WWTP, Queens	Fresh Creek, Brooklyn	26 <sup>th</sup> Ward WWTP, Brooklyn
<i>Actions</i>	None	None	None	-
<i>Construction Cost</i>	\$13.2 million	TBD	\$50 million for Phases 1a and 1b (estimated) <b>\$51 million for Phases 2a and 2b (estimated).</b> <b>\$63 million for Phases 3a and 3b (estimated)</b>	\$7.6 million \$126.4 million
<i>Status</i>	Construction Complete	Project not yet initiated	<b>CPIs for all 3 phases have been sent to DDC.</b>	In Design
<i>Other Issues</i>				New design contract will necessitate a modification to the design completion date.

Changes from the previous reporting period are shown in **bold**

### **3.12. Environmental Benefits Projects**

These projects were undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations. The Environmental Benefit Projects (EBPs) are funded by DEP and are designed to abate CSOs and/or address wet weather water quality impacts from CSOs and to benefit the waters in and around New York City. In addition to the EBPs discussed below, the 2012 Order requires that \$2 million in EBP funding be allocated toward the Hutchinson River and Newtown Creek Neighborhood Demonstration Areas, which are described in more detail under the Green Infrastructure Program in Section 3.13.

#### **2008 CSO EBP Grants**

The 2008 Modification to the CSO Consent Order requires not less than \$4 million worth of DEP-funded Environmental Benefit Projects (EBPs) designed to abate CSOs and/or address wet weather water quality impacts from CSOs and to benefit the waters in and around New York City.

- **Manhattan College**

The installation of approximately 14,666 sf of a modular green roof project on New York Hospital in Queens has been designed to control runoff from a 1 to 1.5-inch rainfall.

Alive Structures began removing the ballast from the roofs in late October 2012. They completed installation in late Nov2012 of the vegetated modular trays on three out of the planned four roofs within the hospital complex. Further analysis of the solar irradiance of the roof indicated that too little light would fall on the fourth green roof section. Therefore, it was decided to eliminate this section of the roof and begin full-time monitoring of the previously installed green roof sections. A credit for the fourth roof will be taken and funds will be used for additional monitoring. Monitoring equipment was tested over winter and complete installation of monitoring equipment will be completed by late spring. The total project value is \$660,440; \$234,942 has been invoiced through October 2012.

- **NYC Audubon Society**

A Greenstreets stormwater capture system in Rego Park that will retrofit an impervious surface and replace it with permeable pavement and vegetation to capture runoff from a three acre-watershed 60% designs have been reviewed by DEP BWSO and DOT. DOT comments have been addressed and revised into drawings. Additional comments and design changes from BWSO are expected as subsurface soil infiltration rates have been determined to be low and an alternative drainage conveyance back to the sewer system is required. Assuming these issues can be resolved quickly, construction is anticipated to start in late summer/early fall of 2013 and is anticipated to be completed by late fall 2013. The total project value is \$448,803; \$75,000 has been invoiced to date.

- **Regional Plan Association**

Three Sponge Park™ bioretention basins are being constructed under the Long Island Expressway near the Van Wyck Expressway. Dawson Corporation began construction on October 25, 2012. One of three proposed bioretention basins was removed from the design due to conflicting underground infrastructure. The remaining two bioretention

basins have been excavated, framed, and plumbing installed. In spring 2013 the soil was placed and the bioretention areas were planted. Monitoring equipment will be installed and data collection beginning later in summer 2013. Construction started October 25, 2012 and major construction and installation was completed by June 25, 2013. The total project value is \$600,000; \$271,116 has been invoiced through January 2013.

- **Gowanus Canal Conservancy**

The 6th Street Green Corridor Project will build a series of curbside swales ranging from 400 square feet to 1,200 square feet along 6th Street and 2nd Avenue in Brooklyn. 100% designs being developed. The bid documents are planned to be released mid-summer 2013, with construction to start in early fall 2013. Additional comments by NYCDOT required modification to the original design. The total project value is \$583,470 (\$873,470 including EPA Grant); \$253,280 through June 2013.

- **Unisphere, Inc.**

Treatment wetland and rain garden for treating stormwater entering Meadow Lake. This project will receive runoff from approximately 3.26 acres consisting of portions from a parking area at the southwestern edge of Meadow Lake in Flushing Meadows Corona Park. Edesign Dynamics entered into a contract agreement with Excav Services. Construction began on May 20, 2013. The total project value is \$506,551; \$117,431 has been invoiced through April 2013.

- **Drexel University**

Design, construct, monitor, evaluate, report on and maintain a variety of green infrastructure stormwater capture technologies that also promote ecosystem services in the Bronx River watershed. Schematic design of a detention system has been reviewed by BWSO and OGI for feasibility within the right of way. As with the NYC Audubon projects, subsurface borings have indicated low infiltrating soil. Additional comments and design changes from BWSO and OGI are expected as subsurface soil infiltration rates have been determined to be low and an alternative drainage conveyance back to the sewer system is required. Assuming these issues can be resolved quickly, construction is anticipated to start in fall of 2013. The total project value is \$893,493; \$75,000 has been invoiced to date.



**Table 17 –2008 Modified CSO Consent Order Environmental Benefits Projects**

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Location:	HP-009 service area	Multiple areas	6th St / 2nd Ave, Brooklyn	Bronx River and Newtown Creek CSO Areas
Description:	Stormwater BMP evaluations	Manhattan College New York Hospital Green roof (\$660,440); RPA bioretention basins under the LIE (\$600,000); Unisphere treatment wetlands and rain gardens for Meadow Lake (\$386,551); Columbia University Rego Park Green Streets (\$389,187);	Gowanus Canal Conservancy 6th Street Green Corridor Project	Enhanced tree pit evaluation in HP-009 service area; Green infrastructure installation in Newtown Creek CSO shed; Open source access for Drexel University's LIDRA model; Education and stewardship activities in the HP-009 area.
Cost:	<b>Budget: \$850,000</b> <b>JTD : \$75,000</b> <b>This Qtr: \$0</b> <b>Next Qtr: \$0</b>	<b>Budget: \$2,036,178</b> <b>JTD: \$698,489</b> <b>This Qtr: \$19,589</b> <b>Next Qtr: \$100,000</b>	<b>Budget: \$583,470</b> <b>JTD: \$253,280</b> <b>This Qtr: \$16,625</b> <b>Next Qtr: \$100,000</b>	<b>Budget: \$250,000</b> <b>JTD: \$223,244</b> <b>This Q: \$0</b> <b>Next Qtr:</b>
Status:	In Design	Manhattan College, Unisphere, and RPA completed design. <b>NYC Audubon at 60% design</b>	In design	<b>Contracts expire Jun 30 2013.</b>
Other Issues:	<b>Subsurface Drainage</b>	None	None	<b>Expired contracts with funding still available</b>

Changes from the previous reporting period are shown in **bold**

### 2012 CSO EBP Projects

The 2012 Modified Consent Order requires the extension of DEP's existing Green Infrastructure Grant Program and a commitment to use no less than \$3 million of EBP funds over the next three years to expand the GI Grant Program over a three year period from 2012-2014. DEP identifies how it will commit the total funds in \$1 million increments by the end of each calendar year as part of the EBP Grant Plan. DEP committed over \$1.1 million under the Environmental Benefits Program (EBP) to three Grantees of the Green Infrastructure Grant Program by December 31, 2012.

- **Albert Einstein College of Medicine**

The College will construct a 12,589 square foot green roof on campus, located in the Westchester Creek watershed. The roof is designed to manage 0.47 acres of impervious

area, and its 1” volume capacity is 2,830 cubic feet. Final construction plans are in development. The total cost of the project is funded through EBP.

▪ **New School University**

The University constructed a 13,542 square foot green roof at its Manhattan campus, located in the East River/Open Waters watershed. The roof is designed to manage 0.26 acres of impervious area. The roof’s 1” volume capacity is 1,917 cubic feet. The total cost of the project was \$1.1 million, \$325,000 of which is funded by EBP dollars.

▪ **St. Luke and St. Matthew Church**

The rain garden and porous pavement project, located in the East River/Open Waters watershed, is at the 90% design mark. The project will manage 0.21 acres of impervious area, and the project’s 1” volume capacity is 1,749 cubic feet. EBP funds cover 100% of the project cost.

**Table 18 –2012 CSO Order on Consent Environmental Benefits Projects**

<i>Plan Elements:</i>	<i>Albert Einstein College of Medicine</i>	<i>New School University</i>	<i>St. Luke and St. Matthew Church</i>
Location:	1300 Morris Park Avenue Bronx NY	65 5 <sup>th</sup> Avenue New York, NY	520 Clinton Avenue Brooklyn, NY
Description:	Green Roof	Green Roof	Rain Garden and Porous Pavement
Cost:	\$503,470	\$325,000	\$290,273
Status:	<b>Final construction plans under review</b>	<b>Final design accepted</b>	<b>90% designs due; drawings in development</b>
Other Issues:	None	None	None

Changes from the previous reporting period are shown in **bold**

### 3.13. Green Infrastructure Program Implementation

This section of the quarterly report provides the status of Green Infrastructure Program implementation required under the 2012 CSO Consent Order. The Order sets forth financial requirements including the requirement to spend no less than \$2M of EBP funds on the implementation of two Green Infrastructure Demonstration areas. The Order also sets forth schedule and stormwater capture targets, and other requirements for the program to reduce runoff and CSO through the use of green infrastructure. Additionally, Appendix A of the 2012 CSO Consent Order contains completion milestones for three Green Infrastructure Demonstration projects:

- ◆ Newtown Creek Green Infrastructure Demonstration Project (EBP Funded)
  - Construction completion certified May 10, 2013
  - PCM Report due August 2014
- ◆ Hutchinson River Green Infrastructure Demonstration Project (EBP Funded)
  - Construction completion certified April 30, 2013
  - PCM Report due August 2014
- ◆ Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed
  - Construction completion certified December 31, 2012
  - PCM Report due August 2014

This information is presented in addition to and complementary with the Environmental Benefits Projects described in the previous section.

**Table 19 –Green Infrastructure Neighborhood Demonstration Project Status**

<i>Neighborhood Demonstration Area</i>	<i>CSO Tributary Area</i>	<i>Waterbody</i>	<i>Construction Status</i>	<i>EBP</i>	<i>Cost*</i>	<i>Other Issues</i>
<i>Area 1- ROW</i>	HP-024	Hutchinson River	Post-construction monitoring	EBP	\$370,000	None
<i>Area 2 - ROW</i>	26W-003	Jamaica Bay	Post-construction monitoring	NA	\$705,000	None
<i>Area 2- Onsite</i>	26W-003	Jamaica Bay	In construction	NA	\$551,000	None
<i>Area 3 - ROW</i>	NCB-015	Newtown Creek	Post-construction monitoring	EBP	\$508,000	None
<i>Area 3- Onsite</i>	NCB-015	Newtown Creek	In construction	EBP	\$894,649	None

Changes from the previous reporting period are shown in **bold**. \*Construction costs only

During the Second Quarter, several Area-wide Green Infrastructure contracts began or continued the design process. Table 20 below summarizes the Area-Wide contract work performed this quarter, and anticipated work to be performed next quarter. Onsite retrofit and grant projects are detailed below.

**Table 20 – Area-Wide Contract Implementation Status**

<i>Waterbody</i>	<i>CSO Tributary Area</i>	<i>Status this Quarter</i>	<i>Anticipated Work next Quarter</i>	<i>Other Issues</i>
Flushing Bay	BB-006 (Phase 1)	Concurrent Design and Construction	Concurrent Design and Construction	None
	BB-006 (Phase 2)	Design	Concurrent Design and Construction	None
	BB-006 (Phases 3 & 4)	Design	Design	None
	BB-008	Design	Design and Bid Advertisement for Construction	None
Gowanus Canal	RH-034	Design	Design and Bid Advertisement for Construction	None
	OH-007	Design	Design and Bid Advertisement for Construction	None
Hutchinson River	HP-004	Design	Design	None
	HP-008	Design	Design	None
	HP-009	Design	Design	None
	HP-023	Design	Design	None
	HP-024	Design	Design	None
Jamaica Bay	26W-003	Design	Design and Bid Advertisement for Construction	None
Newtown Creek	NCB-077	Design	Design	None
	NCB-015	Design	Design	None

Changes from the previous reporting period are shown in **bold**

### Other Design and Construction Work Performed During This Quarter

- Public Onsite Retrofits:
  - DOE/SCA/TPL – Commenced construction on two playground projects, continued construction on one playground project, continued design on two playground projects, and accepted eight new playground locations for preliminary design investigation.
  - HHC – Completed design of a public hospital rooftop project

- NYCHA – Commenced construction of onsite projects at two housing developments, and continued design of an onsite projects at a third housing development
- DPR-Parkland – Ongoing design for the first onsite park project, and ongoing site selection in public parks.
- Green Infrastructure Grant Program:
  - Continued construction of five grant projects.
  - Continued Funding Agreement and Design Review for the remaining 2011 and 2012 grant recipients.
  - Awarded and began design review for 11 projects for the 2013 grant cycle.

#### **Other Anticipated Design and Construction Activities for Next Quarter**

- Public Onsite Retrofits:
  - DOE/SCA/TPL – Complete construction of three playground projects; continue design review for eight playgrounds; and continue work to identify additional onsite projects.
  - HHC – Begin complete construction of a public hospital rooftop project.
  - NYCHA – Continue construction for onsite projects at two public housing properties, begin construction on the third, and identify additional onsite projects.
  - DPR-Parkland – Ongoing site selection in public parks.
- Green Infrastructure Grant Program:
  - Continue and complete construction of five grant projects.
  - Continue funding agreement and design review for the remaining 2011 and 2012 grant recipients.
  - Continue design and funding agreement review for 2013 grant projects.

## 4.0 Community Relations

DEP's public participation plan was released to the public on June 26, 2012 and describes the multipronged tools and activities DEP will utilize to inform and involve diverse stakeholders and the broader public throughout the LTCP process.

The purpose of the public participation plan is to create a framework for communicating with and soliciting input from interested stakeholders and the broader public on water quality and the challenges and opportunities for CSO controls. The public participation plan is designed to keep important stakeholder issues associated with the LTCP program before the public and ratepayers throughout the life of the program.

DEP will report quarterly to DEC on completed public participation activities outlined in the public participation plan as part of this and all future CSO Quarterly Reports. All updates to the Public Participation Plan implemented as a result of public comments received and quarterly reviews of public participation activities by DEC will be posted annually to DEP's website.

During the **Second Quarter of 2013**, DEP completed several community relations-related tasks and provided several LTCP-related updates and education materials to the public. All tasks, efforts and updates are described in this Quarterly Report.

### LTCP and Green Infrastructure Meetings

- April 4, 2013: Green Infrastructure Steering Committee Quarterly Meeting (5 attendees)
- April 4, 2013: American Society of Landscape Architects (ASLA) Green Infrastructure Exhibit—Opening Reception (75 attendees)
- April 18, 2013: SWIM Public Meeting (20 attendees)
- April 19, 2013: iSchool Green Roof Presentation (15 attendees)
- April 22, 2013: Singapore Ministry of the Environment and Water Resources: Green Infrastructure and Noise presentation (20 attendees)
- May 1, 2013: Jamaica Bay Demonstration Area BioswaleCare Workshop (5 attendees)
- May 1, 2013: Alley Creek LTCP Meeting #2; topics included LTCP planning process, Alley Creek watershed characteristics and status of existing water quality conditions, and alternatives identification and selection process (10 attendees)
- May 22, 2013: Hutchinson River Demonstration Area BioswaleCare Workshop (12 attendees)
- June 5, 2013: Bronx Borough Service Cabinet Meeting (25 attendees)
- June 6, 2013: Green Infrastructure Steering Committee Quarterly Meeting (8 attendees)
- June 10, 2013: Citywide Public Meeting on Green Infrastructure (50 attendees)
- June 10, 2013: Queens Community Board 11 meeting; topics presented on included LTCP process, development schedule for and progress on Alley Creek and LTCP (50 attendees)
- June 11, 2013: Brooklyn Borough Service Cabinet Meeting (20 attendees)

- June 19, 2013: Newtown Creek Demonstration Area BioswaleCare Workshop (25 attendees)
- June 22, 2013: Bioswale Care Workshop (35 attendees)

#### **LTCP Education and Outreach Activities**

- DEP's LTCP Program website was updated several times during this quarter. A video of the Citywide Modeling Meeting was added to the website on April 12, 2013.
- On May 1, 2013, DEP held a public meeting for the Alley Creek Long Term Control Plan at the Alley Pond Environmental Center. The meeting was advertised as the Alley Creek Long Term Control Plan Public Meeting #2, was posted to DEP's LTCP Website, and emailed to stakeholders.
- DEP representatives were present to provide background and an overview of the LTCP planning process, present Alley Creek watershed characteristics and status of existing water quality conditions, obtain public input on waterbody uses in Alley Creek/Little Neck Bay, describe the alternatives identification and selection process, and answer questions.
- DEP's LTCP Program website was updated several times during this quarter. DEP added the Alley Creek LTCP Meeting advertisement, agenda, summary, and presentation to the Alley Creek LTCP website.

#### **. Planned Activities Not Conducted During This Quarter**

- DEP conducted all planned activities this quarter.

#### **Summary of Comments Received**

No written comments were submitted in the second quarter of 2013.

## 5.0 Key Personnel Changes

The table below provides key personnel as of the **Second Quarter of 2013**.

**Table 21 – Key DEP Personnel for Contracts Subject to the CSO Consent Order**

Planning Area	Project	DEP Responsible Personnel		
		Bureau	Chief	APM
Alley Creek	ER-AC2: Storage Facility	BEDC	Osit	A Patel
Outer Harbor	<i>All Projects Complete</i>	-	-	-
Inner Harbor	CSO-DRDG: Gowanus Dredging	BEDC	Tysvaer	Chao
	CSO-GC: Flushing Tunnel	BEDC	Clarke	<b>Joseph</b>
	CSO-GC: Gowanus PS	BEDC	Clarke	<b>Joseph</b>
Paerdegat Basin	CSO-5: Storage Facility	BEDC	Tysvaer	Novotny
	CSO-DRDG: Dredging	BEDC	Tysvaer	<b>Nayan Shah</b>
Flushing Bay	CSO-DRDG: Dredging	BEDC	Tysvaer	Chao
	EE-DSGN-4: Flushing Interceptor	BWT	Lochan	Goldin
	CS-FB-LLD: Low-Lying Sewers	BWSO	Barbaro	<b>P Gordon/Shah</b>
	<b>CS-FB-LLD R2 Weir</b>	<b>BEDC</b>	<b>tbd</b>	<b>tbd</b>
	CS-FB-BWR: Regulators	BEDC	Tysvaer	Szeto
	TI-WW-1: Whitestone Interceptor	BEDC	Solimando	Sadat
Jamaica Tributaries	CS-JA-BWR: Bending Weirs	BEDC	Tysvaer	Szeto
	CS-JA-BBS: 48-Inch Sewer	BEDC	Tysvaer	Szeto
	CSO-JT-SB: Destratification	BEDC	Clarke	W Gordon
Coney Island Creek	PS-79F: Ave V Force Main	BEDC	Clarke	W Gordon
	PS-79: Ave V Pump Station	BEDC	Clarke	W Gordon
Newtown Creek	CSO-NC-4: Dutch Kills, Lower Newtown	BEDC	Tysvaer	<b>Meshkati</b>
	CSO-NC-3: East Branch, Upper Newtown	BEDC	Tysvaer	<b>Meshkati</b>
	CSO-NC-2: Enhanced Aeration Lower English Kills	BEDC	Tysvaer	<b>Adabi</b>
	CS-NC-REG&FLO: Regulators / Floatables Control	BEDC	Tysvaer	Chao
Westchester Creek	CS-ER-WCM: Modifications to CSO-29 / 29A	BEDC	Tysvaer	Chao
	CS-ER-WCP: Pugsley Creek Parallel Interceptor	BWSO	<b>Barbaro</b>	<b>P Gordon/Shah</b>
Bronx River	ER-BR-1: Floatables Controls	BEDC	Clarke	W Gordon
Hutchinson River	LTCP1: Waste Load Allocation	BWT	Mahoney	Lee
Jamaica Bay	CSO-HC: Hendrix Creek Dredging	BEDC	Tysvaer	Nayan Shah
	CS-FB-SEW: 26th Ward / Fresh Creek HLSS	BWSO	<b>Barbaro</b>	<b>P Gordon/Shah</b>
	CO 26W-128: Low Level Main Sewage Pumps	BEDC	Solimando	Radulescu
	26W-20: 26th Ward Wet Weather Stabilization	BEDC	Solimando	D'Attilie
G.I. Demonstrations	CSO-PLANYC: Newtown Creek	OGI	Farag	<b>Walker</b>
	CSO-PLANYC: 26th Ward Sewershed	OGI	Farag	<b>Walker</b>
	CSO-PLANYC: Hutchinson River	OGI	Farag	<b>Walker</b>

Changes from the previous reporting period are shown in **bold**



## 6.0 Other Issues

Action Items generated during the **May 14, 2013** CSO Quarterly Meeting are summarized below.

**Table 22 – Action Items from Quarterly Progress Meeting**

<i>Planning Area</i>	<i>Responsible Party</i>	<i>Required Action</i>	<i>Status</i>
Alley Creek	DEC and DEP	-Conduct high-level meeting between DEC and DEP before proceeding with technical discussions on LTCP	Completed
Inner Harbor	DEP	-Provide update on inflatable dam operation when available	On-going
	DEP	-Provide comments on draft dredging permit for Gowanus Canal and setup followup meeting to discuss	Completed
Inner Harbor	DEP	-Include schedule for completing sampling and CEQR process for Gowanus Canal dredging along with comments on draft permit	Completed
	DEP		
Bronx River	DEC	-Complete final inspection of BRF project	Completed
Flushing Bay	DEC	-Respond to DEP mod request for low-lying sewers	On-going
	DEP	-Provide updates as available for sagging section of Flushing interceptor	On-going
Newtown Creek	DEC	-Acknowledge in final inspection report any changes to GI sites from approved engineering report	Completed
Hutchinson River	DEP	-Present preliminary results for WLA at next technical meeting	Completed
Westchester Creek	DEP	-Confirm if DDC has completed field work for Pugsley Creek parallel sewer	Completed
Jamaica Bay/Tribs	DEP	-Provide detailed scheduled for 26 <sup>th</sup> Ward WWS project in response to DEC legal letter requesting additional information on mod request	Completed
Paerdegat Basin	DEC	-Provide update on any requirements for addressing PCB in sediments for dredging project	On-going
General	DEP	-Propose options for streamlining the CSO BMP Report	On-going
	DEP	-Provide more detailed information on progress for DDC managed projects in future Quarterly reports and meetings.	On-going

## 7.0 Status of LTCP Development

- The status of all Long-Term Control Plan development is described below. Where only the planning area and a date are shown, work has not yet been initiated as of the reporting quarter.
  - The Alley Creek LTCP was submitted on July 2, 2013 in accordance with the requirements of the Order.
  - Work on the Coney Island Creek LTCP has commenced. The report is due June 2014.
  - Work on the Hutchinson River LTCP has commenced. The report is due September 2014.
  - Work on the Flushing Creek LTCP has commenced. The report is due December 2014.
  - Bronx River: June 2015
  - Gowanus Canal: June 2015
  - Jamaica Tributaries and Bay: June 2016
  - Westchester Creek: June 2017
  - Newtown Creek: June 2017
  - Citywide: December 2017
- All Waterbody/Watershed Facility Plans (WWFPs) have been approved.

**APPENDIX A**  
**CONSENT ORDER CERTIFICATION LETTERS**



Carter H. Strickland, Jr.  
Commissioner

Vincent Sapienza, P.E.  
Deputy Commissioner  
Bureau of Wastewater  
Treatment  
vsapienza@dep.nyc.gov

James G. Mueller, P.E.  
Assistant Commissioner  
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96-05 Horace Harding  
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Corona, NY 11368  
T: (718) 595-5973  
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July 2, 2013

Joseph DiMura, P.E.  
Director  
Bureau of Water Compliance  
New York State Department of Environmental Conservation  
625 Broadway, 4th Floor  
Albany, New York 12233-3506

**Re: CSO Order on Consent (DEC Case No.CO2-20110512-25, modification to  
DEC Case No. CO2-20000107-8)  
Appendix A, I. Alley Creek CSO  
E.1. Submit Approvable Drainage Basin Specific LTCP for Alley Creek**

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, the New York City Department of Environmental Protection (DEP) hereby submits to the New York State Department of Environmental Conservation (DEC) the Alley Creek Long Term Control Plan (LTCP).

DEP looks forward to receiving DEC's approval of the attached LTCP and as always, feel free to contact me at (718) 595-5045 regarding any questions you may have.

Sincerely,

Anthony Maracic, P.E.  
Director of Capital Planning & Asset Management  
Bureau of Wastewater Treatment

**Send 1 hard copy and 1 electronic copy**

**(CD) to:**

Linda Allen  
New York State Department of  
Environmental Conservation  
Division of Water  
625 Broadway, 4th Floor  
Albany, NY 12233-3506

Selvin T. Southwell  
New York State Department of  
Environmental Conservation - Region 2  
47-40 21st Street  
Long Island City, NY 11101

**Cover Letter**

**Only, Without Attachment:**

Cheryle Webber, P.E.  
New York State Environmental Facilities  
Corporation  
625 Broadway, 7th Floor  
Albany, NY 12207

Mark Klotz  
New York State Department of  
Environmental Conservation  
625 Broadway, 4th Floor  
Albany, NY 12233-3500

Robert Elburn, P.E.  
New York State Department of  
Environmental Conservation - Region 2  
47-40 21st Street  
Long Island City, NY 11101

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New York State Department of  
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Albany, NY 12233-3500

Stan Stephansen  
US Environmental Protection Agency  
290 Broadway  
New York, NY 10007-1866

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Environmental Conservation  
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Albany, NY 12233-3500

William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

**NYCDEP**

James Mueller, Anthony Maracic, Keith  
Mahoney, Robert LaGrotta, Ken Moriarty,  
Jim Garin, Heather Donnelly, Pinar Balci,  
Lily Lee, Sri Rangarajan



July 1<sup>st</sup>, 2013

Carter H. Strickland, Jr.  
Commissioner

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Deputy Commissioner  
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Mr. Joseph DiMura, P.E.  
Director, Bureau of Compliance  
New York State Department of  
Environmental Conservation  
Division of Water  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3500  
(1 Hard Copy)

Re: CSO Order on Consent (DEC Case No. CO2-20110512-25, modification to Case No.CO2-20000107-8) Appendix A, VIII. Newtown Creek CSO, K. Bending Weir / Floatables Control, 2. Final Design Completion  
**Certification of Completion**

Dear Mr. DiMura:

In accordance with Paragraph III. F. of the CSO Order, the New York City Department of Environmental Protection hereby certifies completion of the above referenced milestone.

Enclosed for your review are approvable final design plans and specifications for the Newtown Creek CSO Bending Weir and Floatables Control milestone project.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.  
Director of Capital Planning & Asset  
Management  
Bureau of Wastewater Treatment

cc: w/attachments

Cheryle Webber, P.E.  
New York State Environmental  
Facilities Corporation  
625 Broadway, 7<sup>th</sup> Floor  
Albany, New York 12207  
(1 Hard Copy)

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
New York State Department of  
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Long Island City, New York 11101  
(1 Hard Copy)

Mark Klotz, P.E.  
Director, Division of Water  
New York State Department of  
Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3500  
(1 CD)

Cover Letter Only

Gary E. Kline, P.E.  
Division of Water  
New York State Department of  
Environmental Conservation  
625 Broadway 4<sup>th</sup> Floor  
Albany, NY 12233-3500

Mary von Wergers, Esq.  
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New York State Department of  
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Division of Environmental Enforcement  
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William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

DEP: J. Mueller, A. Maracic, R. LaGrotta, K. Donnelly, R. Tysvaer, D. Chao, K.  
Mahoney, L. Lee (1 CD) , H. Donnelly  
H&S: P. Young, File



May 10, 2013

Mr. Joseph DiMura, P.E.  
Director, Bureau of Compliance  
New York State Department of  
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625 Broadway, 4<sup>th</sup> Floor  
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Re: CSO Order on Consent (DEC Case No. CO2-20110512-25, modification to DEC Case No. CO2-20000107-8)  
Appendix A, VIII. Newtown Creek CSO, L. Green Infrastructure Demonstration Project in Newtown Creek Watershed, 3. Construction Completion  
**Certification of Construction Completion**

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order on Consent (the "Order"), the New York City Department of Environmental Protection ("DEP") hereby certifies compliance with milestone VIII.L.3 as set forth in the Order. All green infrastructure related equipment and materials have been constructed and placed into operation per the approved plans and specifications as modified on January 31, 2013, as acknowledged by Paul Kenline on May 3, 2013. Attached are the Final Acceptance Letter issued by the Office of Green Infrastructure to the contractor, certification from the Construction Manager, the Construction Completion Checklist with an explanation of the modification to the plans, and a drawing showing the locations relevant to the modification.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.  
Director, Capital Planning & Asset Management  
Bureau of Wastewater Treatment



cc:

Cheryle Webber, P.E.  
New York State Environmental Facilities Corporation  
625 Broadway  
Albany, New York 12207

Mark Klotz  
Director, Division of Water  
New York State Department of Environmental Conservation  
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New York City Municipal Compliance Section Chief  
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New York State Department of Environmental Conservation  
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William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

DEP: A. Licata, M. Farag, J. Mueller, K. Mahoney, L. Lee, M. Walker, E. Morey,  
H. Donnelly



*Carter H. Strickland Jr.*  
*Commissioner*

**Magdi Farag, P.E.**  
Assistant Commissioner  
Office of Green Infrastructure  
Magdif@dep.nyc.gov

59-17 Junction Boulevard  
Flushing, NY 11373  
T: (718) 595-5176  
F: (718) 595-4422

April 30, 2013

J. Pizzirusso Landscaping Corp.  
7104 Avenue W  
Brooklyn, NY 11234

Re: Contract No. GKNC15-05  
Green Infrastructure Neighborhood Demonstration Area 3  
(Newtown Creek)  
Brooklyn

**"FINAL ACCEPTANCE"**

Gentlemen:

As per Article 14 of the contract plans, this certifies the satisfactory construction of the subject Green Infrastructure (GI) capital project in Demonstration Area #3, Newtown Creek, Brooklyn on April 26, 2013 in accordance with the contract plans and specifications.

The completed GI practices were inspected on April 12, 2013 by Raymond J. Palmares, P.E., and Kathryn Prybylski of the Office of Green Infrastructure (OGI), and the punch list items which resulted from above inspection was re-inspected on April 26, 2013 by Raymond J. Palmares, P.E. and the work was found to be satisfactorily completed.

Also attached is a letter from Sandeep Mehrotra, P.E. of Hazen and Sawyer certifying the work was completed according to the contract plans and specifications.

As per Schedule A and Article 24, the Maintenance and Guarantee shall begin April 26, 2013 for 1 year (365 calendar days) and 2 years (730 calendar days) for all vegetated materials including trees and other plant material installed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Magdi Farag'. The signature is fluid and cursive, with a large loop at the end.

Magdi Farag, P.E.  
Assistant Commissioner

**Attachments**

c : Heather Donnelly  
Raymond Palmares  
Kathryn Prybylski  
Margot Walker

Corporate Headquarters  
498 Seventh Avenue  
11th Floor  
New York, NY 10018-6761

800 858-9867  
212 539-7000  
hazenandsawyer.com

April 26<sup>th</sup>, 2013

Mr. Magdi Farag, P.E.  
Assistant Commissioner, Office of Green Infrastructure  
Bureau of Sustainability  
New York City Environmental Protection  
11<sup>th</sup> Floor, High Rise  
59-17 Junction Boulevard  
Flushing, New York 11373

Re: Order on Consent (DEC Case No. CO2-20110512-25) Appendix A, VIII. Newtown  
Creek CSO, L. Green Infrastructure Demonstration Project in Newtown Creek  
Sewershed, 3. Construction Completion: **Certificate of Construction Completion.**

Dear Mr. Farag:

This provides certification that all green infrastructure related equipment and materials have been constructed and placed into operation per the approved plans and specifications for the Green Infrastructure Demonstration Project in Newtown Creek Sewershed. A final inspection was completed on April 26<sup>th</sup>, 2013 and based on that we recommend an issuance of a Final Certificate of Completion.

If you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,



Sandeep Mehrotra, P.E.  
Vice President



Log #24

RECEIVED  
MAY 13 2014  
NYC Environmental Protection  
Green Infrastructure

NYC Department of  
Environmental Protection  
120 Broadway  
New York, NY 10038

312 312 3123

6102 100 1000

NYC CSO Order  
 Appendix A, VIII.L.3  
 Newtown Creek CSO, Green Infrastructure Demonstration Project in Newtown Creek Watershed  
 Final Inspection Checklist

Bioswale	Construction Complete Document any changes in location, size, or design of bioswale	Site Level Monitoring Equipment (e.g. piezometer)
1		Subsurface piezometer, surface piezometer, and moisture sensor
2		Subsurface piezometer, surface piezometer, and moisture sensor
3*	Bioswale not constructed due to scaffolding at site – replaced 3* with new ROWB 18B	
10*	No Tree planted due to gas services.	
4		
5		
6		Subsurface piezometer, surface piezometer, and moisture sensor
7		Subsurface piezometer, surface piezometer, and moisture sensor
11		
8		
9		
12		Subsurface piezometer, surface piezometer, and moisture sensor
13		Subsurface piezometer, surface piezometer, and moisture sensor
14*	Different tree than specified in drawings was planted (Winterking Green Hawthorne) due to potential scaffolding impingement on planned tree	
15		

NYC CSO Order  
 Appendix A, VIII.L.3  
 Newtown Creek CSO, Green Infrastructure Demonstration Project in Newtown Creek Watershed  
 Final Inspection Checklist

<b>16</b>		
<b>17</b>		
<b>18</b>		
<b>20</b>		
<b>18B</b>	New 20x5 Bioswale with tree constructed adjacent to ROWB 18 to replace ROWB 3*.	

**Notes:**

1. All changes in pervious/impervious drainage area between original design and project completion should be field verified and noted. Changes in locations, quantity, size, and design of bioswales from Engineer's report should be provided with and updated contributing impervious drainage area and an explanation for changes.
2. Please provide a list of change orders and their associated cost.

NYC CSO Order  
 Appendix A, VIII.L.3  
 Newtown Creek CSO, Green Infrastructure Demonstration Project in Newtown  
 Creek Watershed  
 Final Inspection Checklist

1. *All changes in pervious/impervious drainage area between original design and project completion should be field verified and noted. Changes in locations, quantity, size, and design of bioswales from Engineer's report should be provided with and updated contributing impervious drainage area and an explanation for changes.*

**Table 4-1. Contributing Impervious Area to Each Bioswale  
Within Neighborhood Demonstration Area #3**

<b>Bioswale</b>	<b>Contributing Impervious Drainage Area</b>
B-1 (20'x5')	6,073 ft <sup>2</sup>
B-2 (10'x5')	6,073 ft <sup>2</sup>
<del>B-3* (20'x5')</del>	<del>5,386 ft<sup>2</sup></del>
B-10* (15'x5')	10,036 ft <sup>2</sup>
B-4 (15'x5')	5,489 ft <sup>2</sup>
B-5 (15'x5')	5,489 ft <sup>2</sup>
B-6 (20'x5')	6,572 ft <sup>2</sup>
B-7 (20'x5')	6,572 ft <sup>2</sup>
B-11 (20'x5')	9,299 ft <sup>2</sup>
B-8 (20'x5')	10,745 ft <sup>2</sup>
B-9 (15'x5')	7,117 ft <sup>2</sup>
B-12 (20'x5')	3,864 ft <sup>2</sup>
B-13 (20'x5')	3,864 ft <sup>2</sup>
B-14* (15'x5')	7,165 ft <sup>2</sup>
B-15 (20'x5')	2,868 ft <sup>2</sup>
B-16 (20'x5')	9,710 ft <sup>2</sup>
B-17 (20'x5')	14,349 ft <sup>2</sup>
B-18 (20'x5') and B-18B (20'x5')	24,219 ft <sup>2</sup>
B-20 (20'x5')	5,179 ft <sup>2</sup>
<b>Total ROW Contributing Area (ft<sup>2</sup>)</b>	<b>144,683 ft<sup>2</sup></b>
<b>Note:</b>	

NO.	
DATE	
DESIGN FOR	
BY	
PROJECT	
CHECKED	
DATE	
DESIGNED	
DATE	
PROJECT	
NO.	
DATE	



**Biohabitats**  
HydroQual  
HAZARD SAWYER

APPROVED FOR THE CITY OF NEW YORK  
PROJECT MANAGER  
C. J. M. P.

**NYC**  
Environmental  
Protection

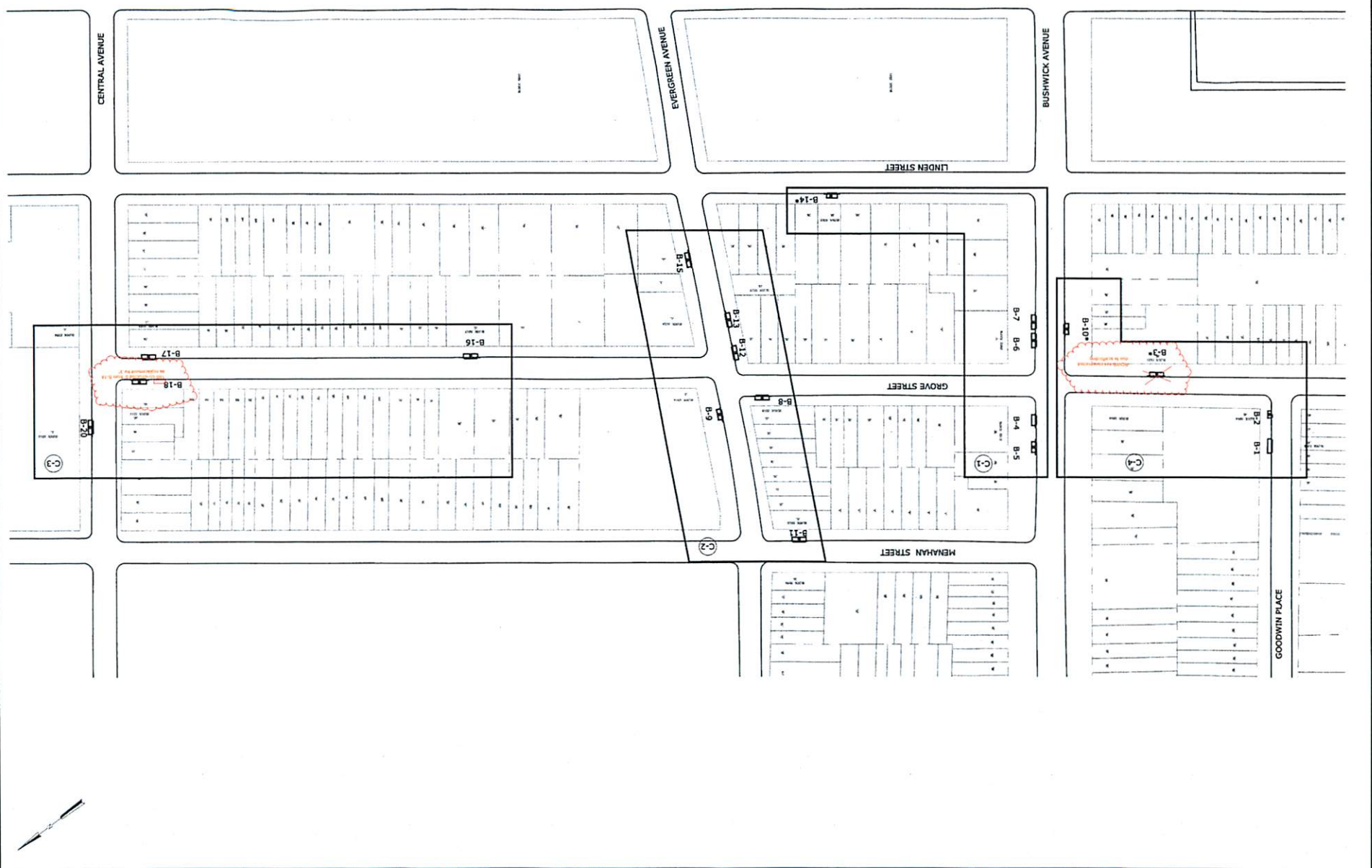
CITY OF NEW YORK  
BUREAU OF SUSTAINABILITY  
OFFICE OF GREEN INFRASTRUCTURE

GREEN INFRASTRUCTURE NEIGHBORHOOD DEMONSTRATION  
AREA 3 NEWTOWN CREEK  
BROOKLYN, NY  
OVERALL SITE - KEY PLAN

DATE: JUNE 2012  
SHEET: 2 OF 14  
DRAWING: G-2

NOTE: AREA UNDER DRAWING C-4, INCLUDED IN THIS CONTRACT, DRAINS TO BUSHWICK AVENUE 72' COMBINED SEWER

1"=50'-0"  
0 25 50  
0' 25' 50'



CAPITAL PROJECT GINCS15-08



NYC CSO Order  
Appendix A, VIII.L.3  
Newtown Creek CSO, Green Infrastructure Demonstration Project in Newtown  
Creek Watershed  
Final Inspection Checklist

2. *Please provide a list of change orders and their associated cost.*

Change order #1: Modify ROWB 10\* to a 15x5 ROWB without tree.

+ 15x5 ROWB without tree:	\$12,500
- <u>15x5 ROWB with tree:</u>	<u>\$12,000</u>
Total cost of Change Order	\$500



April 30, 2013

Mr. Joseph DiMura, P.E.  
Director, Bureau of Compliance  
New York State Department of  
Environmental Conservation  
Division of Water  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3506

Carter H. Strickland, Jr.  
Commissioner

Vincent Sapienza, P.E.  
Deputy Commissioner  
Bureau of Wastewater  
Treatment  
vsapienza@dep.nyc.gov

James G. Mueller, P.E.  
Assistant Commissioner  
Planning & Capital Projects  
Bureau of Wastewater  
Treatment  
jmueller@dep.nyc.gov

96-05 Horace Harding  
Expressway  
Corona, NY 11368  
T: (718) 595-5973  
F: (718) 595-6950

Re: CSO Order on Consent (DEC Case No. CO2-20000107-8, as modified by  
DEC CO2-20110512-25)  
Appendix A, XI. Hutchinson River CSO, H. Green Infrastructure  
Demonstration Project in Hutchinson River Watershed, 3. Construction  
Completion  
**Certification of Construction Completion**

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, the New York City Department of Environmental Protection hereby certifies compliance with milestone XI.H.3 as set forth in said Order. All green infrastructure related equipment and materials have been constructed and placed into operation per the approved plans and specifications. Attached is the Certification of Construction Completion.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.  
Director, Capital Planning & Asset Management  
Bureau of Wastewater Treatment

cc:

Cheryle Webber, P.E.  
New York State Environmental Facilities Corporation  
625 Broadway  
Albany, New York 12207

Mark Klotz  
Director, Division of Water  
New York State Department of Environmental Conservation  
625 Broadway 4<sup>th</sup> Floor  
Albany, NY 12233-3500

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
New York State Department of Environmental Conservation  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101

Gary Kline, P.E.  
New York City Municipal Compliance Section Chief  
Division of Water  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-3500

Mary von Wergers, Esq.  
Office of General Counsel  
New York State Department of Environmental Conservation  
625 Broadway, 14th Floor  
Albany, NY 12233-1500

William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

DEP: A. Licata, M. Farag, J. Mueller, K. Mahoney, L. Lee, M. Walker, H. Donnelly



Carter H. Strickland Jr.  
Commissioner

Magdi Farag, P.E.  
Assistant Commissioner  
Office of Green Infrastructure  
Magdif@dep.nyc.gov

59-17 Junction Boulevard  
Flushing, NY 11373  
T: (718) 595-5176  
F: (718) 595-4422

## MEMORANDUM

To: Anthony Maracic, P.E.  
Director, Capital Planning & Asset Management  
Bureau of Wastewater Treatment

From: Magdi Farag, P.E. *MF*  
Assistant Commissioner  
Office of Green Infrastructure

Re: CSO Order on Consent (DEC Case No. CO2-2011-0512-25)  
Appendix A, XI. Hutchinson River CSO, H. Green Infrastructure  
Demonstration Project in Hutchinson River Watershed, 3.  
Construction Completion  
**Certification of Construction Completion**



Date: April 30, 2013

---

This provides certification that, based on the information below and on the attached letter from the New York City Department of Parks and Recreation, all green infrastructure related equipment and materials have been constructed and placed into operation per the approved contract plans and specifications for the Green Infrastructure (GI) Demonstration Project in Hutchinson River Sewershed.

The completed GI practices were inspected on April 8, 2013 by Kathryn Prybylski on the Office of Green Infrastructure (OGI), and the punch list items which resulted from the above inspection were re-inspected on April 25, 2013 by Raymond Palmares, P.E. and Kathryn Prybylski and a final inspection was completed on April 26, 2013 by Kathryn Prybylski of OGI and the work was found to be satisfactorily completed.

Based on the above please issue the Final Certification of Completion.



**Veronica M. White**  
Commissioner

**City of New York**  
**Parks & Recreation**  
The Arsenal  
Central Park  
New York, NY 10065  
[www.nyc.gov/parks](http://www.nyc.gov/parks)

**April 29, 2013**

**Magdi Farag, P.E.**  
Assistant Commissioner, Office of Green Infrastructure  
Bureau of Sustainability  
New York City Environmental Protection  
96-05 Horace Harding Expressway  
Corona, NY 11368

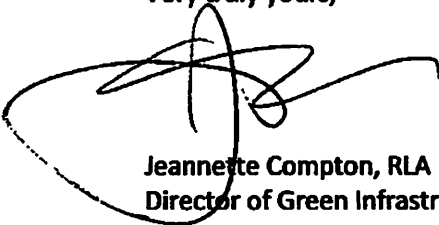
**RE: Order on Consent (DEC Case No. CO2-20110512-25) Appendix A., XI.H.3.**  
**Hutchinson River CSO, H. Green Infrastructure Demonstration Project in Hutchinson**  
**River Watershed, 3. Construction Completion: Certificate of Construction Completion.**

**Dear Mr. Farag:**

**This provides certification that all green infrastructure related equipment and materials have been constructed and placed into operation per the approved plans and specifications for the Green Infrastructure Demonstration Project in Edenwald, Hutchinson River Sewershed. A final inspection was completed on April 26, 2013 and based on that we recommend the issuance of a Final Certificate of Completion.**

**If you have any questions regarding the above please do not hesitate to contact me.**

**Very truly yours,**



**Jeannette Compton, RLA**  
**Director of Green Infrastructure**



**cc: Compton, Nunn, Farag, Palmares, Prybylski, Hill International, FMFO**

NYC CSO Order  
Appendix A, XI.H.3

Hutchinson River CSO, Green Infrastructure Demonstration Project in the Hutchinson River Sewershed  
Final Inspection Checklist

Bioswale	Construction Complete Document any changes in location, size, or design of bioswale	Site Level Monitoring Equipment (e.g. piezometer)
8	Constructed 6' wide	
9	Constructed 6' wide	
9A	Constructed 6' wide	
10	Constructed 6' wide	
11	Constructed 6' wide	
16	Constructed 6' wide	
17	Constructed 6' wide	
18	Constructed 6' wide	
21	Constructed 6' wide	
21A	Constructed 6' wide	
21B	Constructed 6' wide	
22A	Constructed 6' wide	
24	Constructed 6' wide	
25	Constructed 6' wide	
26A	Constructed 6' wide and two stone columns installed to approx. 9' depth	
27	Constructed 6' wide and two stone columns installed to approx. 9' depth	
32	Eliminated due to scaffolding erected by School Construction Authority	
33	Eliminated due to scaffolding erected by School Construction Authority	
*34	Eliminated due to scaffolding erected by School Construction Authority	
*35	Eliminated due to scaffolding erected by School Construction Authority	
40	New 10'x6' ROWB w/ Tree and one stone column installed to approx. 5' depth	
41	New 10'x6' ROWB w/ Tree	
42	New 10'x6' ROWB w/ Tree	
43	New 10'x6' ROWB w/ Tree	

NYC CSO Order  
Appendix A, XI.H.3

Hutchinson River CSO, Green Infrastructure Demonstration Project in the Hutchinson River Sewershed  
Final Inspection Checklist

44	New 10'x6' ROWB w/ Tree	
45	New 10'x6' ROWB w/ Tree	

\*Designates a Bioswale to be constructed but not accounted for in the assessment of managed impervious area due to the poor permeability test results.

**Notes:**

1. All changes in pervious/impervious drainage area between original design and project completion should be field verified and noted. Changes in locations, quantity, size, and design of bioswales from Engineer's report should be provided with and updated contributing impervious drainage area and an explanation for changes.
2. Please provide a list of change orders and their associated cost.

NYC CSO Order  
Appendix A, XI.H.3  
Hutchinson River CSO, Green Infrastructure Demonstration Project in the  
Hutchinson River Sewershed  
Final Inspection Checklist

*1. All changes in pervious/impervious drainage area between original design and project completion should be field verified and noted. Changes in locations, quantity, size, and design of bioswales from Engineer's report should be provided with and updated contributing impervious drainage area and an explanation for changes.*

- 1) The following are changes that are accounted for in the signed & stamped contract plans but not accounted for in the Engineering Report.
  - a. B-32, B-33, B-34, B-35 eliminated because scaffolding was erected at the Right of Way Bioswale (ROWB) locations by School Construction Authority.
  - b. B-40, B-41, B-42, B-43, B-44, B-45 (all 10'x6' Right of Way Bioswales) were constructed.
  - c. All ROWBs are 6' wide.
  
- 2) Stone Columns added to B-26A, B-27, and B-40
  
- 3) Updated Contributing Impervious Drainage Area

**Contributing Impervious Area to Each Bioswale  
Within Neighborhood Demonstration Area #1**

Bioswale	Contributing Impervious Drainage Area
B-8	4,563 ft <sup>2</sup>
B-9	4,463 ft <sup>2</sup>
B-9A	3,503 ft <sup>2</sup>
B-10	4,538 ft <sup>2</sup>
B-11	3,967 ft <sup>2</sup>
B-16	18,694 ft <sup>2</sup>
B-17	3,846 ft <sup>2</sup>
B-18	5,042 ft <sup>2</sup>
B-21	2,569 ft <sup>2</sup>
B-21A	4,350 ft <sup>2</sup>
B-21B	4,350 ft <sup>2</sup>
B-22A	2,569 ft <sup>2</sup>
B-24	4,753 ft <sup>2</sup>



NYC CSO Order  
Appendix A, XI.H.3  
Hutchinson River CSO, Green Infrastructure Demonstration Project in the  
Hutchinson River Sewershed  
Final Inspection Checklist

B-25	4,694 ft <sup>2</sup>
B-26A	4,858 ft <sup>2</sup>
B-27	8,144 ft <sup>2</sup>
B-40	1,500 ft <sup>2</sup>
B-41	4,563 ft <sup>2</sup>
B-42	1,500 ft <sup>2</sup>
B-43	4,538 ft <sup>2</sup>
B-44	3,967 ft <sup>2</sup>
B-45	2,756 ft <sup>2</sup>
Total Contributing Area (ft <sup>2</sup> )	103,727 ft <sup>2</sup>

2. *Please provide a list of change orders and their associated cost.*

Change Order Breakdown

- 1) Gabions: \$7,000.00 – Item in Design Standards but not in DPR Contract
- 2) Specialty Edging: \$4,000.00 – Item in Design Standards but not in DPR Contract
- 3) Transplants over 4" Cal.: \$18,000.00 – Relocating existing street trees into ROWBs
- 4) Auger Drilling Stone Columns: \$15,000.00 – Item in Design Standards but not in DPR Contract
- 5) Well Drilling Stone Columns: \$27,000.00 – Item in Design Standards but not in DPR Contract



**Environmental  
Protection**

*Carter H. Strickland, Jr.  
Commissioner*

**Vincent Sapienza**  
Deputy Commissioner  
Bureau of Wastewater  
Treatment  
vsapienza@dep.nyc.gov

96-05 Horace Harding  
Expressway  
Corona, NY 11368  
T: (718) 595-4906  
F: (718) 595-6950

April 2, 2013

Mr. Joseph DiMura, P.E.  
Director  
Bureau of Water Compliance  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3506

Re: CSO Order on Consent (DEC Case No. CO2-20110512-25, modification to Case No. CO2-20000107-8) Appendix A, VIII. Newtown Creek CSO, H. Enhanced Aeration in Lower English Kills, 3.  
Notice to Proceed to Construction  
**Certification of Milestone Completion**

Dear Mr. DiMura:

In accordance with Article III of the above referenced CSO Order on Consent, this letter is sent to certify compliance by the New York City Department of Environmental Protection with the above named milestone. Notice to proceed to construction has been transmitted to the general contractor for the English Kills Enhanced Aeration Zone 2 contract. A copy of the Order to Commence Work document is attached. This certification is submitted two days after the modified milestone date that we requested on November 2, 2012, which milestone date was March 31, 2013. Subsequent to our request and based on further discussions, New York State Department of Environmental Conservation (DEC) granted a modification to April 30, 2013.

Please contact me at (718) 595-5045 if you have any questions regarding this certification.

Sincerely,

Anthony Maracic, P.E.  
Director, Capital Planning  
and Asset Management  
Bureau of Wastewater Treatment

Attach.

Copy to:

Cheryle Webber, P.E.  
New York State Environmental Facilities Corporation  
625 Broadway  
Albany, NY 12207

Mark Klotz  
Director, Division of Water  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3500

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
New York State Department of Environmental Conservation  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101

Gary Kline, P.E.  
New York City Municipal Compliance Section Chief  
Division of Water  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-3500

Mary von Wergers, Esq.  
Office of General Counsel  
New York State Department of Environmental Conservation  
625 Broadway, 14<sup>th</sup> Floor  
Albany, NY 12233-1500

William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

c: BWT: Sapienza, Mueller, Mahoney, Lee, Wong  
BEDC: Szeto, Tysvaer, K. Donnelly, Mallon  
BLA: H. Donnelly



March 29, 2013

Jett Industries Inc.  
P.O. Box 219  
Colliersville, NY 13747

Carter H. Strickland, Jr.  
Commissioner

Re: **ORDER TO COMMENCE WORK FOR CONTRACT CSO-NC-2**

Debra E. Butlien  
Deputy ACCO  
dbutlien@dep.nyc.gov

Dear Contractor:

Transmitted herewith is your duly executed contract **CSO-NC-2** for furnishing all labor and materials necessary and required for **English Kills Enhanced Aeration Zone 2**.

59-17 Junction Boulevard  
Flushing, N.Y. 11373

The Contract was:

T: (718) 595-3423  
F: (718) 595-3294

Awarded to you on	<b>January 31, 2013</b>
Executed on	<b>March 08, 2013</b>
Registered by the Comptroller on	<b>March 25, 2013</b>

The Contract was awarded in the amount of **\$1,769,100.00** and the registration number is **CTC 826 20131418458**.

The commence work date is **April 01, 2013**. You must complete the work within **365 consecutive calendar days** as fixed in the General Conditions, or within the time such completion may be extended. The date to complete all work is **March 31, 2014**.

Upon receipt of this order please contact **Wing Szeto**, located at NYC-DEP 96-05 Horace Harding Expressway, 5th Floor, Flushing, NY 11368, **(718) 595-6204**.

Very truly yours,

A handwritten signature in black ink, appearing to read "Debra E. Butlien". The signature is stylized and includes a large loop at the end. Below the signature, the name "Debra E. Butlien" is printed in a standard font.

Debra E. Butlien



*Carter H. Strickland, Jr.*  
*Commissioner*

**John Rousakis**  
General Counsel

**Marcella Eckels**  
Deputy General Counsel  
Bureau of Legal Affairs  
[meckels@dep.nyc.gov](mailto:meckels@dep.nyc.gov)

59-17 Junction Boulevard  
Flushing, NY 11373  
T: (718) 595-6535  
F: (718) 595-6543

May 24, 2013

Mary vonWergers, Esq.  
New York State Department of Environmental Conservation  
Division of Environmental Enforcement  
625 Broadway, 14th Floor  
Albany, NY 12233-5500

RE: CSO Order on Consent (DEC Case No. CO2-20110512-25  
modification to DEC Case #CO2-20000107-8)  
Appendix A, XII. Jamaica Bay CSO, K. 26<sup>th</sup> Ward WPCP Wet  
Weather Stabilization,  
5. Design Completion for 26<sup>th</sup> Ward Wet Weather Stabilization,  
6. Notice to Proceed to Construction for PST #5 and high Level Main  
Sewage Pumps,  
7. Construction Completion for PST#5 and High Level Main Sewage  
Pumps,  
8. Notice to Proceed to Construction for 26<sup>th</sup> Ward Stabilization of  
PSTs #1 to 4, and  
9. Construction Completion for 26<sup>th</sup> Ward Stabilization of PSTs #1 to  
4.  
**Update to Modification Request**

Dear Ms. vonWergers:

The New York City Department of Environmental Protection (DEP) has received and reviewed the New York State Department of Environmental Conservation's (DEC) March 27, 2013 letter regarding DEP's March 1, 2013 Modification Request for certain milestones in the above referenced Order on Consent (the "Order"). This letter updates that modification request in accordance with developments that have occurred since March 1 and consistent with discussions that took place during the May 14, 2013 technical meeting between DEP and DEC staff.<sup>1</sup>

DEC accurately notes in its letter that the City decided in late 2011 to procure a new design consultant for the 26<sup>th</sup> Ward wet weather stabilization project. As discussed at the May 14 technical meeting, at the time DEP signed the modified Order in October 2011, DEP was in the process of finalizing a multimillion dollar change order to the then-existing design consultant's 26<sup>th</sup> Ward contract. This proposed change order was premised on the assumption that DEP would continue with the then-existing design consultant and that the proposed change order would allow DEP to meet the proposed milestones that were included in the Order.

---

<sup>1</sup> This response is sent in accordance with the May 24, 2013 due date, which was extended by DEC from the original due date of May 10, 2013.

In December 2011, DEP conducted an in-depth due diligence review of the then-existing consultant's performance. DEP concluded that that consultant's performance had resulted in a significant number of change orders and contributed to substantial project delays. DEP determined that based on past performance, the projected total delay would be approximately 67 months if DEP continued with the then-existing design consultant. This potential delay was deemed unacceptable and DEP determined that the most prudent course of action was to pursue the procurement of a new design consultant rather than proceed with a design contractor that had been unable to resolve the mounting delays.

DEP began the process to procure another design consultant in early 2012. All of this occurred well after DEP signed the Order in October 2011. Thus, DEP did not know that it would not be able to meet milestones XII.K.5, K.6, K.7, and K.8 when it executed the Order. DEP agrees that the design problems at 26th Ward should have been remedied earlier. That said, DEP undertook the due diligence review on its own accord, and expeditiously acted once it identified the best track forward toward timely completion of the overall project.

In order to minimize future delays, DEP expects that the new design consultant will utilize as much of the previously completed design work as possible. The process of verifying the existing design takes time, as the new design consultant must complete the due diligence necessary to take on the responsibility of utilizing another firm's design and verify that the work is in accordance with accepted engineering practices and safety standards. However, the time necessary for this process is significantly less than proceeding with an entirely new design.

The Order contains two alternative construction completion milestone dates for this project: July 19, 2019 and July 19, 2020. Upon the effective date of the Order, DEP placed \$1 million in escrow which would be recoverable if DEP completed the earlier milestone date. DEP acknowledges and appreciates that DEC released, of its own accord, the \$1 million in escrow funds related to the construction completion milestone in response to the damage that DEP facilities had sustained during Super Storm Sandy. DEP has put that money to good use in repairing and restoring facilities damaged during Sandy. In releasing the escrow funds, DEC put no conditions on the acceptance of that money by the City and thus DEP respectfully disagrees with DEC's assertion that the final milestone date must necessarily be July 19, 2019. The July 19, 2020 construction completion milestone dates remains as a valid date in the Order. DEP projects that it will meet the July 19, 2020 milestone date. As requested by DEC, attached is a detailed project schedule that supports completion of the project in accordance with the timeline shown in Table 1 below.

<b>Milestone</b>	<b>Existing milestone date</b>	<b>Projected Completion Date</b>
5. Design Completion for 26th Ward Wet Weather Stabilization	4/30/2013	9/2/2014
6. Notice to Proceed to Construction for PST#5 and High Level Main Sewage Pumps	4/30/2014	5/26/2015
7. Construction Completion for PST #5 and High Level Main Sewage Pumps	12/29/2017	6/4/2018
8. Notice to Proceed to Construction for 26th Ward Stabilization of PSTs #1 to 4	12/29/2017	6/4/2018
9. Construction Completion for 26th Ward Stabilization of PSTs #1 to 4	7/19/2019*	2/3/2020
9. Construction Completion for 26th Ward Stabilization of PSTs #1 to 4	7/19/2020	7/19/2020

\* Early completion escrow date referenced in paragraph 6 of this document.

To minimize the impact to the schedule posed by bringing on a new design consultant, DEP negotiated a lump sum contract that allowed the design consultant to start work in advance of registration of its contract. This enabled the consultant to advance required up-front project documents and other administrative tasks in an expedited manner.

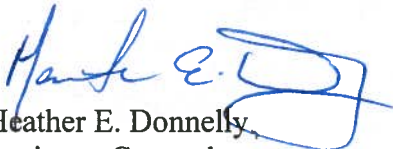
As discussed between DEP and DEC technical staff on May 14, upon review of the originally proposed construction sequence established in early 2011, a potential schedule savings of six months was identified by re-sequencing some of the construction activities. In addition, during the ongoing detailed design process, DEP continues to work to minimize risks to achieving final construction completion milestone date. One such risk is the flow distribution scheme that will be utilized at the 26<sup>th</sup> Ward WWTP. The two options being explored are the previous concept of a Flow Distribution Structure (FDS) or a new possible alternative of using distribution channels. The schedule risk associated with construction of the FDS is due to the necessary relocation of Blowers 5, 6 and 7, which involves deep excavation and complicated site utility coordination. Using distribution channels may afford DEP the ability to forgo relocating Blowers 5, 6 and 7, which could mitigate some schedule risk. The selection of an FDS or distribution channels must also be guided by operational needs. DEP is thus working closely with the design team to select the most appropriate scheme for the 26<sup>th</sup> Ward WWTP.

By this letter, DEP respectfully requests to modify only the final design completion milestone at this time to September 30, 2014 and to be allowed to propose dates for the remaining interim milestones upon certification of completion of design. The preliminary schedule shown in Table 1 reflects what DEP believes to be an achievable schedule at this time. By allowing DEP to propose the remainder of the interim construction milestone dates upon completion of design, DEP will be able to identify the items of the existing design that will be utilized by the new design consultant. Additionally at that time we should have more information on the possible flow distribution scheme and associated construction schedule impacts and be better prepared to proposed achievable interim milestone dates for review by DEC.

In addition to proposing a modified milestone for final design completion, DEP also requests to change the name of the project from “Wet Weather Stabilization” to “Preliminary Treatment Reliability Improvements,” which more accurately describes the project under the 2012 Order.<sup>2</sup>

As we move into the detailed design phase we will be searching for additional ways to mitigate delays, and will provide updates accordingly. If you have any questions about this matter I can be reached at (718) 595-6610 or [donnellyh@dep.nyc.gov](mailto:donnellyh@dep.nyc.gov).

Sincerely,



Heather E. Donnelly,  
Assistant Counsel

---

<sup>2</sup> The project as negotiated under the 2012 Order includes elements that are different from the previous version of the project, such as the addition of only a fifth (not sixth) tank and new high level main sewage pumps.



Copy to:

Mark Klotz  
Director, Division of Water  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3500

Joseph DiMura, PE  
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DEP BWT: J. Mueller, A. Maracic, K. Mahoney, L. Lee, K. Wong  
DEP BEDC: K. Mallon, K. Donnelly/K. Moriarty, D. Solimando, R. D'Attile  
DEP BLA: R. Levine  
H&S: P. Young, T. Groninger, J. Hoffman, S. Brennan



**26W-20 Wet Weather Stabilization  
Proposed Schedule**

ID	Task Name	Start	Finish	Year																																															
				2012	2013	2014	2015	2016	2017	2018	2019	2020																																							
1	Pre-Design Work	Mon 12/19/11	Tue 1/8/13	[Gantt bar from 2012 Q4 to 2013 Q1]																																															
2	Design Selection	Mon 12/19/11	Mon 3/6/12	[Gantt bar from 2012 Q4 to 2013 Q1]																																															
3	Design Re-Procurement	Tue 3/6/12	Tue 1/8/13	[Gantt bar from 2013 Q1 to 2013 Q2]																																															
4	Facility Planning Phase (Revise BODR) PST#5/PST# 1-4 (Incl FDS) PST#5/PST# 1-4 (Incl FDS)	Wed 1/9/13	Tue 11/5/13	[Gantt bar from 2013 Q1 to 2013 Q4]																																															
5		Wed 1/9/13	Tue 9/10/13	[Gantt bar from 2013 Q1 to 2013 Q3]																																															
6		Wed 1/9/13	Tue 9/10/13	[Gantt bar from 2013 Q1 to 2013 Q3]																																															
7		Wed 1/9/13	Tue 9/10/13	[Gantt bar from 2013 Q1 to 2013 Q3]																																															
8		Wed 1/9/13	Tue 9/10/13	[Gantt bar from 2013 Q1 to 2013 Q3]																																															
9	HLMSP	Wed 8/14/13	Tue 11/5/13	[Gantt bar from 2013 Q3 to 2013 Q4]																																															
10	HLMSP BODR	Wed 8/14/13	Tue 11/5/13	[Gantt bar from 2013 Q3 to 2013 Q4]																																															
11	HLMSP	Wed 11/6/13	Thu 5/31/18	[Gantt bar from 2013 Q4 to 2018 Q1]																																															
12		Wed 11/6/13	Tue 9/2/14	[Gantt bar from 2013 Q4 to 2014 Q1]																																															
13		Wed 11/6/13	Tue 3/18/14	[Gantt bar from 2013 Q4 to 2014 Q2]																																															
14		Wed 11/6/13	Tue 3/18/14	[Gantt bar from 2013 Q4 to 2014 Q2]																																															
15	60% HLMSP Design	Wed 3/19/14	Tue 5/13/14	[Gantt bar from 2014 Q1 to 2014 Q2]																																															
16	90% HLMSP Design	Wed 5/14/14	Tue 7/15/14	[Gantt bar from 2014 Q2 to 2014 Q3]																																															
17	100% HLMSP Design	Wed 7/16/14	Tue 9/2/14	[Gantt bar from 2014 Q3 to 2014 Q4]																																															
18	HLMSP Procurement	Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
19		Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
20		Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
21	HLMSP Construction Mobilization & Submittals	Tue 5/26/15	Thu 5/31/18	[Gantt bar from 2015 Q1 to 2018 Q1]																																															
22		Tue 5/26/15	Sat 1/16/16	[Gantt bar from 2015 Q1 to 2016 Q1]																																															
23		Tue 5/26/15	Sat 1/16/16	[Gantt bar from 2015 Q1 to 2016 Q1]																																															
24		Tue 5/26/15	Sat 1/16/16	[Gantt bar from 2015 Q1 to 2016 Q1]																																															
25	HLMSP Pump Replacement	Tue 5/26/15	Sat 1/16/16	[Gantt bar from 2015 Q1 to 2016 Q1]																																															
26		Mon 1/18/16	Thu 5/31/18	[Gantt bar from 2016 Q1 to 2018 Q1]																																															
27		Mon 1/18/16	Thu 5/31/18	[Gantt bar from 2016 Q1 to 2018 Q1]																																															
28	Pump 1-3 Fabrication	Mon 1/18/16	Thu 1/12/17	[Gantt bar from 2016 Q1 to 2016 Q2]																																															
29	Install & Test Pump 1	Fri 1/13/17	Thu 6/29/17	[Gantt bar from 2016 Q2 to 2017 Q1]																																															
30	Install & Test Pump 2	Fri 6/30/17	Thu 12/14/17	[Gantt bar from 2017 Q1 to 2017 Q2]																																															
31	Install & Test Pump 3	Fri 12/15/17	Thu 5/31/18	[Gantt bar from 2017 Q2 to 2018 Q1]																																															
32	PST #5/PST # 1-4	Wed 11/6/13	Mon 2/3/20	[Gantt bar from 2013 Q1 to 2020 Q1]																																															
33		Wed 11/6/13	Tue 9/2/14	[Gantt bar from 2013 Q1 to 2014 Q1]																																															
34	PST #5/PST # 1-4 Design	Wed 11/6/13	Tue 9/2/14	[Gantt bar from 2013 Q1 to 2014 Q1]																																															
35	30% HLMSP Design	Wed 11/6/13	Tue 3/18/14	[Gantt bar from 2013 Q1 to 2014 Q2]																																															
36	60% HLMSP Design	Wed 3/19/14	Tue 5/13/14	[Gantt bar from 2014 Q1 to 2014 Q2]																																															
37	90% HLMSP Design	Wed 5/14/14	Tue 7/15/14	[Gantt bar from 2014 Q2 to 2014 Q3]																																															
38	100% HLMSP Design	Wed 7/16/14	Tue 9/2/14	[Gantt bar from 2014 Q3 to 2014 Q4]																																															
39	PST #5/PST # 1-4 Procurement	Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
40		Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
41	PST #5/PST # 1-4 Procurement	Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															
42		Wed 9/3/14	Mon 5/25/15	[Gantt bar from 2014 Q4 to 2015 Q1]																																															

**26W-20 Wet Weather Stabilization  
Proposed Schedule**

ID	Task Name	Start	Finish	Year																		
				2012	2013	2014	2015	2016	2017	2018	2019	2020										
				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
43	<b>PST #5/PST #1-4 Construction</b>	Tue 5/26/15	Mon 2/3/20																			
44	<b>PST #5</b>	Tue 5/26/15	Fri 6/8/18																			
45	<b>Mobilization &amp; Submittals</b>	Tue 5/26/15	Tue 3/8/16																			
46	<b>Mobilization</b>	Tue 5/26/15	Mon 11/23/15																			
47	<b>Submittals</b>	Tue 5/26/15	Tue 3/8/16																			
48																						
49	<b>Caustic Sys. Ammonia Bldg. Blower Reloc., Flo</b>	Tue 11/24/15	Tue 12/26/17																			
50	<b>Construct Caustic System</b>	Wed 3/9/16	Tue 9/19/17																			
51	<b>Ammonia Building Demo</b>	Tue 11/24/15	Tue 2/23/16																			
52	<b>Blower Relocation</b>	Wed 2/24/16	Mon 9/5/16																			
53	<b>Construct Flow Diversion Structure</b>	Tue 9/6/16	Tue 12/26/17																			
54																						
55	<b>Soldier Pile &amp; Plant Drain Relocation</b>	Tue 11/24/15	Tue 5/10/16																			
56	<b>Soldier Pile &amp; Plant Drain Relocation</b>	Tue 11/24/15	Tue 5/10/16																			
57																						
58	<b>PST #5, Gallery &amp; Substation</b>	Tue 2/23/16	Fri 6/8/18																			
59	<b>Excavation, Piling &amp; Utility Relocation</b>	Tue 2/23/16	Mon 8/22/16																			
60	<b>Gallery Concrete</b>	Tue 8/23/16	Tue 5/23/17																			
61	<b>PST #5 Concrete</b>	Tue 12/6/16	Mon 11/6/17																			
62	<b>PST #5 Substation &amp; MCC 25 Bldg</b>	Wed 5/24/17	Wed 3/28/18																			
63	<b>PST #5 Mech &amp; Electrical</b>	Tue 11/7/17	Fri 6/8/18																			
64																						
65	<b>PST #1-4</b>	Fri 6/8/18	Mon 2/3/20																			
66	<b>PST #3&amp;4</b>	Fri 6/8/18	Thu 5/2/19																			
67	<b>PST #1&amp;2</b>	Fri 5/3/19	Mon 2/3/20																			



*Carter H. Strickland, Jr.*  
*Commissioner*

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April 12, 2013

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Albany, NY 12233-1500

RE: CSO Order on Consent  
DEC Case #CO2-20110512-25, modification to DEC Case # CO2-20000107-8  
("CSO Order")  
Appendix A, III. Inner Harbor CSO, F. Flushing Tunnel Modernization, 2.  
Construction Completion and G. Gowanus Pump Station Reconstruction, 2.  
Construction Completion  
**Force Majeure Update**

Dear Ms. von Wergers,

This letter is in response to your February 26, 2013 request for an update on the impacts of the force majeure event associated with Hurricane Sandy, as set forth in our November 19, 2012 letter. That force majeure event resulted in an impact of 119 days delay to the project schedule for both the Gowanus Pump Station (PS) and Flushing Tunnel (FT), as shown in the attached CPM schedule.

The hurricane and associated tidal surge caused the loss of electrical power, damage to electrical equipment, and flooding in the flushing tunnel, pump station and offices. Interim power for construction was restored to the pump station site on February 21, 2013 and construction returned to pre-Sandy levels on that date. Prior to restoration of power, DEP's contractor brought in generators. This enabled the contractor to restore the work site, clean up damage caused by the storm, and be ready to fully resume construction activities once power was restored. DEP projects that construction of both projects will be complete by the September 2014 milestone date, despite the delay. DEP notes, however, that in the event there are future project delays that could jeopardize the milestone date, including any delays resulting from the design changes discussed below, they should be offset by the 119-day delay attributable to this force majeure event.

As a result of Hurricane Sandy, DEP is now exploring ways to augment the design of the Gowanus Facilities by implementing additional flood mitigation measures. These efforts are in response to the tidal surge encountered during the hurricane and the subsequent release of revised Advisory Base Flood Elevation (ABFE) Maps from the Federal Emergency Management Agency in late 2012 and early 2013. The design changes, while not yet finalized, are anticipated to include a combination of flood protection measures such as raising vulnerable equipment and critical electrical devices above the new 100-yr. ABFE plus 30", as directed by the Mayor's Office, construction of flood dike walls, installation of automatic flood gates, and the addition of manually installed bulkheads.

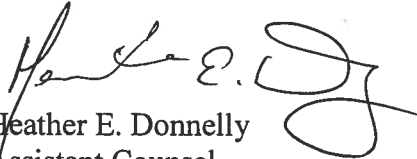
DEP is working to minimize the possibility that the additional flood mitigation measures, if implemented, would cause delays to the overall construction schedule for the PS or the FT. One important measure that DEP plans to undertake to minimize potential delays is to implement the new work through a series of smaller change orders. This would enable DEP to target critical areas of the schedule in order to recover time that could be lost due to the addition of the work. DEP is also holding schedule workshops with the Construction Manager, design engineers and contractors to determine the most expeditious ways to implement these planned flood mitigation measures. Additionally, the contractors have indicated that they would be willing to perform the work prior to change order registration, and the Construction Manager is evaluating areas in the schedule where overtime could be used to accelerate the schedule.

As you correctly noted in your February 26, 2012 letter, the fact that the Oxygen Transfer System (OTS) remains out of service is not preventing progress on the PS or FT work. During the hurricane, the oxygen generation building was flooded with approximately four feet of water. DEP's contractors have evaluated the condition of the OTS and have determined that a complete replacement of the system would be necessary in order to re-establish the OTS, which would add significant time and cost to the overall project. However, DEP has been working with the contractors to develop a bottled oxygen alternative, and construction of this alternative is now underway. This will eliminate the need for replacement of the oxygen generation building and streamline the refurbishment of the OTS supply pumping system. The bottled oxygen system will utilize the OTS supply pumps, oxygenation cone, and distribution header to maintain adequate dissolved oxygen levels within the canal until such time that the FT can be reactivated. DEP has continued to monitor oxygen levels as required, and as of the date of this letter all levels are above the minimum threshold of 1 mg/L. It is DEP's intention to reactivate the Interim OTS by April 30, 2013.

Accordingly, DEP calculates a delay of 119 calendar days due to Hurricane Sandy, as shown in the attached table. DEP continues to closely monitor the construction schedule, and will keep DEC informed of the status of the potential design changes described above.

If you have any questions about this letter, please feel free to contact me at (718) 595-6610 or [donnelyh@dep.nyc.gov](mailto:donnelyh@dep.nyc.gov).

Sincerely,

  
Heather E. Donnelly  
Assistant Counsel

**Copy to:**

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DEP BEDC: K. Mallon, K. Moriarty, K. Donnelly, K. Clarke, S. Joseph  
H&S: P. Young, T. Groninger, E. Kelly, J. Hoffman, S. Brennan

Activity ID	Activity Description	Orig Dur	Rem Dur	Early Start	Early Finish	Total Float	2012	2013	2014	2015	2016
GCT\$DL\$A	SANDY HURRICANE CITYWIDE CONSTRUCTION EMBARGO	15	0	27-OCT-12A	15-NOV-12A						
GCT\$DLSAE1	SANDY HURRICANE INTRIM ELCT SYS DAMAGE SB/WPS	15	0	27-OCT-12A	01-FEB-13A						
1000	CONED RECONNECT AND TEST INTERIM ELEC SYSTEM	20	0	04-FEB-13A	25-FEB-13A						
GCE-SVC895	SVC - INST SUPPORT FOR COLLECTOR BUS	5	5	26-FEB-13A	05-APR-13	-283					
GCE-SVC900	SVC - INST COLLECTOR BUS	5	5	08-APR-13	12-APR-13	-283					
GCE-SVC895	SVC - INST NEUTRAL BAR IN VAULT	5	5	15-APR-13	19-APR-13	-283					
GCE-SVC890	SVC - WELD NEUTRAL BAR	5	5	22-APR-13	26-APR-13	-283					
GCE-SVC905	SVC - WELD COLLECTOR BUS	5	5	29-APR-13	03-MAY-13	-283					
GCE-SVC910	SVC - INST SERVICE TAKE OFF A	10	10	06-MAY-13	17-MAY-13	-270					
GCE-SVC920	SVC - INST THREE 3.33 KVA AUTO TRANSFORMERS	3	3	28-MAY-13	30-MAY-13	-275					
GCE-SVC925	SVC - TEST & TERM THREE 3.33 KVA TRANSFORMERS	1	1	11-JUN-13	11-JUN-13	-282					
GCE-SVC830	SVC - INST GROUND RODS FOR LIGHTN PR SYS EL+34.83	10	10	10-JUL-13	23-JUL-13	-346					
GCE-SVC835	SVC - PULL CABLE FOR LIGHTN PROT SYS EL+34.83	10	10	24-JUL-13	06-AUG-13	-346					
GCE-SVC940	SVC - TERMINATE CABLE LIGHTN PROT SYS EL+34.83	5	5	07-AUG-13	13-AUG-13	-346					
GCE-SVC845	SVC - TEST GROUNDING GRID EL+34.83	15	15	14-AUG-13	04-SEP-13	-346					
GCE-SVC850	SVC - TIE SVC INTO GROUNDING SYSTEM EL+34.83	5	5	05-SEP-13	11-SEP-13	-346					
GCE-SVC027	SVC - PRE-TESTING FOR ENERGIZING	10	10	12-SEP-13	25-SEP-13	-346					
GCE-SVC028	SVC - FINAL TESTING FOR ENERGIZING	10	10	26-SEP-13	09-OCT-13	-346					
GCE-SVC035	SVC - ENERGIZE PERMANENT ELECTRICAL SERVICE	20	20	10-OCT-13	06-NOV-13	-346					
GCG-WFS135	WPS - START UP/TEST/ACTIVATE WASTEWATER PUMP	10	10	07-NOV-13	21-NOV-13	-228					
GCE-SVC030	SVC - COORDINATN W/OTHER TRADES FOR	20	20	19-DEC-13	17-JAN-14	-266					
GCE-SVC031	SVC - COORDINATION W/UTILITIES FOR DE-ENERGIZING	20	20	19-DEC-13	17-JAN-14	-266					
GCG-FLB236	FLB - 10 DAY TEST FLUSHING PUMPS FP-210/211/212	10	10	31-JAN-14	09-FEB-14	-592					
GCE-SVC032	SVC - PRE-TESTING FOR DE-ENERGIZING	10	10	10-FEB-14	21-FEB-14	-281					
GCG-FLB080	FLB - START UP & ACTIVATE FLUSHING PUMPING SYS	20	20	10-FEB-14	07-MAR-14	-409					
GCE-SVC033	SVC - FINAL TESTING FOR DE-ENERGIZING	10	10	24-FEB-14	07-MAR-14	-281					
GCE-SVC040	SVC - DE-ENERGIZE INTERIM ELECTRICAL SERVICE	20	20	10-MAR-14	04-APR-14	-281					
GCE-SVC042	SVC - DECOMMISSION INTERIM ELECTRICAL EQUIPMENT	5	5	07-APR-14	11-APR-14	-281					
GCE-SVC935	SVC - REMOVAL OF INTERIM DUCT BANKS	20	20	14-APR-14	09-MAY-14	-281					
GCE-SVC940	SVC - REMOVAL OF INTERIM PROPERTY LINE BOX	10	10	12-MAY-14	23-MAY-14	-281					
GCE-SVC950	SVC - BACKFILLING & REGRADING OF EXCAVATED AREAS	20	20	09-JUN-14	07-JUL-14	-281					
GCG-STE055	SITE - INST SITE LANDSCAPING	20	20	10-JUN-14	07-JUL-14	-201					
GCG#MLST3	G MILESTONE NO. 3 - SUBSTANTIAL COMPLETION	0	0		07-JUL-14	-404					

SANDY HURRICANE CITYWIDE CONSTRUCTION EMBARGO  
 SANDY HURRICANE INTRIM ELCT SYS DAMAGE SB/WPS  
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 SVC - INST SUPPORT FOR COLLECTOR BUS  
 SVC - INST COLLECTOR BUS  
 SVC - INST NEUTRAL BAR IN VAULT  
 SVC - WELD NEUTRAL BAR  
 SVC - WELD COLLECTOR BUS  
 SVC - INST SERVICE TAKE OFF A  
 SVC - INST THREE 3.33 KVA AUTO TRANSFORMERS  
 SVC - TEST & TERM THREE 3.33 KVA TRANSFORMERS  
 SVC - INST GROUND RODS FOR LIGHTN PR SYS EL+34.83  
 SVC - PULL CABLE FOR LIGHTN PROT SYS EL+34.83  
 SVC - TERMINATE CABLE LIGHTN PROT SYS EL+34.83  
 SVC - TEST GROUNDING GRID EL+34.83  
 SVC - TIE SVC INTO GROUNDING SYSTEM EL+34.83  
 SVC - PRE-TESTING FOR ENERGIZING  
 SVC - FINAL TESTING FOR ENERGIZING  
 SVC - ENERGIZE PERMANENT ELECTRICAL SERVICE  
 WPS - START UP/TEST/ACTIVATE WASTEWATER PUMPS  
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 SVC - COORDINATION W/UTILITIES FOR DE-ENERGIZING  
 FLB - 10 DAY TEST FLUSHING PUMPS FP-210/211/212  
 SVC - PRE-TESTING FOR DE-ENERGIZING  
 FLB - START UP & ACTIVATE FLUSHING PUMPING  
 SVC - FINAL TESTING FOR DE-ENERGIZING  
 SVC - DE-ENERGIZE INTERIM ELECTRICAL SERVICE  
 SVC - DECOMMISSION INTERIM ELECTRICAL EQUIPMENT  
 SVC - REMOVAL OF INTERIM DUCT BANKS  
 SVC - REMOVAL OF INTERIM PROPERTY LINE BOX  
 SVC - BACKFILLING & REGRADING OF EXCAVATED AREAS  
 SITE - INST SITE LANDSCAPING  
 G MILESTONE NO. 3 - SUBSTANTIAL COMP

Data Date: 31-MAR-13  
 Run Date: 11-APR-13 11:48  
 Must Finish Date:

Primavera Systems, Inc. 37A1  
 Northeast Remsco Construction Co,  
**GOWANUS FACILITIES UPGRADE**  
 Courtyard Chamber Obstruction Delays  
 Sheet 1 of 1  
 Researched By: Avila Consultants, LLC  

Date	Checked	Approved





*Carter H. Strickland, Jr.*  
*Commissioner*

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May 1, 2013

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RE: CSO Order on Consent (DEC Case #CO2-20110512-25,  
modification to DEC Case # C02-20000107-8)  
Appendix A, V. Flushing Bay CSO, J. Divert Low Lying  
Sewers/Raise Weir BB-R02, 2. Final Design Completion  
Including CPM Analysis  
**Modification Request**

Dear Ms. von Wergers,

In accordance with Paragraph III.G of the above named CSO Order on Consent (the "Order") the New York City Department of Environmental Protection (DEP) hereby requests a modification of the completion date associated with the milestone noted above. This request is made 60 days in advance of the milestone date, which is June 30, 2013, as required by the Order. For reasons explained below, DEP requests an extension of seven months for the Final Design Completion milestone, to January 2014. DEP may also need to request a modification of the milestone date for Notice to Proceed to Construction (currently June 2014), but will follow up with a specific request as more information becomes available. DEP currently expects to be able to comply with the construction completion milestone date of December 2016.

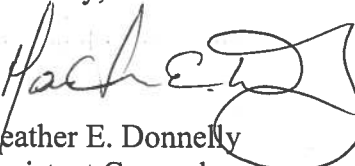
The basis for this request is that additional time is needed to coordinate the design effort with the New York City Department of Design and Construction (DDC) for completion of design. DEP's Bureau of Engineering Design and Construction (BEDC) initiated the design of the diversion sewer work in June 2011 in accordance with the CSO Order. After initiation of the work and following BEDC design protocol, a basis of design report (BODR) and the associated drainage plan were prepared. During this time, the 30% design effort was initiated and DEP scheduled a design review meeting for October 30, 2012. Due to Hurricane Sandy, this meeting was moved to November 20, 2012, as reported in DEP's Quarterly Report for the fourth quarter of that year. Based on the input received subsequent to the design review meeting, it was decided that this project should be transferred to BWSO due to the nature and scope of work.

In order to try to regain time, BWSO's emergency construction group evaluated the possibility of performing the work under one of DEP's in-house emergency contracts. A field assessment (field test pits, additional information gathering, etc.) was conducted from November 2012 through December 2012 but DEP determined that it was impractical to have the emergency group do the work due to the extent of private utility interferences which would use up an inordinately large portion of the contract funds. It was decided that this type of work would be better handled by DDC, who has expertise in projects involving street work and is familiar with coordinating with the private utility companies. DEP thereafter initiated an interagency transfer of funds to move the budget and the necessary Capital Project Initiation (CPI) paperwork to DDC, and such transfer was complete on February 26, 2013. At this time, DDC is working on the design but will need additional time to prepare the final design documents for bidding purposes.

Based on the above information, DEP requests an extension of the final design completion date from its current milestone of June 30, 2013 to January 31, 2014. DEP is evaluating whether any of the subsequent milestones may need to be modified but is not prepared to request specific dates at this time. DEP will provide updates to DEC as the information becomes available and is confident that by transferring this project to DDC that DEP will be able to mitigate much of the future constructability risk posed by the street work and will ultimately have a more successful project completed in accordance with the construction completion milestone of December 2016.

If you have any questions on this matter, please feel free to contact me at (718) 595-6610 or [donnellyh@dep.nyc.gov](mailto:donnellyh@dep.nyc.gov).

Sincerely,

  
Heather E. Donnelly  
Assistant Counsel

Copy to:

Mark Klotz  
Director, Division of Water  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3500

Joseph DiMura, PE  
Director, Bureau of Water Compliance  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3506

Gary E. Kline, PE  
New York City Municipal Compliance Section Chief  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3500

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
New York State Department of Environmental Conservation  
47-40 21<sup>st</sup> Street  
Long Island City, New York 11101

Cheryle Webber, P.E.  
Environmental Facility Corporation  
625 Broadway  
Albany, NY 12207-2997

William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

DEP BWT:	J. Mueller, A. Maracic, K. Mahoney, L. Lee, K. Wong
DEP BEDC:	K. Donnelly; R. Tysvaer
DEP BWSO:	J. Garin, N. Barbaro
DEP BLA:	R. Levine
H&S:	P. Young, T. Groninger

**New York State Department of Environmental Conservation**

**Office of General Counsel, 14<sup>th</sup> Floor**

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Joe Martens  
Commissioner

June 10, 2013

Ms. Heather Donnelly, Esq.  
Assistant Counsel  
Bureau of Legal Affairs  
NYC Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11373

Mr. Anthony Maracic, P.E.  
Director of Capital Planning and Asset Management  
Bureau of Wastewater Treatment  
New York City Department of Environmental Protection  
96-05 Horace Holding Expressway  
Corona, NY 11368

Re: **ISSUANCE OF NOTICE OF VIOLATION – DEC DETERMINATION**  
Order on Consent (“CSO Order”), DEC Case #CO2-20110512-25 modification to DEC  
Case #CO2-20000107-8  
Appendix A, XII. Jamaica Bay CSO, K. 26<sup>th</sup> Ward WPCP Wet Weather Stabilization,  
5. Design Completion for 26<sup>th</sup> Ward Wet Weather Stabilization

Dear Ms. Donnelly and Mr. Maracic:

This letter serves as a Notice of Violation (NOV) from the New York State Department of Environmental Conservation (Department) to the New York City Department of Environmental Protection (City) for failure to comply with the April 30, 2013 milestone for Appendix A, XII. Jamaica Bay CSO, K. 26<sup>th</sup> Ward WPCP Wet Weather Stabilization, 5. Design Completion for 26<sup>th</sup> Ward Wet Weather Stabilization of the Modified Order on Consent, DEC Case #CO2-20110512-25 (2012 Modified CSO Order).

The above referenced milestone required the City to submit a Final Design for the 26<sup>th</sup> Ward WPCP Wet Weather Stabilization project by April 20, 2013. On March 1, 2013, the City submitted a Modification Request for the XII.K.5 milestone to extend the milestone until April 30, 2015. The milestone extension was requested by the City to provide additional time to complete the final design due to procurement of a new design consultant. The Department hereby issues this NOV for failure of the City to meet the April 30, 2013 milestone for Design Completion for 26<sup>th</sup> Ward Wet Weather Stabilization.

The City’s decision to procure a new design consultant was based on NYCDEP’s internal review of previous design work by the original design consultant in December 2011. Although

Department recognizes that changing design consultants seems prudent given the past performance of the original design consultant, the City had ample opportunity to review the work of this consultant prior to December 2011. The original design consultant had been designing upgrades to the 26<sup>th</sup> Ward WPCP for numerous years and the design contract 26W-20, which includes the wet weather stabilization project, was initiated five and a half years before the City undertook efforts to review the quality of the design work. Thus, there was a significant period of time during which the City could have reviewed the original design consultant's work that lead to the City's decision to change the designer for this project and the need to change design consultants could have been anticipated when the CSO Order was negotiated.

The failure of the City to complete the final design milestone is subject to minor milestone stipulated penalties pursuant to Section V of the above reference CSO Order. Please contact the undersigned with ten days of the date of this NOV to arrange for a meeting to resolve this violation.

The Department will review and respond separately to the modification request for the XII.K.5 through XII.K.8 milestones once the City has submitted supplemental information requested in the Department's letter dated March 27, 2013.

Sincerely,



Joseph DiMura, P.E.  
Bureau Of Water Compliance



Mary von Wergers

cc: W. Plache, Esq.  
A. Maracic, P.E.  
K. Mahoney, P.E.  
L. Lee, P.E.  
K. Donnelly, P.E.  
V. Sapienza, P.E.  
J. Mueller, P.E.  
K. Mallon

S. Crisafulli, Esq.  
G. Kline, P.E.  
L. Allen, P.E.  
P. Kenline,  
R. Elburn, P.E.  
S. Southwell, P.E.  
C. Webber, P.E.  
J. Gratz

# New York State Department of Environmental Conservation

## Division of Water

Bureau of Water Compliance, 4<sup>th</sup> Floor

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Joe Martens  
Commissioner

May 15, 2013

### SENT VIA EMAIL

Mr. Anthony Maracic, P.E.

Director of Capital Planning and Asset Management

Bureau of Wastewater Treatment

New York City Department of Environmental Protection

96-05 Horace Holding Expressway

Corona, NY 11368

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20110512-25, Appendix A  
VIII. Newtown Creek CSO, L. Green Infrastructure Demonstration Project in Newtown  
Creek Watershed, 3. Construction Completion  
**Certification of Construction Completion**

Dear Mr. Maracic:

On May 10, 2013, the New York Department of Environmental Protection submitted a Certification of Construction Completion for the Green Infrastructure Demonstration Project in Newtown Creek Watershed in accordance with the CSO Order milestone of December 31, 2012. A final inspection was completed that consisted of a site inspection on May 8, 2013. The NYC CSO Inspection Report is enclosed along with a Final Inspection Summary. Based on the final inspection, the New York State Department of Environmental Conservation (Department) concludes that the requirement of the CSO Order, Appendix A, XI.H.3 has been met and the Department accepts Certificate of Construction Completion for Appendix A, VIII.L.3.

If you have any questions regarding this letter, please contact Mr. Gary Kline at 518-402-9655 or [gekline@gw.dec.state.ny.us](mailto:gekline@gw.dec.state.ny.us).

Sincerely,

Joseph DiMura, P.E.  
Director, Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. vonWergers, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
C. Webber, P.E.  
J. Gratz  
W. Plache, Esq.  
A. Maracic, P.E.  
K. Mahoney, P.E.  
L. Lee, P.E.  
H. Donnelly, Esq.  
K. Donnelly, P.E.  
K. Mahoney, P.E.  
J. Mueller, P.E.  
K. Mallon  
V. Sapienza, P.E.  
M. Farag, P.E.  
A. Licata  
M. Walker

**Newtown Creek: Green Infrastructure Demonstration  
Project in Newtown Creek Watershed  
Appendix A, VIII.L.3  
Final Inspection Summary**

**I. Background**

Under CSO Consent Order, Appendix A, VIII.L.3, the New York City Department of Environmental Protection (DEP) was required to construct and monitor a Green Infrastructure demonstration project consisting of bioswales in Newtown Creek Watershed. The DEP certified construction start in October 2012 and construction completion in May 2013. A final inspection was conducted on May 8, 2013 to visually verify that bioswale construction was completed in accordance with the approved engineering report. The following summarizes the inspection.

**II. Physical Inspections**

A final inspection site visit confirmed that 19 bioswales had been constructed. Bioswale 3\* not constructed due to scaffolding infringement and replaced with Bioswale 18B at a new location. A final inspection report and photo from the site visit are included below.

**III. Document Review**

No documents were reviewed for this final inspection.

**IV. Major Changes to Contract:**

Table 4-1 in the engineering report shows a total ROW contributing area of 150,068 square feet, which differs from the actual ROW contributing area of 144,683 square feet due to relocation of bioswale 3\* to 18B. The DEP sent an email from Raymond Palmares, P.E. on May 3 that included the preceding chain of emails discussing this change in bioswale location. The DEC acknowledges this change in location and the difference of 5,385 square feet in ROW contributing area. Also, bioswale 10\* was constructed without a tree.

**V. Final Inspection Conclusions:**

Based on the foregoing, it is recommended that that the Green Infrastructure Demonstration Project in Newtown Creek watershed project certification of construction completion submitted by the DEP be accepted.



**Newtown Creek: Green Infrastructure Demonstration  
Project in Newtown Creek Watershed  
Appendix A, VIII.L.3  
Final Inspection Summary**

<b>NYC CSO Inspection Report</b> NYSDEC Case #CO2-20110512-25			
<b>NEIWPC Monitor:</b> Paul Kenline			
<b>Date:</b> 5/8/2013	<b>Time IN:</b> 9:00 AM	<b>Time OUT:</b> 10:00 AM	
<b>Physical Location:</b>	Grove Street and Wilson Avenue, Brooklyn, NY		
<b>CSO Project Name:</b>	Newtown Creek CSO		
<b>Appendix A Reference:</b>	Green Infrastructure Demo Project in the Hutchinson River Sewershed, XI.H.3.		
<b>Type of Inspection:</b>	<input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Site Walk		
<b>Weather Conditions:</b>	Heavy rain just before site walk, 65°F		
	[Name]	[Organization]	[Phone]
<b>Program Director</b>	Raymond Palmares, P.E	DEP	347-534-7797
<b>Director</b>	Julie Stein	DEP	718 595 4397
<b>Engineer</b>	Dhalia Thompson	H & S	212-539-7151
<b>Walked the site with Kathryn (DEP).</b>			
CONSTRUCTION PROGRESS			
<b>Consent Order Completion Date:</b> 5/30/13	<b>DEP Projected Completion Date:</b>	[Phase]	[Date]
<b>Work being done at time of inspection/current phase of construction or operation:</b> <i>All bioswales constructed and planted.</i>			
<b>Percent Work Complete:</b> _____			
<b>Construction is AHEAD Consent Order Schedule.</b>			
<b>Comments:</b>			
<b>Anticipated Non-Compliance: (Is CPM more than 60 days behind?)</b> <i>No</i>			
<b>Noted Non-Compliance w/Consent Order:</b> <i>No</i>			
<b>Signature:</b> _____		<b>Date:</b> _____	
INSPECTION REPORT			
<b>Overall Visual Observations on Construction Status and Quality:</b> <i>Satisfactory</i>			
<b>Observed Condition of Facility Equipment During Operation:</b> <i>Most of the bioswales had water pooling when I arrived at the site. By the time we had walked around the site almost all the bioswales including the ones where we started had infiltrated the water from the surface.</i>			
<b>List any Resolved or Unresolved Construction Problems (Scheduling, Testing, Design Changes, Differing Site Conditions, Equipment Delivery, Change Orders, etc.):</b> <i>Some of the bioswales had gravel blow out of place where the water entered, maintenance issue was documented by DEP.</i>			
<b>Noted Non-Compliance with NYSDEC Permits:</b> <i>None</i>			
<b>Site Wastes Properly Disposed?</b>	<i>Yes</i>		
<b>Erosion Control Effective?</b>	<i>Yes</i>		
<b>Observed Site Discharges?</b>	<i>None</i>		
<b>Potential Violations:</b>	<i>No</i>		
<b>Referred to DEC?</b>	<i>No</i>		<b>Date of Referral:</b> _____
<b>Resident Engineer/DEP Rep. Resolution for Violation(s):</b>			

**Newtown Creek: Green Infrastructure Demonstration  
Project in Newtown Creek Watershed  
Appendix A, VIII.L.3  
Final Inspection Summary**

**Inspection Photo**



**Photo 1: Completed bioswales on Grove St. looking Northeast towards Central Avenue.**

# New York State Department of Environmental Conservation

## Division of Water

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Joe Martens  
Commissioner

May 13, 2013

### SENT VIA EMAIL

Mr. Anthony Maracic, P.E.

Director of Capital Planning and Asset Management

Bureau of Wastewater Treatment

New York City Department of Environmental Protection

96-05 Horace Holding Expressway

Corona, NY 11368

Re: Order on Consent (“CSO Order”), DEC Case #CO2-20110512-25  
Appendix A, VIII. Newtown Creek CSO, L. Green Infrastructure Demonstration Project  
in Newtown Creek Watershed, 3. Construction Completion  
**Certification of Milestone Completion**

Dear Mr. Maracic:

The New York State Department of Environmental Conservation (Department) acknowledges receipt of the certification of milestone completion for construction of the Newtown Creek Green Infrastructure Demonstration Project submitted by the New York Department of Environmental Protection (DEP) on May 10, 2013. This certification of completion was received in accordance with the CSO Order Milestone Appendix A, VIII.L.3 of May 31, 2013.

The certification includes a professional certification by Mr. Sandeep Mehrota, P.E., which includes his professional engineer seal that all CSO-related construction has been completed and placed into operation per the approved plans and specifications as of April 26, 2013. A final construction inspection checklist was previously provided to the DEP and was completed and transmitted back to the Department by the DEP with the certification of completion. A final site inspection will be completed by the Department.

If you have any questions regarding this letter, please contact Mr. Gary Kline, P.E. at 518-402-9655 or [gekline@gw.dec.state.ny.us](mailto:gekline@gw.dec.state.ny.us).

Sincerely,



Joseph DiMura, P.E.  
Director, Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. VonWergers, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
C. Webber, P.E.  
W. Plache, Esq.  
H. Donnelly, Esq.  
K. Mahoney, P.E.  
J. Mueller, P.E.  
K. Mallon, P.E.  
V. Sapienza, P.E.  
L. Lee, P.E.  
A. Licata  
M. Farag, P.E.  
K. Prybylski  
R. Palmares, P.E.

**New York State Department of Environmental Conservation**

**Division of Water**

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Joe Martens  
Commissioner

June 25, 2013

SENT VIA EMAIL

Mr. Anthony Maracic, P.E.  
Director of Capital Planning and Asset Management  
Bureau of Wastewater Treatment  
New York City Department of Environmental Protection  
96-05 Horace Holding Expressway  
Corona, NY 11368

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8, Appendix A  
X. Bronx River CSO, C. Floatables Control, 4. Construction Completion  
**Certification of Construction Completion**

Dear Mr. Maracic:

On October 18, 2012, the New York Department of Environmental Protection submitted a Certification of Construction Completion for the Bronx River CSO Floatables Control in accordance with the CSO Order milestone of October 18, 2012. A final inspection was completed that consisted of site inspections on June 12, 2012, August 30, 2012, and May 13, 2013 for a review of project documentation. The NYC CSO Inspection Reports are enclosed along with a Final Inspection Summary. Based on the final inspection, the New York State Department of Environmental Conservation (Department) concludes that the requirements of the CSO Order, Appendix A, X.C.4 have been met and the Department accepts Certificate of Construction Completion for Appendix A, X.C.4.

If you have any questions regarding this letter, please contact Mr. Gary Kline at 518-402-9655 or [gekline@gw.dec.state.ny.us](mailto:gekline@gw.dec.state.ny.us).

Sincerely,

Joseph DiMura, P.E.  
Director  
Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. vonWergers, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
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K. Mahoney, P.E.  
J. Mueller, P.E.  
K. Mallon, P.E.  
V. Sapienza, P.E.  
L. Lee, P.E.  
W. Gordon, P.E.

**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

**I. Background**

Under the CSO Consent Order milestone X.C.4, the New York City Department of Environmental Protection (DEP) is required to construct floatables control at four locations in the Bronx River to reduce floatables from the combined sewer system. The project constructed netting facilities with removable nets at two locations (CSO-13 and CSO-28) and horizontal mechanical bar screens were constructed at two locations (CSO 27 and 27A). A tide gate was also installed just downstream of one netting facility (CSO-28).

DEP commenced construction of the floatable control project in June 2009 and certified construction completion on October 18, 2012 in accordance with the X.C.4 milestone. A final inspection was conducted to verify that construction was completed in accordance with the approved plans and specifications. The final inspection consisted of site visits to observe operation of major equipment and a desktop review of documentation and data related to construction and operation of the facilities. The following summarizes the final inspection completed for the Bronx River floatables control project.

**II. Field Inspections and Visits**

Site visits were conducted to each of the four sites on June 12, 2012 and August 30, 2012 to complete field observations and demonstrations of the items in Table 1. Copies of the NYC CSO Inspection Reports for these site visits are provided in Attachment A. Inspection photos from the site visits are provided in Attachment B.

**Table 1: Field Demonstrations and Observations**

Equipment or System	Date Observed
Mechanical Bar Screens	8/30/12
Netting Facilities	6/12/12
Tide Gate	6/12/12

A meeting at the field office was held on May 13, 2013 to discuss the performance data from the mechanical bar screens with DEP and the mechanical screens vendor. The inspection report associated with this visit is provided in Attachment A.

**III. Document Review**

The final inspection included a review of factory field test results for the bar screens and leakage test results for the tide gate as well as operational data for the mechanical bar screens and data on the performance of the netting facilities.

**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

**a. Factory and Field Performance Testing:**

The factory and field performance test results for major equipment and systems were reviewed and determined to be acceptable.

**Table 2: Factory or Field Test Results**

<b>Equipment or System</b>	<b>Performance Testing</b>	<b>Observations</b>
Mechanical Bar Screens	Factory Tests	Acceptable
Mechanical Bar Screens	Performance Testing	Acceptable*
Netting Facility	Performance Log	Acceptable
Tide Gate	Leakage Test	Acceptable

\*DEP transmitted operational data for the bar screens on February 12, 2013 but the data were inadequate to determine if the bar screens were operating as intended. During the site visit on May 13, 2013, additional data were provided by DEP for the bar screen at CSO-27 for the time period up through May 2013. The data demonstrated that the bar screen at CSO-27 was operating adequately. Data from the CSO-27A site showed that the screens had stopped working in May. The location of the sensor caused false readings and the hydraulic lines weren't tight enough to prevent loss of hydraulic oil from excess operation. The contractor eventually tightened a coupling, replaced the hydraulic oil and repositioned the sensor. Additional data for the bar screens at CSO-27A were provided on June 19, 2013. The screens were placed back into operation May 31 and the data demonstrated adequate operation for more than two large rain events.

**b. Tide Gate:**

The tide gate at CSO-028/HP-004 was constructed and placed into operation but was subsequently chained open by the DEP. The DEP transmitted a letter from URS dated March 12, 2013 stating that the tide gate is not required for the protection of the combined sewer system given the elevations of the lowest bench and the tidal fluctuations. The letter also stated that the method for keeping tide gate out of operation would be to chain it into the open position. The Department accepted the proposed operation of the tide gate.

**IV. Major Change Orders:**

The DEP provided a list of change orders which included removal of debris from the sewer at Bronx Park Avenue. Approximately 182 tons of material was removed at a cost of \$100,000.

**V. Final Inspection Summary**



**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

The final inspection of the Bronx River Floatables project confirmed that the facilities were constructed in accordance with the approved plans and specifications. Based on the forgoing, it is recommended that the Bronx River Floatables Project certification of construction completion submitted by DEP in accordance with Appendix A, X.C.4 to be accepted.

**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

**Attachment A - NYC CSO Inspection Reports**

<b>NYC CSO Inspection Report</b>			
<b>NYSDEC Case #CO2-20000107-8</b>			
<b>NEIWPC Monitor:</b>	Paul Kenline, Linda Allen P.E.		
<b>Date:</b>	6/12/2012	<b>Time IN:</b>	9:00 AM
		<b>Time OUT:</b>	10:30 AM
<b>Physical Location:</b>	Field Office : E 180 <sup>th</sup> Street and Devoe Ave.		
<b>CSO Project Name:</b>	Bronx River CSO		
<b>Appendix A Reference:</b>	Floatables Control; X.C.4.		
<b>Type of Inspection:</b>	<input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced <input checked="" type="checkbox"/> Final Inspection <input checked="" type="checkbox"/> Site Walk		
<b>Weather Conditions:</b>	Overcast and 65°F		
	<b>[Name]</b>	<b>[Organization]</b>	<b>[Phone]</b>
<b>Portfolio Manager</b>	Reza Marandi, P.E.	DEP	718-595-5932
<b>Resident Engineer</b>	Warren Gordon, P.E.	DEP	347-996-7790
<b>Assistant R.E.</b>	Jenny Ortiz	DEP	347-725-4388
<b>General Contractor</b>	Ralph Pedidini	Northeast Remseco	732-557-6100
<b>Engineer</b>	Mirza Zakir	URS	201-225-3218
Discussed final inspection checklists for BRF, Ave. V, and Shellbank Basin projects in the field office with Warren before visiting the West Farms Road and Bronx Park Avenue sites.			
<b>CONSTRUCTION PROGRESS</b>			
<b>Consent Order Completion Date:</b>	*8/30/2012	<b>DEP Projected Completion Date:</b>	[Phase] [Date] ER-BR1 8/30/2012
<b>Work being done at time of inspection/current phase of construction or operation:</b>			
Bronx Zoo: No activity. Bronx Park Avenue: Contractor setting up forms for roof support concrete pour, existing baffle walls completely demolished. Soundview Park: No activity. West Farms Road: Netting facility has water almost up to side weir elevation due to tide gate being chained up during high tide.			
<b>Percent Work Complete:</b> 85%			
<b>Construction is AHEAD of Consent Order Schedule.</b>			
<b>Comments:</b> *DEC approved the DEP's Force Majeure for unforeseen bedrock.			
<b>Anticipated Non-Compliance: (Is CPM more than 60 days behind?)</b> No			
<b>Noted Non-Compliance w/Consent Order:</b> No			
<b>Signature:</b> _____		<b>Date:</b> _____	
<b>INSPECTION REPORT</b>			
<b>Overall Visual Observations on Construction Status and Quality:</b> Satisfactory			
<b>Observed Condition of Facility Equipment During Operation:</b> Did not observe.			
<b>List any Resolved or Unresolved Construction Problems (Scheduling, Testing, Design Changes, Differing Site Conditions, Equipment Delivery, Change Orders, etc.):</b> Con-Ed needs to move the electrical conduits back to the other side of the project site at Bronx Park Avenue. Rain causes stoppage of work and delays for cleaning up site after storm event.			
<b>Noted Non-Compliance with NYSDEC Permits:</b> None.			
<b>Site Wastes Properly Disposed?</b>		Yes	
<b>Erosion Control Effective?</b>		Yes	
<b>Observed Site Discharges?</b>		None	
<b>Potential Violations:</b> N/A			
<b>Referred to DEC?</b> N/A		<b>Date of Referral:</b> _____	
<b>Resident Engineer/DEP Rep. Resolution for Violation(s):</b>			

**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

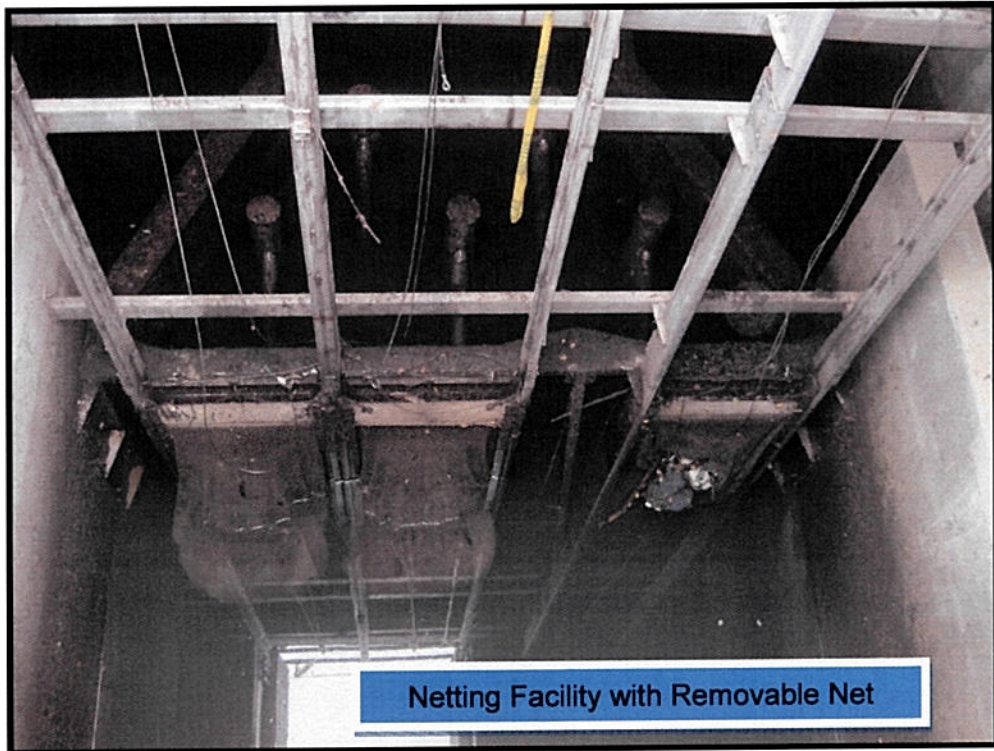
<b>NYC CSO Inspection Report</b> NYSDEC Case #CO2-20000107-8			
<b>NEIWPCC Monitor:</b>	Paul Kenline		
<b>Date:</b>	8/30/2012	<b>Time IN:</b>	9:30 AM
		<b>Time OUT:</b>	12:00 PM
<b>Physical Location:</b>	Field Office : E 180 <sup>th</sup> Street and Devoe Ave.		
<b>CSO Project Name:</b>	Bronx River CSO		
<b>Appendix A Reference:</b>	Floatables Control; X.C.4.		
<b>Type of Inspection:</b>	<input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced <input checked="" type="checkbox"/> Final Inspection <input checked="" type="checkbox"/> Site Walk		
<b>Weather Conditions:</b>	Mix of sun and clouds, 80°F		
	<b>[Name]</b>	<b>[Organization]</b>	<b>[Phone]</b>
<b>Portfolio Manager</b>	Reza Marandi, P.E.	DEP	718-595-5932
<b>Resident Engineer</b>	Warren Gordon, P.E	DEP	347-996-7790
<b>Assistant R.E.</b>	Jenny Ortiz	DEP	347-725-4388
<b>General Contractor</b>	Ralph Pedidini	Northeast Remseco	732-557-6100
<b>Engineer</b>	Mirza Zakir	URS	201-225-3218
<b>Visited the Bronx Park Avenue site with Jenny, Warren, &amp; Ahmad</b>			
<b>CONSTRUCTION PROGRESS</b>			
<b>Consent Order Completion Date:</b>	6/30/2012	<b>DEP Projected Completion Date:</b>	
		<b>[Phase]</b>	<b>[Date]</b>
		ER-BR1	6/30/2012
<b>Work being done at time of inspection/current phase of construction or operation:</b> <i>Bronx Zoo: Contractor still clearing site. Bronx Park Avenue: Contractor continues to restore site. Vendor for mechanical screens on-site and testing system with power from portable generator. Soundview Park: Not observed. West Farms Road: Not observed.</i>			
<b>Percent Work Complete:</b> _____			
<b>Construction is AHEAD of Consent Order Schedule.</b>			
<i>DEP plans on operating the screens with portable generator that will be turned on before rain storms.</i>			
<b>Comments:</b>	<i>Contractor has 3 more weeks left for site restoration activities including; curbs, sidewalks, and asphalt. ConEd hasn't committed to a time to be on-site and hook-up power.</i>		
<b>Anticipated Non-Compliance: (Is CPM more than 60 days behind?)</b> <i>No</i>			
<b>Noted Non-Compliance w/Consent Order:</b> <i>No</i>			
<b>Signature:</b> _____	<b>Date:</b> _____		
<b>INSPECTION REPORT</b>			
<b>Overall Visual Observations on Construction Status and Quality:</b> <i>Satisfactory</i>			
<b>Observed Condition of Facility Equipment During Operation:</b> <i>As part of the final inspection the operation of the mechanical screens at the Bronx Park Avenue site was observed successfully. The system was operational with power from a temporary generator, and the vendor was on-site to adjust the logic to make the system operate in automatic mode during dry weather.</i>			
<b>List any Resolved or Unresolved Construction Problems (Scheduling, Testing, Design Changes, Differing Site Conditions, Equipment Delivery, Change Orders, etc.):</b> <i>Hydraulic cylinder at Bronx Zoo site needs replacement of oil. BWT training will commence once permanent power is connected at the BPA site. Discussed the remaining items of the final inspection checklist at the field office after inspection. Warren is putting together all the required documentation and will arrange a meeting for a review once it's ready.</i>			
<b>Noted Non-Compliance with NYSDEC Permits:</b> <i>None</i>			
<b>Site Wastes Properly Disposed?</b>	<i>Yes</i>		
<b>Erosion Control Effective?</b>	<i>Yes</i>		
<b>Observed Site Discharges?</b>	<i>None</i>		
<b>Potential Violations:</b>	<i>N/A</i>		
<b>Referred to DEC?</b>	<i>N/A</i>		
<b>Resident Engineer/DEP Rep. Resolution for Violation(s):</b>			<b>Date of Referral:</b> _____

**Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary**

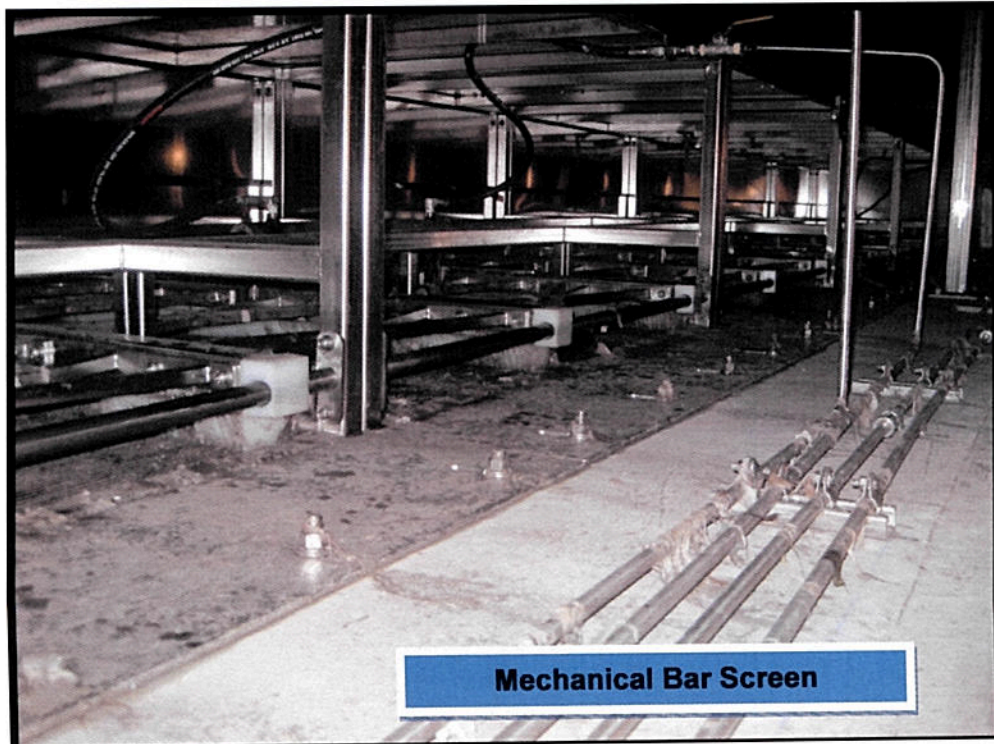
<b>NYC CSO Inspection Report</b>			
<b>NYSDEC Case #CO2-20000107-8</b>			
<b>NEIWPCC Monitor:</b>	Paul Kenline		
<b>Date:</b>	5/13/2013	<b>Time IN:</b>	9:00 AM
		<b>Time OUT:</b>	10:30 AM
<b>Physical Location:</b>	Field Office : E 180 <sup>th</sup> Street and Devoe Ave.		
<b>CSO Project Name:</b>	Bronx River CSO		
<b>Appendix A Reference:</b>	Floatables Control; X.C.4.		
<b>Type of Inspection:</b>	<input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced <input checked="" type="checkbox"/> Final Inspection <input checked="" type="checkbox"/> Site Walk		
<b>Weather Conditions:</b>	Sunny and 60°F		
	<b>[Name]</b>	<b>[Organization]</b>	<b>[Phone]</b>
<b>Portfolio Manager</b>	Reza Marandi, P.E.	DEP	718-595-5932
<b>Resident Engineer</b>	Warren Gordon, P.E	DEP	347-996-7790
<b>Assistant R.E.</b>	Jenny Ortiz	DEP	347-725-4388
<b>General Contractor</b>	Ralph Pedidini	Northeast Remseco	732-557-6100
<b>Engineer</b>	Mirza Zakir	URS	201-225-3218
<b>Met the DEP and the mechanical screens vendor at the field office.</b>			
<b>CONSTRUCTION PROGRESS</b>			
<b>Consent Order Completion Date:</b>	6/30/2012	<b>DEP Projected Completion Date:</b>	
		<b>[Phase]</b>	<b>[Date]</b>
		ER-BR1	6/30/2012
<b>Work being done at time of inspection/current phase of construction or operation:</b> <i>Bronx Zoo: All work completed. Bronx Park Avenue: Not observed. Soundview Park: Not observed. West Farms Road: Not observed.</i>			
<b>Percent Work Complete:</b> _____			
<b>Construction is AHEAD of Consent Order Schedule.</b>			
<b>Comments:</b> <i>CSO-27A mechanical screens ran out of oil after a couple days of near continuous operation.</i>			
<b>Anticipated Non-Compliance: (Is CPM more than 60 days behind?)</b> <i>No</i>			
<b>Noted Non-Compliance w/Consent Order:</b> <i>No</i>			
<b>Signature:</b> _____		<b>Date:</b> _____	
<b>INSPECTION REPORT</b>			
<b>Overall Visual Observations on Construction Status and Quality:</b> <i>Satisfactory</i>			
<b>Observed Condition of Facility Equipment During Operation:</b> <i>CSO-27 is in operation, 2 pumps half full of oil and the third full. Operated last Thursday during large rain event.</i>			
<b>List any Resolved or Unresolved Construction Problems (Scheduling, Testing, Design Changes, Differing Site Conditions, Equipment Delivery, Change Orders, etc.):</b> <i>Screens at CSO-27 were "short Stroking" due to debris in the screen. Vendor set the system to a longer duration so the rake would travel the entire distance. Bar screens at CSO-27A not in operation, DEP waiting on contractor to replace oil and look into possible leak and cleaning of the sensor tube.</i>			
<b>Noted Non-Compliance with NYSDEC Permits:</b> <i>None</i>			
<b>Site Wastes Properly Disposed?</b>	<i>Yes</i>		
<b>Erosion Control Effective?</b>	<i>Yes</i>		
<b>Observed Site Discharges?</b>	<i>None</i>		
<b>Potential Violations:</b>	<i>N/A</i>		
<b>Referred to DEC?</b>	<i>N/A</i>		<b>Date of Referral:</b> _____
<b>Resident Engineer/DEP Rep. Resolution for Violation(s):</b>			

Bronx River: Floatables Control  
Appendix A, X.C.4  
Final Inspection Summary

Attachment B - Inspection Photographs



Netting Facility with Removable Net



Mechanical Bar Screen

# New York State Department of Environmental Conservation

## Division of Water

Bureau of Water Compliance, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-3506

Phone: (518) 402-8177 • Fax: (518) 402-8082

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

June 24, 2013

### SENT VIA EMAIL

Mr. Anthony Maracic, P.E.  
Director of Capital Planning and Asset Management  
Bureau of Wastewater Treatment  
New York City Department of Environmental Protection  
96-05 Horace Holding Expressway  
Corona, NY 11368

Re: Order on Consent (“CSO Order”), DEC Case #CO2-20110512-25 modification to DEC  
Case #CO2-20000107-8

#### Appendix A,

VIII. Newtown Creek CSO, L. Green Infrastructure Demonstration Project in  
Newtown Creek Watershed, 3. Complete Construction

XI. Hutchinson River CSO, H. Green Infrastructure Demonstration Project in  
Hutchinson River Watershed, 3. Complete Construction

XII. Jamaica Bay CSO, J. Green Infrastructure Demonstration Project in 26th  
Ward Sewershed, 3. Complete Construction

Certifications of Construction Completion

Dear Mr. Maracic:

The New York State Department of Environmental Conservation (Department) previously transmitted letters accepting the certification of construction completion from the New York Department of Environmental Protection (City) for the Green Infrastructure Demonstration Projects completed for Newtown Creek, Hutchinson River, and Jamaica Bay. The following are corrections to typographical errors contained in those letters.

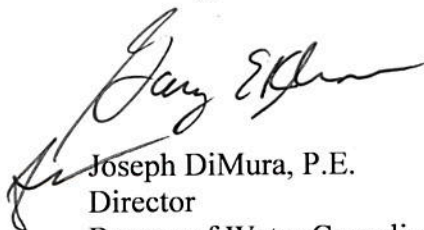
On May 10, 2013, the City submitted a Certification of Construction Completion for the Green Infrastructure Demonstration Project in Newtown Creek Watershed in accordance with the CSO Order milestone of May 31, 2013. A final inspection was completed that consisted of a site inspection on May 8, 2013. The NYC CSO Inspection Report was previously transmitted to the City. Based on the final inspection, the Department concludes that the requirement of the CSO Order, Appendix A, VIII.L.3 has been met and the Department accepts Certificate of Construction Completion for Appendix A, VIII.L.3.

On April 30, 2013, the City submitted a Certification of Construction Completion for the Green Infrastructure Demonstration Project in the Hutchinson River Watershed in accordance with the CSO Order milestone of April 30, 2013. A final inspection was completed that consisted of a site inspection on May 1, 2013. The NYC CSO Inspection Report was previously transmitted to the City. Based on the final inspection, the Department concludes that the requirement of the CSO Order, Appendix A, XI.H.3 has been met and the Department accepts Certificate of Construction Completion for Appendix A, XI.H.3.

On December 31, 2012, the City submitted a Certification of Construction Completion for the Green Infrastructure Demonstration Project in 26<sup>th</sup> Ward Sewershed in accordance with the CSO Order milestone of December 31, 2012. A final inspection was completed that consisted of a site inspection on January 4, 2012. The NYC CSO Inspection Report was previously transmitted to the City. Based on the final inspection, the Department concludes that the requirement of the CSO Order, Appendix A, XII.J.3 has been met and the Department accepts Certificate of Construction Completion for Appendix A, XII.J.3.

If you have any questions regarding this letter, please contact Mr. Gary Kline at 518-402-9655 or [gekline@gw.dec.state.ny.us](mailto:gekline@gw.dec.state.ny.us).

Sincerely,



Joseph DiMura, P.E.  
Director  
Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. VonWergers, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
C. Webber, P.E.  
W. Plache, Esq.  
H. Donnelly, Esq.  
K. Mahoney, P.E.  
L. Lee, P.E.  
J. Mueller, P.E.  
K. Mallon, P.E.  
V. Sapienza, P.E.

# New York State Department of Environmental Conservation

## Division of Environmental Remediation, Region 2

47-40 21ST Street, Long Island City, NY 11101-5407

Phone: (718) 482-4995 • Fax: (718) 482-6358

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

April 2, 2013

William J. Ryan  
Project Manager - Site Investigation and Remediation Department  
National Grid  
175 E. Old Country Road  
Hicksville, NY 11801

Re: Paerdegat Basin  
NYSDEC Site No. 224167  
Sampling Work Plan

Dear Mr. Ryan:

The New York State Department of Environmental Conservation (“NYSDEC”), in consultation with the New York State Department of Health (“NYSDOH”), the United States Environmental Protection Agency (“USEPA”) and the New York City Department of Environmental Protection (“NYCDEP”), has completed its review of the above referenced document (the “Plan”) prepared by GEI Consultants, Inc. on behalf of National Grid (the Remedial Party). The document was dated March 13, 2013 and represented the second revision of the Plan. The Plan is now in compliance with DER-10 and is hereby approved.

The Remedial Party and its contractors are solely responsible for the safe execution of all invasive and other field work performed under the Plan. The Remedial Party and its contractors must obtain all local, state, and/or federal permits or approvals that may be required to perform work under the Plan. Further, The Remedial Party and its contractors are solely responsible for the identification of utilities that might be affected by work under the Plan and, the implementation of all required, appropriate, or necessary health and safety measures during performance of work under the Plan.

Please provide the NYSDEC with an updated schedule for the proposed investigative work at your earliest convenience. Please also provide at least 5 days notice prior to initiating field work related to the approved Plan.

If there are any questions regarding this letter, please call me at (718) 482-4096.

Sincerely,

Nicholas S. Bollers  
Environmental Engineer



April 2, 2013

Paerdegat Basin – Sampling Work Plan Approval

Page 2

ec: R. Cozzy, P. John, J. O'Connell, L. Oliva, W. Richter, S. Zahn, S. Maresca – NYSDEC  
A. Forti – NYSDOH  
J. Haklar – USEPA  
J. Roberts, S. McAtamney – NYCDEP  
R. Teetz, T. Leissing, C. Corrado, D. Riccobono – National Grid  
B. Giroux - GEI

# New York State Department of Environmental Conservation

## Division of Water

Bureau of Water Compliance, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-3506

Phone: (518) 402-8177 • Fax: (518) 402-8082

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

March 5, 2013

Mr. Anthony Maracic, P.E.  
Director of Capital Planning and Asset Management  
Bureau of Wastewater Treatment  
New York City Department of Environmental Protection  
96-05 Horace Holding Expressway  
Corona, NY 11368

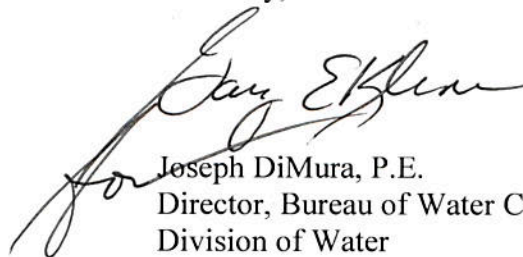
Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8, Appendix A  
VIII. Newtown Creek CSO, H. Enhanced Aeration in Lower English Kills, 3. Notice  
to Proceed to Construction  
**Certifications of Milestone Completion**

Dear Mr. Maracic:

The New York State Department of Environmental Conservation (Department) acknowledges receipt from the New York Department of Environmental Protection on April 2, 2013 the Certification of Notice to Proceed to Construction for the Newtown Creek Enhanced Aeration in Lower English Kills. This certification was received in accordance with the milestone of April 30, 2013 approved by the Department in its letter dated March 15, 2013 and therefore satisfies the requirements contained in the CSO Order.

If you have any questions regarding this letter, please contact Mr. Gary Kline at 518-402-9655 or [gekline@gw.dec.state.ny.us](mailto:gekline@gw.dec.state.ny.us).

Sincerely,



Joseph DiMura, P.E.  
Director, Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. vonWergers, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
C. Webber, P.E.  
W. Plache, Esq.  
H. Donnelly, Esq.  
K. Mahoney, P.E.  
J. Mueller, P.E.  
K. Mallon  
K. Donnelly, P.E.  
V. Sapienza, P.E.  
L. Lee, P.E.

**NY\$ DEC Comments  
Quarterly Report  
1<sup>st</sup> Quarter 2013**

**Questions/Comments for Quarterly Meeting:**

**1. Inner Harbor**

- a. DEP provide tentative schedule for completing sampling and CEQR process
- b. DEP provide update on Corps dredging permit and response to comments
- c. DEP provide operational data for in-line storage project (2 months with wet weather events)

**2. Paerdegat Basin**

- a. DEC provide update on National Grid sampling results for PCB oil spill (if available)

**3. Flushing Bay**

- a. DEC provide update on status of dredging permit
- b. DEP provide update on Corps dredging permit

**4. Jamaica Bay**

- a. DEP provide update on wet weather stabilization project schedule changes (separate presentation)

CSD QUARTERLY MEETING 5/14/13.

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE</u>
LILY LEE	DEP - BWT	718-595-4809
Margot Walker	DEP-Green/Infra.	918-595-4367
GARY KLINE	DEC	58402 9655
Paul KENLINE	NEWYCC	718 810-0044
Linda Allen	NEWYCC	518 402 8234
Joe DiMora	NYSDER	518-402-8177
MARY vonHergers	NYSDER	518-402-9495
Peter Young	Hazen and Sawyer	212-539-7009
Heather Donnelly	DEP-BLA	718-595-6610
Marcella Eckels	DEP B LA	718 5956 535
Anthony Maracic	DEP /BWT	(718) 595-5045
James Mueller	DEP/BWT	718-595-5973
Vincent Sapienza	DEP BWT	718 595 4906
Diane Hammerman	DEP BWT	(718) 595-4965
Daniel A. Solimando	DEP-BEAC	(718) 595-6116
Roy Tysvaer	DEP-BEDC	718-595-6208
Ken Moriarty	DEP-BEDC	718-595-6238
Kevin Clarke	DEP BEDC	718 595 5995
PAUL SANDHAGEN	DEP BEDC	404-326-9910
Kathryn Mallon	DEP	718-595-483
Carrie Notelboom	NYC LAW	212-356-2319
Keith Mahoney	DEP	718-595-5972

By phone < Nick Barbaro DEP BWSO  
 Peter Gordon DEP BWSO