NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN & CONSTRUCTION
DEC CASE # CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – First Quarter 2006

April 2006

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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April 26, 2006

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

RE: Order on Consent (CSO Order)
DEC Case # CO2-20000107-8
Citywide CSO Program - Quarterly Report

Dear Mr. DiMura:

In accordance with Section IV, Paragraphs A-C of the above referenced proposed Consent Order, the New York City Department of Environmental Protection hereby submits the Citywide CSO Quarterly Report for the period of January 1 through March 31, 2006.

Should you require further information, please contact me at (718) 595-5973.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

MK:jv

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City of New York
Department of Environmental Protection
Bureau of Engineering Design & Construction

CSO Order on Consent
DEC Case # CO2-20000107-8

QUARTERLY PROGRESS REPORT
FIRST QUARTER 2006
(January 1 – March 31)

April 30, 2006

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1.0. Executive Summary

The Combined Sewer Overflow "CSO" Order on Consent, DEC Case # CO2-20000107-8 (the "Order"); was entered into by the City of New York ("City") and the New York State Department of Environmental Conservation ("DEC") on January 14, 2005. Pursuant to Section IV, Paragraph A of 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 by of the New York City Department of Environmental Protection ("DEP") in complying with the milestones set forth in the Order during the period from January 1, 2006 to March 31, 2006.

Major Actions This Quarter:

Table 1 presents the milestones that were met by DEP this quarter and Table 2 shows milestones that were postponed. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Copies of these certification letters are provided in Appendix A.

Table 1 – Milestones Met (January 2006 - March 2006)

LOCATION/PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	CONSENT ORDER MILESTONE DATE	DATE MILESTONE WAS ACHIEVED
Jamaica Tributaries	Destratification Facility	Initiate Final Design	January 2006	January 2006
Bronx River	Floatables Control	Initiate Final Design	January 2006	April 2005
Jamaica Tributaries	Meadowmere and Warnerville DWO Abatement	Notice to Proceed to Construction	March 2006 *	TBD
Outer Harbor	Regulator Improvements – Fixed Orifices	Notice to Proceed to Construction	February 2006	February 2006

* - an extension of this milestone to June 2006 was granted by DEC

Table 2 – Milestones Postponed

LOCATION / PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	REASON FOR POSTPONMENT	DATE OF POSTPONMENT
Flushing Bay	Mechanical Structures	Construction Completion	Force Majeure	September 2004

As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on February 10, 2006. The meeting was held via teleconference to discuss issues related to the Order and review milestones met during the last quarter.

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report.

Major Actions Next Quarter*:*

The following major actions are expected to occur between April 2006 and June 2006*:*

- Hold the next Quarterly Progress Meeting between DEC and DEP on May 4, 2006 at Hazen and Sawyer's offices in New York, NY.
- Submit written notification to DEC on the following upcoming milestones:

Table 3 – Milestones to be Met Next Quarter (April 2006 - June 2006)

LOCATION/PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	DATE TO BE SUBMITTED
Inner Harbor	Regulator Improvements – Fixed Orifices	Construction Completion	April 2006
Outer Harbor	Port Richmond Throttling Facility	Notice to Proceed to Construction	June 2006
Jamaica Bay	26th Ward Wet Weather Expansion	Initiate Final Design	June 2006

2.0. Construction Contracts

The 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 4 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
Alley Creek	Outfall and Sewer System Improvements	Dec 2002	Dec 2006	83%	84%
	CSO Retention Facility	Dec 2006	Dec 2009	-	-
Outer Harbor	Regulator Improvements - Fixed Orifices	Feb 2006	Jul 2008	7%	<1%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	Port Richmond Throttling Facility	Jun 2006	Dec 2008	-	-
	In-Line Storage	Aug 2007	Aug 2010	-	-
Inner Harbor	Regulator Improvements - Fixed Orifices	Feb 2003	Apr 2006	100%	100%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	In-Line Storage	Aug 2007	Aug 2010	-	-
Paerdegat Basin	Influent Channel	Feb 1999	Feb 2002	100%	100%
	Foundations and Substructures	Jun 2002	Dec 2006	85%	96%
	Structures and Equipment	Sep 2005	Aug 2011	10%	8%
Flushing Bay	Reroute and Construct Effluent Channel	Jun 1995	Jun 1996	100%	100%
	Relocate Ballfields	Apr 1995	Aug 1995	100%	100%
	Storage Tank	Jul 1997	Aug 2001	100%	100%
	Mechanical Structures	Mar 2002	Dec 2004	100%	90%
	Tide Gates	Dec 2000	Apr 2002	100%	100%

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
	Manual Sluice Gates	Feb 2004	Jun 2005	100%	100%
Jamaica Tributaries	Meadowmere & Warnerville DWO Abatement	Mar 2006	Mar 2009	3%	-
	Expansion of Wet Weather Capacity of Jamaica WPCP	Jun 2012	Jun 2015	-	-
	Destratification Facility	Aug 2007	Dec 2008	-	-
	Regulator Automation	Nov 2007	Jun 2010	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Apr 2011	8%	<1%
	Avenue V Force Main	Jul 2007	Jun 2012	-	-
Newtown Creek	Aeration Zone I	Dec 2005	Dec 2008	11%	<1%
	Aeration Zone II	Jun 2011	Jun 2014	-	-
	Relief Sewer / Regulator Modification	Jun 2010	Jun 2014	-	-
	Throttling Facility	Jun 2009	Dec 2012	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Jun 2015	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Bronx River	Floatables Control	Jun 2009	Jun 2012	-	-
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Jun 2015	-	-
	Future Phases	Dec 2016	Dec 2023	-	-
Jamaica Bay	Spring Creek AWPCP Upgrade	Mar 2003	Apr 2007	76%	80%
	26th Ward Drainage Area Sewer Cleaning and Evaluation	Jun 2008	Jun 2010	-	-
	Hendrix Creek Dredging	Jun 2008	Jun 2010	-	-
	26th Ward Wet Weather Expansion	Jun 2011	Dec 2015	-	-

3.0. Detailed Description of Work Performed

3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area consists of the drainage area of CSO Outfall TI-008, which discharges into Alley Creek at a location just south of Northern Boulevard on the west bank of Alley Creek. Little Neck Bay and Alley Creek receive discharges from 31 stormwater outfalls, as well as CSO Outfall TI-008; however, discharges from CSO Outfall TI-008 were determined to be the primary cause of water quality degradation within Alley Creek. CSO Outfall TI-008 serves a drainage area of approximately 1,975 acres within the Tallman Island Water Pollution Control Plant (WPCP) service area in the Borough of Queens. The Alley Creek Drainage Area Improvements/CSO Abatement Facilities Project, which has been designated as Phase I of the comprehensive Alley Creek CSO Abatement Facilities Plan, will be constructed in two stages:

1. Alley Creek Drainage Area Improvements (Stage 1, Contract ER-AC1) and,
2. Alley Creek CSO Abatement Facilities (Stage 2, Contract ER-AC2)

This section reports on the progress of Phase I, Stages 1 and 2 of the Alley Creek CSO Abatement Facilities Plan.

Phase I, Stage 1 (Contract ER-AC1) includes the construction of additional stormwater sewers and combined sewers, a double-barrel outfall sewer, an outfall structure, and a 5 million gallon CSO storage facility to substantially eliminate street flooding and sewer surcharging; and to abate CSO discharges into Alley Creek within the CSO Outfall TI-008 drainage area.

Phase I, Stage 2 (Contract ER-AC2) includes activation of the 5 MG CSO storage facility and upgrading the Old Douglaston Pumping Station to enhance the station's reliability to pump the captured combined sewage to the interceptor system for conveyance to the Tallman Island WPCP for treatment.

Work Performed During This Quarter

Design

- The finalized contract documents for Contract ER-AC2, which were submitted to the DEP in late December 2005, remained under final review by the DEP.
- The revised Air Facility Registration Application for Contract ER-AC2, which was submitted to the DEP in mid-December 2005, remained under review by the DEP.
- In early February 2006, JC Estimating, Inc. submitted a final construction cost estimate to URS for Contract ER-AC2.
- Preparation of the application continued to secure a Waterfront Permit from the NYC Department of Business Services, which was determined to be required for Contract ER-AC2 in lieu of a NYC Building Permit.
- On February 22, 2006, a meeting was held at the DEP offices, between representatives of DEP, URS, MHW and BBL, to discuss and coordinate SCADA requirements for the CSO abatement projects, including the Alley Creek CSO Project.

- In early March 2006, the DEP submitted NYSDEC review comments on Contract ER-AC2 to URS to prepare responses. In late March 2006, URS submitted draft responses to the DEP for review.

Construction

- Construction of Contract ER-AC1 continued. The principal work involved the construction of sections of the pile-supported 16′-0″ W x 7′-6″ H double-barrel outfall sewer located north of Northern Boulevard, construction of the pile-supported 16′-0″ W x 7′-6″ H double-barrel outfall sewer crossing under the Cross Island Parkway, construction of the pile-supported elevated section of the 20′-0″ W x 7′-9″H double-barrel outfall sewer located above the CSO storage facility on the north side of Northern Boulevard, and construction of the CSO storage facility and outfall structure north of Northern Boulevard. Construction is currently about 84 percent complete.
- Construction of Contract ER-AC2 has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- The finalized contract documents for Contract ER-AC2 will be reviewed by the DEP, including Legal Department review.
- The NYCAC Application Form with supporting materials for Contract ER-AC2 will be submitted to the NYCAC to allow the Application to be acted upon at a public hearing.
- The DEP will review the revised Air Facility Registration Application for Contract ER-AC2.
- The Waterfront Permit Application for Contract ER-AC2 will be completed and submitted to the DEP for review.
- URS and Chu and Gassman Engineers will review the final construction cost estimate for Contract ER-AC2 prepared by JC Estimating, Inc.
- DEP will finalize and submit responses to the NYSDEC comments on Contract ER-AC2.
- Construction of Contract ER-AC1 will continue. The principal work will include construction of sections of the 16′-0″ W x 7′-6″ H double-barrel outfall sewer, construction of the elevated sections of the 20′-0″ W x 7′-9″ H double-barrel outfall sewer located above the CSO storage facility, construction of sections of the 16′-0″ W x 7′-6″ H double-barrel outfall sewer crossing under the Cross Island Parkway, construction of the CSO storage facility, and construction of the new outfall structure on the west bank of Alley Creek.

Table 5 – Alley Creek CSO Project

	Phase I, Stage 1	*Phase I, Stage 2*
Plan Elements:	Alley Creek Drainage Area Improvements	Alley Creek CSO Abatement Facilities
Location:	46th Avenue, 53rd Avenue, 56th Avenue, Bell Boulevard, Luke Place, 214th Street, 215th Street, 216th Street, 217th Street, Springfield Boulevard, Cloverdale Boulevard, Cross Island Parkway, Northern Boulevard and Alley Park in Bayside, Queens	Northern Boulevard and Alley Park in Bayside, Queens
Actions:	Construction of additional stormwater and combined sewers, catch basins, outfall sewer and outfall structure to effect improved drainage in areas upstream of CSO Outfall TI-008 in Bayside, Queens; construction of 5 MG CSO storage facility for CSO abatement within Alley Creek	Design and construction of modifications to the Old Douglaston Pumping Station including air treatment facilities to treat air exhausted from the CSO storage facility and the pumping station; design and construction of hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1
Cost:	$100,000,000	$19,400,000
Status:	Under construction by Carp Construction Corporation, 84% complete	Finalized contract documents under review

3.2. Outer Harbor CSO

The Outer Harbor CSO Facility Planning area consists of the drainage areas of the Port Richmond, Oakwood Beach, Owls Head and Coney Island (separately sewered area) Water Pollution Control Plants (WPCPs) and their associated sewers and pumping stations. The receiving waters of the study area include the New York limits of the Raritan Bay, Arthur Kill, Kill Van Kull, Upper New York Bay waters to the boundary of the Inner Harbor CSO Project, the Narrows, Gravesend Bay, Lower New York Bay, Richmond Creek and Lemon Creek. This section reports on the progress for Phase I – Regulator Improvements (Fixed Orifices), Phase II – Throttling Facility and Phase III – In-Line Storage. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

Phase I will provide improvements to 32 regulators in the Outer Harbor study area. Phase II entails the construction of a throttling facility in the Port Richmond east interceptor, which will provide the ability to store up to 5 MG upstream of the Port Richmond WPCP. Phase III proposes in-line storage at two inflatable dam locations in Outer Harbor. The Citywide SCADA Project will automate regulators in Outer Harbor.

Work Performed During This Quarter

Planning

- The Negative Declaration, Notice of Determination of Non-Significance letter was issued on March 24 by BEPA for the Port Richmond Throttling Facility Environmental Assessment Statement (EAS).
- Continued working on permits for temporary dewatering during construction for the Port Richmond Throttling Facility project.

Design

- Final design of Regulator Automation continued under the BWT's Citywide SCADA Contract.
- Port Richmond Throttling Facility contract was advertised on February 13 and the pre-bid conference was held on February 24. Four bids were received for the contract, with Angelakis Construction Corp. at a low bid of $3,850,000, which is 23% lower than the revised engineer's estimate of $5,029,592.

Construction

- The Regulator Improvements pre-construction meeting was held on March 3 with the construction contractor Delaney Associates, LP.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Contractor to continue mobilization and submit detailed CPM schedule for Regulator Improvements project.

- Prepare CSO-OH-TF contract documents for signing.
- Continue work on NYSDEC and DEP applications to permit temporary dewatering during construction.

Table 6 – Outer Harbor CSO Project

	Phase I	*Phase II*	*Phase III*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	Throttling Facility	In-Line Storage	Regulator Improvements – Automation
Location:	32 regulator sites throughout Brooklyn and Staten Island	Port Richmond WPCP	Owls Head: OH-6C P. Richmond: PR-6W	Regulator sites throughout Brooklyn and Staten Island
Actions:	Conversion to manually operated sluice gates, replacement of stop plank guides, manhole steps, standardization of manhole cover sizes	Installation of throttling facility and sluice gate in Port Richmond east interceptor sewer	Installation of two inflatable dams in the combined sewer system	Conversion to automated regulators
Construction Cost:	$4,390,100	$3,850,000	-	To be determined
Status:	Notice to proceed to construction.	Bids received and contract in award process.	Eliminated due to hydraulic issues.	Final Design – 30% Complete
Other Issues:	-	-	Submitted determination letter and technical analysis to DEC to eliminate this phase of work.	-

3.3. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Water Pollution Control Plants (WPCPs) 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. This section reports on the progress of Phase I – Regulator Improvements and Phase II – In-Line Storage. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

Phase I provides improvements to 72 regulators in the Inner Harbor study area. Phase II provides for in-line storage at two inflatable dam locations in the study area. The Citywide SCADA Project will automate regulators in Inner Harbor.

Work Performed During This Quarter

Design

- Work continued on final design of Phase II – In-Line Storage. Final design progressed to 60% complete; a set of drawings and a construction cost estimate were submitted to the City for comments. A coordination meeting was scheduled with BWT and Montgomery and Watson, the sub-consultant working in the design of the Citywide SCADA Project, to coordinate issues in timing, equipment/systems compatibility and relation between projects.
- Final design of Regulator Automation continued under the BWT's Citywide SCADA Contract

Construction

- Work is complete on the construction of Phase I, which was broken up into two contracts: Brooklyn Regulator Improvements (32 regulators) and Manhattan Regulator Improvements (40 regulators). The certification of construction completion was submitted to NYSDEC on January 24 and the final inspection was completed by NYSDEC. In a letter dated March 20, 2006, NYSDEC certified compliance with the construction completion milestone.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Final design will continue for Regulator Automation and In-Line Storage (ILS). A sewer inspection at both ILS sites is scheduled for May.

Table 7 – Inner Harbor CSO Project

	Phase I	*Phase II*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	In-Line Storage	Regulator Improvements – Automation
Location:	72 regulator sites in Manhattan and Brooklyn	Upstream of regulators B-6 and R-20 in Brooklyn	Regulator sites in Manhattan and Brooklyn
Actions:	Conversion to fixed orifices	Installation of two inflatable dams in the combined sewer systems	Conversion to automated regulators
Construction Cost:	$9,500,000	$6,750,000	To be determined
Status:	Construction Complete	Final Design – 60% Complete	Final Design – 35% Complete

3.4. Paerdegat Basin CSO

The Paerdegat Basin CSO Retention Facility is located in southeastern Brooklyn, at the intersection of Flatlands and Ralph Avenues. The facility will receive combined sewer overflows from outfalls CI –004, CI-005, and CI-006, a drainage area of approximately 6,000 acres in the Coney Island WPCP service area. Once constructed, the facility will consist of a four (4) bay underground storage tank and operations buildings. The stored CSO will be pumped back to the Coney Island WPCP for treatment after each rain event. This section reports on the progress of Phase IA – Influent Channels, Phase II – Foundations and Substructures, and Phase III – Structures and Equipment.

Phase IA includes construction of a major portion of the influent channels and the relief weir. Phase II entails construction of the CSO tank and dredging of the basin. Phase III includes construction of the aboveground buildings, completion of the remaining influent channels and installation of the CSO tank equipment and start-up of the CSO facility.

Work Performed During This Quarter

Planning

- Submitted to DEC and EFC the Paerdegat Basin Drainage Specific LTCP report in November 2005, in compliance with the milestone date in the CSO Consent Order.

Construction

- Work has continued on the construction of Phase II - Foundations and Substructures and is approximately 96 % complete.
- Work has continued on the construction of Phase III, Superstructures and Equipment, and is approximately 8% complete.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Construction

- Work will continue on the construction of Phase II, Foundations and Substructures in order to meet the milestone date for Construction Completion by December 2006.
- Work will continue on the construction of Phase III, Superstructures and Equipment in order to meet the milestone date for Construction Completion Date by August 2011.

Table 8 – Paerdegat Basin CSO Project

	Phase IA	*Phase II*	*Phase III*
Construction Phase:	Influent Channels	Foundations and Substructures	Structures and Equipment
Location:	Flatlands and Ralph Avenues, Brooklyn, NY	West Shore of Paerdegat Basin	West Shore of Paerdegat Basin
Actions:	Construction of the influent channels to the CSO facility	Underground structural elements	Aboveground buildings and equipment
Cost:	$9,000,000	$119,101,386	$183,390,078
Status:	Construction completed.	NTP issued on 6/24/02. Construction 96% complete.	NPT issued on 9/26/05. Construction 8% complete.
Other Issues:	-	Dredging of the mouth of the Basin postponed indefinitely due to Belt Pkwy Bridge damage.	-

3.5. Flushing Bay CSO

The Flushing Bay CSO Retention Facility is an underground storage tank, which will have a storage capacity of 43 million gallons, 28 MG in the tank and 15 MG in the upstream sewers. The project is being constructed in phases to provide abatement in the Tallman Island WPCP drainage area at CSO Outfall TI-010 which discharges to the head of Flushing Creek. The elements of the facility include:

- Relocation of ball fields in Kissena Corridor
- Rerouting of Park Drive East CSO line inside the construction site and construction of the effluent channel
- Phase 1 construction of the underground structural elements of the tank
- Phase 2 construction of the mechanical and above-ground portion of the facility
- Construction of tide gates on the tank outfall sewer and construction of two (2) soccer fields

Work Performed During This Quarter

Construction

- Site Work: Completed restoration of College Point Boulevard & Blossom Avenue; completed ductbank run and pulled cables to Chamber No. 2; completed site sidewalks; continued perimeter fence footings, light poles, brick and block walls; commenced ductbank run to new bulkhead gate chamber; commenced concrete work at Pontoon Gate Chamber.
- Comfort Stations: Completed offsite Comfort Station.
- Recreation and Maintenance Building: Constructed temporary access for the removal of damaged equipment; placed concrete for the vent stack roof; continued window installation; continued interior brick work, soffits and roof assemblies; continued gypsum board wall installation; continued installation of conduit, wire and electrical fixtures; continued installation of duct; continued installation of duct and pipe insulation; continued installation of dampers; commenced front entrance framing; commenced installation of air conditioner units.
- Screening Building: Completed louver installation; completed bar screens and continued sluice gate installations; continued installation of duct installation; continued exterior block and glass work; continued roll-up door installation.
- CSO Facility: Tested hypochlorite storage tanks; installed three (3) Con-Ed transformers; installed louvers at Con-Ed transformer vaults; sent to the manufacturer to repair the damaged cone check valves; installed components for the scrubber system; sent to the manufacturer to repair the damaged scrubber blowers; completed removal of damaged supply and return air duct; completed removal of damage fans; Con-Ed installed gas service to gas piping valve; continued installation of pipe, supports and valves; completed the installation of primary pumps and platform around the pumps; continued stainless

steel handrail installations; continued to install Network Protection gear at the Electrical Room; continued installation of conduit, wire and electrical fixtures; continued work on Boiler No. 4; continued storage cell supply registers; commenced City water lines; completed the installation of heavy duty concrete topping at the access tunnel; commenced installation of plenums; commenced gas piping work; commenced pulling point-to-point control wiring.

Missed Milestones

- A written notice of a "force majeure" event was submitted to DEC on September 24, 2004. This event has affected compliance with the Construction Completion milestone date of December 2004 for the Flushing Bay CS4-4 (Mechanical Structures) in the Order.
- On September 8, 2004, rainfall at LaGuardia Airport was recorded by the National Weather Service at three inches in a three hour time period. This torrential rain event caused flooding in the basement of the Flushing Bay facility due to a breach in a temporary construction bulkhead in the influent sewer line to the facility. Water levels reached seven to eight feet above the basement floor at the CSO facility which caused damage to various mechanical, HVAC and electrical equipment.
- DEC requested that DEP provide additional information in a formal report concerning the force majeure event and resultant impact upon the facility and construction status. DEP submitted such report on April 1, 2005.

Anticipated Activities for Next Quarter

- Site Work: Continue perimeter fence footings, light poles, brick and block walls; commence with construction of kiosks.
- Comfort Stations: Continue working on interior fixtures for onsite comfort station.
- Recreation and Maintenance Building: Continue window installation; continue interior brick work, soffits and roof assemblies; continue gypsum board wall installation; continue installation of conduit, wire and electrical fixtures; continue installation of duct; continue installation of duct and pipe insulation; continue installation of dampers; continue front entrance framing; continue installation of air conditioner units.
- Screening Building: Continue installation of duct installation; continue exterior block and glass work; continue roll-up door installation.
- CSO Facility: Continue installation of pipe, supports and valves; continue stainless steel handrail installations; continue to install Network Protection gear at the Electrical Room; continue installation of conduit, wire and electrical fixtures; continue work on Boiler No. 4; continue City water lines; continue the installation of heavy duty concrete topping at the access tunnel; continue installation of plenums; continue storage cell supply registers; continue gas piping work; continue with bathroom/locker rooms' interior fixtures; commence installation of sump pumps; continue sanitization of exhaust ducts; continue pulling point-to-point control wiring; commence testing of blowers and cone check valves.

Table 9 – Flushing Bay CSO Project

Plan Elements:	Flushing Bay CSO Retention Facility
Location:	Intersection of College Point Boulevard and Avery Avenue, Queens
Actions:	Design and construction of a 43 MG storage facility, which includes a 28 MG, underground storage tank and 15 MG in-line storage in upstream sewers. The facility collects flow from the system tributary to the TI-010 outfall.
Cost:	$291,000,000
Status:	Phase 2 construction started March 2002 and is on-going.
Other Issues:	Damage to mechanical, HVAC and electrical equipment due to a major storm on September 8, 2004 which caused flooding in the facility and delays to construction. Contract change orders for additional work are in progress.

3.6. Jamaica Tributaries CSO

The Jamaica Tributaries project area includes the Jamaica WPCP sewershed area and the tributaries, which receive the wet weather discharges from the drainage area. These tributaries include Bergen, Thurston, Shellbank, and Hawtree Basins, which are located in the northeast portion of Jamaica Bay. There are several recommendations that are being advanced in this facility plan which include:

- Meadowmere & Warnerville DWO Abatement – Construction of a new pumping station, force main, and sanitary sewer collection system in southeast Queens, NY, to convey flows from the communities of Meadowmere and Warnerville into the Jamaica drainage area collection system, for treatment at the Jamaica WPCP. This project will eliminate the dry weather discharge that is currently occurring in these two communities, which are not connected to NYC's collection system.

  DEP letters to DEC, dated November 15 and December 27, 2005 requested the Notice to Proceed to Construction date for the Meadowmere/Warnerville DWO Abatement be extended to June 2006. A DEC Determination Letter was received on January 19, 2006, copy attached. DEP is currently on schedule to make the June 30, 2006 Notice to Proceed to Construction date.

- Expansion of Wet Weather Capacity of Jamaica WPCP – An additional 50 mgd of wet weather flow will be treated at the Jamaica WPCP to reduce the CSO discharges to Bergen Basin. Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.

- Destratification Facility – Installation of a permanent diffused-air bubble mixing system at Shellbank Basin. The system is designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills. This element currently has an operating pilot facility, which has produced positive water and air quality results for the past 6 summer seasons.

- Laurelton and Springfield Blvd. Drainage Plan – A drainage plan for 7,000 acres in southeast Queens is being developed to address flooding and to construct high-level storm sewers in a 1,450 acre CSO drainage area tributary to Thurston Basin. The drainage plan identifies the necessary capital sewer projects to alleviate flooding and convert the aforementioned CSO area to a high-level storm sewer system.

- Regulator Automation – Automation of key regulators was recommended in response to the 1988 State Pollution Discharge Elimination System (SPDES) permit requirements that called for telemetry in the regulators to detect dry weather overflows. It was recommended at those regulators contributing the largest flows to the treatment plants, specifically Regulators 2, 3, and 14 in the Jamaica WPCP drainage area. The Citywide Collection Facilities Supervisory Control and Data Acquisition (SCADA) System Project will automate key regulators in the City by installing electro-hydraulic actuators capable of controlling flows to the sewer interceptor.

Work Performed During This Quarter

Planning

- Continued effort to certify ULURP application and associated land acquisition (coordination effort between DEP, DCP and Law Dept.) for Shellbank Basin Destratification Facility.
- Continued the preparation and design of a drainage plan for southeast Queens.

Design

- Pre-bid conference for the Meadowmere/Warnerville DWO Abatement project was held on January 10.
- The bid opening for Meadowmere/Warnerville Contract PS-216G was held on January 25. Four (4) bids were received, with a low bid of $28,898,888 by E.E. Cruz and Company, the "G" Contractor. DEP is in the process of awarding and registering the construction contract. The total construction costs, including the "E" contract, are $30,648,888.
- Continued work on NYSDEC tidal wetlands application for the Meadowmere Warnerville DWO Abatement project.
- Final design of Regulator Automation continued, as required by the Order under the BWT's Citywide SCADA Contract.
- Initiated final design for the Shellbank Destratification Facility in accordance with the milestone date.

Construction

- Construction has not yet initiated for this project.

Anticipated Activities for Next Quarter

Planning

- Certification of Shellbank Basin Destratification Facility ULURP application by DCP.

Construction

- Provide the PS-216G contractor a notice to proceed to construction by June 2006, in accordance with the extended milestone date.
- Continue efforts to finalize DEP Site Connection Proposal, DOB permit applications, NYSDEC Long Island Wells and SPDES applications.

Table 10 – Jamaica Tributaries CSO Project

Plan Elements:	Meadowmere & Warnerville DWO Abatement	Expansion of Wet Weather Capacity of Jamaica WPCP	Destratification	Laurelton and Springfield Blvd. Drainage Plan	Regulator Automation
Location:	Meadowmere and Warnerville – Queens, New York	Bergen Basin	Shellbank Basin	Jamaica WPCP Drainage Area	Regulators 2,3 and 14
Actions:	Construction of a Pumping Station, Sewer Collection System, and Dual Force Main	Provide an additional 50 mgd of wet weather capacity at the Jamaica WPCP.	Conduct Demonstration of New Technologies / Construct Permanent Facility	Develop drainage plan for storm sewer buildout	Provide automated regulators
Construction Cost:	$30,648,888	$120 million	$1,000,000	To be determined	To be determined
Status:	-ULURP Application Approved. -Contract re-bid and award process underway. -NTPC milestone date may not be met due to time necessary to re-bid contract.	Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.	- Final Design Initiated. - ULURP application in certification process.	Drainage planning underway.	Final design underway.

3.7. Coney Island Creek CSO

The recommended plan for the Coney Island Creek CSO Facility Planning Project is to increase the wet weather pumping capacity of the Avenue V Pumping Station. The Avenue V Pumping Station tributary area encompasses 2,900 acres, of which 2,056 acres are separately sewered and 844 acres have combined sewers. The Avenue V Pumping Station capacity will be increased to capture 85 percent, by volume, of the current CSO discharge from outfall OH-021 to Coney Island Creek. The capacity of the pumping station will be increased from approximately 30 mgd to 80 mgd in two construction contracts, a pumping station upgrade phase and a force main construction phase.

Work Performed During This Quarter

Design

- DEP has signed a Memorandum of Understanding with New York City Parks Department to install the force mains adjacent to the Belt Parkway. The final design for the force main work is approximately 70% complete.
- DEP is currently preparing a Memorandum of Understanding with US Army Corps of Engineers, Fort Hamilton to install the force mains adjacent to the Belt Parkway across US Army property.
- Delon Hampton Associates (DHA) has retrieved as-built drawings of various locations and is still pursuing to locate plans for the ramps to Verrazano Bridge. DHA has also contacted NY City Transit and retrieved plans for the foundation of elevated structures at Stillwell Avenue and 27th Avenue.
- DHA is proceeding in the development of a 95 % drawing and addressing issues at points where structures and foundations exist.
- DHA and their Subconsultant Dirtworks are currently working with NYC DPR coordinating tree removal and replacement along the force main route.
- DHA has identified the extent of the pit excavation for the tunneling and jack and bore sections and documenting the staging area required for such an operation.

Construction

- The site for the Resident Engineers office for the pumping station construction work (PS-79C, H, P, E) was selected and is being prepared.
- Work has started on the Avenue V Pumping Station with shovels in the ground Tuesday April 4th.
- The first Construction Progress Meeting was held on April 4th 2006.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Continue work for the finalization of the plans and specifications for the force main.

Table 11 – Coney Island Creek CSO Project

	Contracts *PS-79G, H, P, E*	*Contract* *PS-79F*
Plan Elements:	Upgrade Avenue V Pumping Station	New Force Mains
Location:	Avenue V PS (Avenue V and West 11th Street)	42-inch to SE-133 (Shore Pkwy. Vic. Verrazano Bridge); 48-inch to vic. Reg. 9A
Actions:	Comprehensive upgrade to automate and increase station capacity to 80 mgd; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey DWF and WWF
Cost:	$68,200,000	$67,700,000
Status:	Notice to Proceed to Construction issued on 12/16/05	Final Design – 70% Complete
Other Issues:		Routing of force main along parkland; Routing of force main in vicinity of Fort Hamilton; Selective replacement of water and sewer utilities along route; possible seawall/ promenade improvements

3.8. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area consists of the areas in Brooklyn and Queens from which wet weather runoff drains to the Newtown Creek waterbody and its branches: English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch. **For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, section 3.**

This section reports on the progress of facility planning and design of the existing CSO plan, subject to modifications by the Waterbody/Watershed Facility Plan, and includes 1) maximizing flow through the Morgan Avenue Interceptor, 2) the construction of instream aeration facilities (Zone I & II) and 3) the construction of an off-line storage tank.

Maximizing flow through the Morgan Avenue Interceptor will include raising the overflow weir in Regulator B1; increasing the sluice gate openings to the interceptor; providing a relief sewer from the St. Nicholas weir to Regulator B1; and providing a throttling gate on the Kent Avenue Interceptor. The Aeration Facilities (Zone I) includes construction of a landside compressor station and installation of an air header in the creek bottom of the Upper English Kills to raise DO concentrations to a minimum of 1.0 mg/l. Based upon the performance evaluation of the Zone I aeration testing, Zone II aeration may be implemented to expand instream aeration to include the Lower English Kills, the East Branch and Dutch Kills. The off-line storage facility will control CSO discharge to the English Kills and will include a 9 million gallon tank, a pumping station, and a new gravity drain to drain the tank for treatment at the Newtown Creek WPCP.

Work Performed During This Quarter

Planning

- The Bureau of Environmental Planning and Assessment (BEPA) continued their review of the revised CSO Storage Facility Environmental Assessment Statement (EAS), which addresses and incorporates their most recent comments.
- At the request of BEPA, URS prepared and submitted a Remedial Action Plan (RAP) and Health and Safety Plan (HASP) for the remediation work related to the CSO Storage Facility. BEPA is currently reviewing the RAP and HASP.
- A conference call was held with representatives from the Bureau of Engineering Design and Construction (BEDC), BEPA, URS and LMS/HDR to discuss and address the Department's comments to the revised Air Modeling Report for the CSO Storage Facility. HDR/LMS is addressing and incorporating these comments. Once completed, the revised information will be incorporated into the EAS

Design

- Required Permit Applications/Renewals are being prepared and submitted for NC-EK11.

Construction

- The H Contract for the Newtown Creek Aeration Facility was awarded.
- The H Contractor initiated vendor approval for equipment for NC-EK11.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Continue coordination with NYCDBS, NYCDOT and NYSDEC for required permits for NC-EK11.
- Continue vendor approval efforts for Contract NC-EK11.
- Hold pre-construction meeting for NC-EK11 and mobilization.
- Continue coordination with BEPA for finalization of the Air Modeling Report for the CSO Storage Facility and for the EAS. Upon receipt of a Negative Declaration for this property, initiate ULURP.

Table 12 – Newtown Creek CSO Project

Plan Elements:	Maximize flow through Morgan Ave. Interceptor	Phase I Aeration Facilities	Off-line Storage Tank
Location:	Regulator B1 and WPCP throttling chamber	Head end of English Kills, south of Grand Street	Sewers tributary to CSO outfall discharging to English Kills
Actions:	Raise overflow weir in Regulator B1; increase sluice gate openings to interceptor; provide relief sewer from St. Nicholas weir to Regulator B1; provide throttling gate on Kent Avenue Interceptor.	Provide aeration of English Kills to raise DO concentrations to a minimum of 1.0 mg/l. The facility includes a landside compressor station and an air header and diffuser assembly on the Creek bottom.	Design of an off-line storage facility to control CSO discharge into English Kills. The facility would include the tank, a pumping station, and a new gravity drain to drain the tank for treatment at the Newtown Creek WPCP.
Cost:	$6,000,000	$16,000,000 (total for Zones I and II)	TBD
Status:	Facility plan elements for modifications to regulator and routing of the relief sewer have been completed. The final design of the throttling facility will be performed under the Newtown Creek WPCP upgrade contract. A Revised Final Facility Plan Report was submitted to the DEC.	Contracts G, H and E have been awarded and a pre-construction meeting is scheduled for April 2006. Zone II for the lower English Kills, the East Branch and Dutch Kills will follow.	Siting within English Kills was rejected by DEC. Identified preferred site at intersection of Johnson and Morgan Avenues after re-evaluation of siting alternatives. Draft ULURP application submitted to DEP. The Phase II Environmental Site Asssessment, EAS and Air Modeling report are under review by BEPA. Additional comments to the Air Modeling Report are being addressed. Preliminary plan and profile drawings and preliminary equipment sizing prepared for construction of tank at preferred location. A Revised Final Facility Plan Report was submitted to the DEC.
Other Issues:	Requires coordination with WPCP planning and design requirements		Site approval (ULURP) and acquisition of property required. **As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan**.

3.9. Westchester Creek CSO

The Westchester Creek CSO Facilities Planning area consists of the drainage area of CSO Outfall HP-014, which discharges at the head end of the Creek. Westchester Creek receives discharges from five CSO outfalls; however, discharges from CSO Outfall HP-014 were determined to be the primary cause of water quality degradation in the Creek. CSO Outfall HP-014 serves a drainage area of approximately 2,321 acres within the Hunts Point WPCP service area in the Borough of the Bronx. **For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, section 3.**

The current Westchester Creek CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan recommendations, will be constructed in two phases with Phase I consisting of the facilities to divert the combined sewage to the CSO storage tank, as well as rehabilitation of an existing tide gate chamber, and Phase II consisting of the CSO storage tank. In addition to the facilities required for abatement at CSO Outfall HP-014, the DEP has agreed to provide, as part of the project, amenities for use by the Bronxchester and Van Nest Little Leagues that utilize the baseball fields adjacent to the site of the proposed CSO storage tank on the Bronx Psychiatric Center (BPC) Campus. These amenities consist of restroom facilities, a clubhouse facility, a parking lot to be located on top of the CSO storage tank, and fencing to separate the Little League facilities from the BPC Campus facilities and the DEP facilities. This section reports on the progress of the Little League restroom facilities, and Phases I and II of the Westchester Creek CSO Abatement Facilities Plan.

The Little League restroom facilities will be constructed under a separate contract referred to as the Site Preparation Contract in advance of the Phase I contract. Phase I includes construction of the diversion chamber in Eastchester Road, construction of the 2 MG CSO supply/storage conduit along Waters Place between the diversion chamber and the 10 MG CSO storage tank, and rehabilitation of the existing tide gate chamber located at CSO Outfall HP-014. Phase II includes construction of the 10 MG CSO storage tank in the southwest section of the BPC Campus, including an operations building to house operational units, construction of the Little League clubhouse facility and parking lot, and installation of the required fencing at the site.

Work Performed During This Quarter

Planning

- Negotiations continued between New York City Department of City-Wide Administrative Services (DCAS) and the Dormitory Authority of the State of New York (DASNY) regarding acquisition of the site at the BPC Campus by the DEP for the CSO storage tank.
- In late January 2006, additional signed and sealed copies of the Damage and Acquisition Map of the proposed site of the CSO storage tank at the BPC Campus were submitted to the DEP for subsequent submittal to DCAS to allow acquisition of the site to proceed.

Design

- Work to prepare the Site Preparation Contract for re-bidding remained on hold until the site at the BPC Campus is acquired by the DEP. In mid-March 2006, DEP submitted a letter to the New York City Art Commission to serve as official notification that commencement of construction of the restroom facilities, included in the Site Preparation Contract, has been delayed, and that commencement of construction is anticipated in the Spring of 2007.
- Design of Phases I and II continued.
- On March 9, 2006, a meeting was held at Herbert H. Lehman High School, between representatives of DEP, URS and Massand Engineering, to review the scope of survey work to provide property line, topographic, utility location and as-built surveys for the CSO Outfall HP-014 sewer facilities, located underneath and adjacent to the high school property. Based on this meeting, Massand Engineering will advise URS if they are equipped to perform the required scope of work.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Site acquisition negotiations between DCAS and DASNY will continue.
- Design of Phases I and II will continue.
- Massand Engineering will advise URS if they are equipped to perform the scope of work to provide property line, topographic, utility location and as-built surveys of CSO Outfall HP-014 sewer facilities.
- URS will prepare a request for proposals to be issued to qualified chainlink fence installers to install a fence around the property being acquired at the BPC Campus by the DEP.

Table 13 – Westchester Creek CSO Project

Plan Elements:	Westchester Creek CSO Supply/Storage Conduit, CSO Storage Tank and Little League Amenities
Location:	Bronx Psychiatric Center Campus, and along Eastchester Road and Waters Place in the Bronx
Actions:	Design and construction of an underground CSO storage tank with a capacity of 12 MG (including the storage capacity within the supply/storage conduit) to provide abatement at CSO Outfall HP-014 on Westchester Creek; design and construction of an operations building; design and construction of amenities for the Bronxchester and Van Nest Little Leagues
Cost:	Under Revision
Status:	Negative Declaration issued for project; ULURP Application approved; design underway for CSO supply/storage conduit, CSO storage tank and clubhouse facility for Little Leagues; design complete for restroom facilities for Little Leagues
Other Issues:	Site needs to be acquired by DEP from the State of New York; licensing agreement between DEP and the Little Leagues needs to be finalized; NYC Building Permit Application, as well as other permit applications, need to be processed for restroom facilities for Little Leagues. **As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan**

3.10. Bronx River CSO

The modified CSO facilities plan for the Bronx River recommends that floatables control facilities be provided at CSO Outfalls HP-004, HP-007 and HP-009, within the Hunts Point WPCP drainage area, to minimize the discharge of unsightly floatable material. This modified plan eliminated the previously proposed 4 MG CSO storage facility due to limited benefits in the improvement of water quality in the Bronx River.

For CSO Outfall HP-004, which is located on the west bank of the Bronx River just north of the Cross Bronx Expressway and serves a drainage area of approximately 582 acres, the recommended floatables control facility consists of providing in-line netting within a new conduit located upstream of the outfall along West Farms Road. For CSO Outfall HP-007, which is located on the east bank of the Bronx River just north of the Sheridan Expressway and serves a drainage area of approximately 1,693 acres, the recommended floatables control facility consists of providing "COPA" screens within Regulators 27 and 27A located upstream of the outfall. For CSO Outfall HP-009, which is located on the east bank of the Bronx River near the confluence with the East River and serves a drainage area of approximately 436 acres, the recommended floatables control facility consists of providing in-line netting within Regulator 13, located within Soundview Park upstream of the outfall.

Work Performed During This Quarter

Planning

- The revised ULURP Application, related to the land swaps in the vicinity of CSO Outfall HP-007 remained under review by the DEP.
- HydroQual, Inc. continued preparation of the draft EAS for the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009. On January 18, 2006, a meeting was held at the DEP offices, between representatives of the DEP, URS and HydroQual, Inc., to discuss issues regarding preparation of the draft EAS.
- Based on the meeting held on January 18, 2006, URS and HydroQual, Inc. initiated revisions to a PowerPoint presentation of the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009. This updated presentation will be submitted to the DEP in April 2006 for review. It is expected that the presentation will be made to various regulatory and jurisdictional agencies in the Spring and Summer of 2006.
- Based on comments provided by URS in late February 2006, HydroQual, Inc. revised the requests for proposals (RFP) to retain a drilling contractor to drill the environmental borings and install groundwater monitoring wells at the sites of the floatables control facilities, and to retain an analytical laboratory to analyze soil and groundwater samples collected from the borings. In late March 2006, HydroQual, Inc. submitted copies of these two revised RFPs to the DEP and URS for final review.
- HydroQual, Inc. prepared a work plan for drilling the environmental borings and installing the groundwater monitoring wells at the sites of the floatables control facilities, and for analyzing the soil and groundwater samples collected from the borings.

HydroQual, Inc. submitted this work plan to the DEP and URS in late March 2006 for review.

- URS reviewed the draft of the Bronx River Waterbody/Watershed Facility Plan Report prepared by the Long-Term Control Plan consultants, and submitted review comments to the DEP in mid-March 2006.

Design

- Design of the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009 continued.
- In early January 2006, URS submitted to the DEP a Health and Safety Plan (HASP) for Aquifer Drilling and Testing, Inc. to perform the on-site drilling of the geotechnical borings at the floatables control facilities sites. In mid-January 2006, URS submitted to the DEP a HASP for the on-site inspection of the drilling of the geotechnical borings to be drilled at the sites. These HASPs remained under review by the DEP.
- URS initiated preparation of a Field Activities Work Plan and a Contingency Plan – Disturbance of Underground Utilities for drilling of the geotechnical borings at the floatables control facilities sites. These two plans will be completed and submitted to the DEP following approval of the above described HASPs.
- In late January 2006, the DEP approved El Taller Colaborativo, as a subcontractor to URS, to prepare the Maintenance and Protection of Traffic (MPT) Plan as part of the design of the floatables control facilities.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Preparation of the EAS for the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009 will continue. A draft of this EAS will be submitted to the DEP for review in June 2006.
- The revised EAS required for the land swaps will continue to be reviewed by the DEP. URS will respond to review comments prepared by the DEP regarding air quality, construction, traffic and noise issues.
- The revised ULURP Application required for the land swaps will be reviewed by the DEP.
- URS and HydroQual, Inc. will finalize the PowerPoint presentation of the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009, and submit the presentation to the DEP for review.
- HydroQual, Inc. will issue requests for proposals to retain a drilling contractor to drill the environmental borings and install groundwater monitoring wells at the sites of the

floatables control facilities, and to retain an analytical laboratory to analyze soil and groundwater samples collected from the borings.

- DEP and URS will review and approve the work plan prepared by HydroQual, Inc. for drilling the environmental borings and installing groundwater monitoring wells at the sites of the floatables control facilities, and for analyzing the soil and groundwater samples collected from the borings.
- Design of the floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009 will continue.
- HASPs for on-site inspection and drilling of the geotechnical borings at the floatables control facilities sites will be approved by the DEP.
- URS will submit to the DEP a Field Activities Work Plan and a Contingency Plan – Disturbance of Underground Utilities for drilling of the geotechnical borings at the floatables control facilities sites.
- Geotechnical borings will be drilled at the floatables control facilities sites.

Table 14 – Bronx River CSO Project

Plan Elements:	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
Location:	New conduit (West Farms Road) upstream of CSO Outfall HP-004, Regulator 27 (Bronx Park Avenue) and Regulator 27A (Bronx Zoo) upstream of CSO Outfall HP-007, and Regulator 13 (Soundview Park) upstream of CSO Outfall HP-009
Actions:	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
Cost:	$12,300,000
Status:	Preparation of EAS for floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009 underway; EAS required for land swaps being revised; revised ULURP Application required for land swaps under review; and design of floatables control facilities underway
Other Issues:	EAS for floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009 needs to be prepared, approved and Negative Declaration issued; ULURP Application for floatables control facilities needs to be prepared, certified and approved; revised EAS required for land swaps needs to be finalized, approved and Negative Declaration issued; and revised ULURP Application required for land swaps needs to be finalized, certified and approved.

3.11. Hutchinson River CSO

The Hutchinson River CSO Facilities Planning area consists of the drainage areas of CSO Outfalls HP-023 and HP-024 in the Hunts Point WPCP drainage area. The Hutchinson River receives discharges from five CSO outfalls; however, discharges from CSO Outfalls HP-023 and HP-024 were determined to be the primary cause of water quality degradation in the River. CSO Outfall HP-023, which is located on the west bank of the Hutchinson River near the southern end of Conner Street, serves a drainage area of approximately 300 acres. CSO Outfall HP-024, which is located on the west bank of the Hutchinson River near the intersection of Boston Road and 233rd Street, serves a drainage area of approximately 1,100 acres. **For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, section 3.**

The current Hutchinson River CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan, will be constructed in two phases with Phase I consisting of a 4 MG CSO storage tank to provide abatement at CSO Outfall HP-023 and Phase II a 3 MG CSO storage tank to provide abatement at CSO Outfall HP-024. This section reports on the progress of Phases I and II of the Hutchinson River CSO Abatement Facilities Plan.

Phase I includes construction of a southern 4 MG CSO storage tank to be located adjacent to the Hutchinson River wholly within the boundary limits of Public Place Site, which is land near the southern end of Conner Street currently controlled by the NYCDPR. Phase II includes construction of a northern 3 MG CSO storage tank to be located adjacent to the Hutchinson River along Hutchinson Avenue on land currently owned by Pascap Export, Inc.

Work Performed During This Quarter

Design

- Preliminary design of Phases I and II continued.
- Based on the geotechnical borings drilled at the northern and southern storage tank sites by Jersey Boring and Drilling Co., analyses of the results of the borings and preparation of the preliminary geotechnical report continued.
- Jersey Boring and Drilling Co. completed drilling of the environmental borings at the southern 4 MG storage tank site in late January 2006, and at the northern 3 MG storage tank site in early February 2006.
- In mid-March 2006, Enviro-Probe submitted the laboratory analyses of the soil and groundwater samples collected from the environmental borings drilled at the 4 MG storage tank site. Based on the data received, HDR/LMS initiated their review and analysis.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Design of Phases I and II will continue.
- URS will complete the analyses of the results of the geotechnical borings drilled at the two storage tank sites and preparation of the preliminary geotechnical report.
- Enviro-Probe as a subcontractor to URS will analyze soil and groundwater samples collected from the borings drilled at the northern 3 MG storage tank site, and will submit the analyses results to HDR/LMS for review and analysis.
- HDR/LMS will review and analyze the laboratory analyses results of the soil and groundwater samples collected from the environmental borings at the southern 4 MG and northern 3 MG storage tank sites as provided by Enviro-Probe.
- HDR/LMS as a subcontractor to URS will install sampling points in the field for soil vapor monitoring at the two storage tank sites, and Enviro-Probe as a subcontractor to URS will analyze the vapor samples collected for VOCs including methane.

Table 15 – Hutchinson River CSO Project

Plan Elements:	Hutchinson River CSO Storage Facilities
Location:	City-owned property at southern end of Conner Street adjacent to Hutchinson River; privately-owned property along Hutchinson Avenue adjacent to Hutchinson River
Actions:	Design and construction of a 4 MG CSO storage tank and a 3 MG CSO storage tank to provide abatement at CSO Outfalls HP-023 and HP-024, respectively; rehabilitation of existing CSO Outfalls HP-023 and HP-024
Cost:	Under Revision
Status:	Preparation of EAS and ULURP Application being coordinated with the CSO Long-Term Control Plan; design underway
Other Issues:	EAS needs to be prepared, approved and Negative Declaration issued; ULURP Application needs to be prepared, certified and approved; sites for CSO storage facilities need to be acquired. **As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan**

3.12. Jamaica Bay CSO

The Jamaica Bay CSO Abatement Facility Plan addresses CSOs in the 26th Ward WPCP drainage area, specifically the CSO discharges to Fresh Creek, Hendrix St. Canal and Spring Creek, as well as other tributary waters with CSO discharges to Jamaica Bay. The Phased plan for the 26th Ward tributaries includes: Phase I includes cleaning of sewers in the 26th Ward drainage area and interim dredging of the head-end of Hendrix St Canal. Subsequent phases include development of waterbody/watershed plans for the 26th Ward tributaries under the Citywide Long Term Control Plan for CSO and expansion of the wet weather capacity of the 26th Ward WPCP by 50 mgd. In addition to the facility plan recommendations, the existing Spring Creek Auxiliary WPCP is undergoing an upgrade. The project was developed under another program, but was subsequently listed as a recommended project in the Jamaica Bay CSO Abatement Facility Plan. The key components of the Spring Creek Auxiliary WPCP upgrade include lowering the roof and providing enhanced HVAC and odor control systems, improved disinfection systems, and new basin wash down systems.

Work Performed During This Quarter

Planning

- For the Hendrix Street Canal CSO sediment dredging project, a Sampling Plan, Health and Safety Plan, and a Pre-Construction Notification (PCN) were approved by the U.S. Army Corps of Engineers (USACE), and the New York State Department of Environmental Conservation (NYSDEC). The Sampling Plan and Health and Safety Plan were approved by NYCDEP.
- Documentation has been received from the NYSDOS stating that they have determined that the collection and analysis of sediment samples in the Hendrix Street Canal meets their general consistency concurrence criteria and that further review of this activity by them is not required.

Construction

- Construction activities continued at the Spring Creek Auxiliary WPCP upgrade.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- The Department is currently waiting for receipt of approval from the NYSDEC and USACE to commence CSO sediment sampling activities.

Table 16 – Jamaica Bay CSO Project

Plan Elements:	Dredging	Cleaning of Certain Combined Sewers	Expansion of 26th Ward WPCP Capacity	Spring Creek Upgrade
Location:	Phase I- Interim dredging of Hendrix Street Canal	Phase I-Portions of sewers in Williams, Hegeman and Flatlands Avenues	Phase IV- 26th Ward WPCP, Brooklyn	Spring Creek, Brooklyn
Actions:	Sampling Plan, Health & Safety Plan, PCN and Coastal Assessment Form have been submitted to agencies	Contract Documents Complete	Increase wet weather capacity by 50 mgd	Upgrade of existing CSO facility
Project Cost:	$3.75 million	$4 Million	TBD	$87 Million
Status:	Sampling Plan, Health & Safety Plan, PCN and Coastal Assessment Form have been approved. Sampling scheduled for April-May.	On Schedule	Final Design yet to be Initiated	Under construction – 80% complete
Other Issues:	-	-	-	-

3.13. Citywide Comprehensive Floatables Plan

Work Performed During This Quarter

- The work related to the Comprehensive Citywide Floatables Control Abatement Plan Project has been shifted to the CSO Long Term Control Plan (LTCP) Project.

- The "City-Wide Comprehensive CSO Floatables Plan – Modified Facility Planning Report" (Floatables Plan) was delivered to DEC on August 1, 2005. The Pilot Floatables Monitoring Program Workplan was submitted to the DEC on December 29 as an addendum to the Floatables Plan in order to provide supplemental information to the monitoring program framework provided in the plan.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Address DEC comments on the Floatables Plan and submit revisions, as necessary.

4.0. Compliance Status

4.1. Unresolved Delays

4.2. Compliance Charts

The following table summarizes the milestone dates developed in the draft Consent Order and updates available through December 2005*:*

Table 17 – Consent Order Milestone Dates

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
I. Alley Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Approvable Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Alley Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	50
2. Submit Approvable East River Waterbody / Watershed Facility Plan Report	-	June 2007	-
C. Outfall and Sewer System Improvements			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 2002	100
3. Notice to Proceed to Construction	Dec. 2002	-	100
4. Construction Completion	-	Dec. 2006	84
D. CSO Retention Facility			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2005	100
3. Notice to Proceed to Construction	Dec. 2006	-	-
4. Construction Completion	-	Dec. 2009	-
E. Drainage Basin Specific LTCPs			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Approvable Drainage Basin Specific LTCP for Alley Creek	-	6 mos. after approval of I.B.1.	-
2. Submit Approvable Drainage Basin Specific LTCP for East River	-	6 mos. after approval of I.B.2.	-
II. Outer Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Open Waters Waterbody / Watershed Facility Plan Report	-	June 2007	10
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	April 2005	100
3. Notice to Proceed to Construction	Feb. 2006	-	-
4. Construction Completion	-	July 2008	-
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	30
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. Port Richmond Throttling Facility			
1. Initiate Final Design	June 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2005	100
3. Notice to Proceed to Construction	June 2006	-	-
4. Construction Completion	-	Dec. 2008	-
F. In-Line Storage			
1. Initiate Final Design	July 2005	-	N/A
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	N/A
3. Notice to Proceed to Construction	Aug. 2007	-	N/A

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
4. Construction Completion	-	Aug. 2010	N/A
G. Submit Approvable Drainage Basin Specific LTCP for Open Waters	-	Jan. 2008	-
III. Inner Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Gowanus Canal Waterbody / Watershed Facility Plan Report	-	June 2007	90
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Mar. 2000	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2002	100
3. Notice to Proceed to Construction	Feb. 2003	-	100
4. Construction Completion	-	Apr. 2006	100
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	35
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. In-Line Storage			
1. Initiate Final Design	July 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	60
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Aug. 2010	-
F. Submit Approvable Drainage Basin Specific LTCP for Gowanus Canal	-	Jan. 2008	-
IV. Paerdegat Basin CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
3. Submit Form 2A SPDES Application	-	July 2002	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Paerdegat Basin Waterbody / Watershed Facility Plan Report	-	Mar. 2003	100
C. Influent Channel			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 1997	100
3. Notice to Proceed to Construction	Feb. 1999	-	100
4. Construction Completion	-	Feb. 2002	100
D. Foundations and Substructures			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2001	100
3. Notice to Proceed to Construction	June 2002	-	100
4. Construction Completion	-	Dec. 2006	96
E. Structures and Equipment			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2004	100
3. Notice to Proceed to Construction	Sept. 2005	-	100
4. Construction Completion	-	Aug. 2011	8
F. Submit Approvable Drainage Basin Specific LTCP for Paerdegat Basin	-	Nov. 2005	100
V. Flushing Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Flushing Bay Waterbody / Watershed Facility Plan Report	July 2004	June 2007	50
2. Submit Approvable Flushing Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	50

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
C. CS4-1 Reroute and Construct Effluent Channel			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	June 1995	-	100
4. Construction Completion	-	June 1996	100
D. CS4-2 Relocate Ballfields			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	Apr. 1995	-	100
4. Construction Completion	-	Aug. 1995	100
E. CS4-3 Storage Tank			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1996	100
3. Notice to Proceed to Construction	July 1997	-	100
4. Construction Completion	-	Aug. 2001	100
F. CS4-4 Mechanical Structures - Initiate Final Design			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2000	100
3. Notice to Proceed to Construction	Mar. 2002	-	100
4. Construction Completion	-	Dec. 2004	90
G. CS4-5 Tide Gates			
1. Initiate Final Design	Aug. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 1999	100
3. Notice to Proceed to Construction	Dec. 2000	-	100
4. Construction Completion	-	Apr. 2002	100
H. CD-8 Manual Sluice Gates			
1. Final Design Completion Including CPM Analysis	-	May 2003	100
2. Notice to Proceed to Construction	Feb. 2004	-	100
3. Construction Completion	-	June 2005	100
I. Drainage Basin Specific LTCPs			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Approvable Drainage Basin Specific LTCP for Flushing Bay	-	6 mos. after apprvl. of V.B.1.	-
2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek	-	6 mos. after apprvl. of V.B.2.	-
VI. Jamaica Tributaries CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	April 2003	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Bergen Basin Waterbody / Watershed Facility Plan Report	-	June 2007	10
2. Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report	-	June 2007	10
C. Meadowmere & Warnerville DWO Abatement			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	May 2005	100
3. Notice to Proceed to Construction	Mar. 2006	Jun. 2006	-
4. Construction Completion	-	Mar. 2009	-
D. Expansion of Wet Weather Capacity of Jamaica WPCP			
1. Initiate final Design	June 2007	-	-
2. Submit Form 2A SPDES Application	-	June 2010	-
3. Final Design Completion Including CPM Analysis	-	June 2011	-
4. Notice to Proceed to Construction	June 2012	-	-
5. Construction Completion	-	June 2015	-
E. Destratification Facility			
1. Initiate Final Design	Jan. 2006	-	5
2. Final Design Completion Including CPM Analysis	-	Oct. 2006	-
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Dec. 2008	-
F. Laurelton and Springfield Blvd.			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Drainage Plan for Storm Sewer Buildout	-	Jan. 2008	30
G. Regulator Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	30
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
H. Drainage Basin Specific LTCPs			
1. Submit Approvable Drainage Basin Specific LTCP for Bergen Basin	-	Aug. 2012	-
2. Submit Approvable Drainage Basin Specific LTCP for Thurston Basin	-	Aug. 2012	-
VII. Coney Island Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Coney Island Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	70
C. Avenue V Pumping Station Upgrade			
1. Initiate Final Design	April 1998	-	100
2. Final Design Completion including CPM Analysis	-	Jan. 2005	100
3. Notice to Proceed to Construction	Dec. 2005	-	100
4. Construction Completion	-	Apr. 2011	-
D. Avenue V Force Main			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2006	70
3. Notice to Proceed to Construction	July 2007	-	-
4. Construction Completion	-	June 2012	-
E. Submit Approvable Drainage Basin Specific LTCP for Coney Island Creek	-	Sept. 2007	-
VIII. Newtown Creek CSO			
A. Facility Plan Development			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Modified Facility Plan Report	-	Oct. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Newtown Creek Waterbody / Watershed Facility Plan Report	-	June 2007	10
C. Aeration Zone I			
1. Initiate Final Design	Mar. 2001	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2004	100
3. Notice to Proceed to Construction	Dec. 2005	-	100
4. Construction Completion	-	Dec. 2008	<1%
D. Aeration Zone II			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2010	-
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2014	-
E. Relief Sewer / Regulator Modification			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2009	-
3. Notice to Proceed to Construction	June 2010		-
4. Construction Completion	-	June 2014	-
F. Throttling Facility			
1. Initiate Final Design	Dec. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2008	-
3. Notice to Proceed to Construction	June 2009	-	-
4. Construction Completion	-	Dec. 2012	-
G. CSO Storage Facility			
1. Initiate Final Design	Nov. 2010	-	-
2. Submit Form 2A SPDES Application	-	Nov. 2013	-
3. Final Design Completion Including CPM Analysis	-	Nov. 2014	-
4. Notice to Proceed to Construction	Dec. 2015	-	-
5. Construction Completion	-	Dec. 2022	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
H. Submit Approvable Drainage Basin Specific LTCP for Newtown Creek	-	Feb. 2016	-
IX. Westchester Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Westchester Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	35
C. Phase I (Influent Sewers)			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	25
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. CSO Storage Facility			
1. Notice to Proceed to Construction	Dec. 2015	-	-
2. Construction Completion	-	Dec. 2022	-
E. Submit Approvable Drainage Basin Specific LTCP for Westchester Creek	-	Feb. 2016	-
X. Bronx River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Sept. 2003	100
2. Submit Additional Modified Facility Plan Report	-	Mar. 2004	100
3. Submit Form 2A SPDES Application	-	July 2007	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Bronx River Waterbody / Watershed Facility Plan Report	July 2004	June 2007	75
C. Floatables Control			
1. Initiate Final Design	Apr. 2006	Jan. 2006	100
2. Final Design Completion Including CPM Analysis	-	July 2008	25
3. Notice to Proceed to Construction	June 2009	-	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
4. Construction Completion	-	June 2012	-
D. Submit Approvable Drainage Basin Specific LTCP for Bronx River	-	Aug. 2009	-
XI. Hutchinson River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	July 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Hutchinson River Waterbody / Watershed Facility Plan Report	July 2004	June 2007	40
C. Phase I of the Storage Facility			
1. Initiate Final Design	Apr. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	10
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. Future Phases			
1. Notice to Proceed to Construction	Dec. 2016	-	-
2. Construction Completion	-	Dec. 2023	-
E. Submit Approvable Drainage Basin Specific LTCP for Hutchinson River	-	Feb. 2017	-
XII. Jamaica Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Jamaica Bay Waterbody / Watershed Facility Plan Report	-	June 2007	-
2. Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report	-	June 2007	-
3. Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report	-	June 2007	-
4. Submit Approvable Hendrix Creek Waterbody / Watershed Facility Plan Report	-	June 2007	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
C. Spring Creek AWPCP Upgrade			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2002	100
3. Submit Form 2A SPDES Application	-	June 2003	100
4. Notice to Proceed to Construction	Mar. 2003	-	100
5. Construction Completion	-	Apr. 2007	80
D. 26th Ward Drainage Area Sewer Cleaning and Evaluation			
1. Initiate Final Design	Jan. 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2007	-
3. Notice to Proceed to Construction	June 2008	-	-
4. Construction Completion	-	June 2010	-
E. Hendrix Creek Dredging			
1. Initiate Final Design	Jan. 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2007	-
3. Notice to Proceed to Construction	June 2008	-	-
4. Construction Completion	-	June 2010	-
F. 26th Ward Wet Weather Expansion			
1. Initiate Final Design	June 2006	-	-
2. Final Design Completion Including CPM Analysis	-	June 2010	-
3. Submit Form 2A SPDES Application	-	June 2009	-
4. Notice to Proceed to Construction	June 2011	-	-
5. Construction Completion	-	Dec. 2015	-
G. Drainage Basin Specific Long Term Control Plans			
1. Submit Approvable Drainage Basin Specific LTCP for Jamaica Bay	-	Aug. 2012	-
2. Submit Approvable Drainage Basin Specific LTCP for Spring Creek	-	Aug. 2012	-
3. Submit Approvable Drainage Basin Specific LTCP for Fresh Creek	-	Aug. 2012	-
4. Submit Approvable Drainage Basin Specific LTCP for Hendrix Creek	-	Aug. 2012	-
XIII. Citywide Comprehensive Floatables Plan			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2004	100
XIV. Submit Approvable City-Wide LTCP			
	-	Dec 2017	-

5.0. Community Relations

5.1. Activities During the Reporting Period

The first Open Water LTCP CSO Citizens Advisory Committee (CAC) meeting was held March 1, 2006. The CAC members were given an overview of the CAC process and goals, a review of EPA LTCP policy and the NYC CSO Consent Order, and the scope of the Open Water Areas. Two CAC co-chairs were determined.

A project coordination and update meeting was held March 6, 2006 to discuss the stakeholder team assembly progress, logistics, and stakeholder meeting content. The stakeholder outreach status was reported for each of the study areas in the project and stakeholder meetings were tentatively scheduled.

The public participation program will continue to be consistent with EPA's CSO Control Policy which requires public participation and input to the process.

5.2. Activities Anticipated for Next Quarter

- The second Open Water LTCP CSO Citizens Advisory Committee meeting is scheduled for May 10, 2006.
- The first Alley Creek Stakeholder Team Meeting will be held April 4, 2006
- The first Flushing Bay and Creek Stakeholder Team Meeting will be held April 5, 2006.
- The second Flushing Bay and Creek Stakeholder Team Meeting is scheduled for June 6, 2006.

6.0. Key Personnel Changes

At this time, there are no major changes in key project personnel to report.

7.0. Other Issues

At this time, there are no other issues identified that may materially affect the work required by this Order.

8.0. Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific LTCP development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved. The Order specifies that the following elements shall be addressed: (1) Characterization, Monitoring, and Modeling of the Combined Sewer System; (2) Public Participation; (3) Consideration of Sensitive Areas; (4) Evaluation of Alternatives; (5) Cost/Performance Considerations; (6) Operational Plan; (7) Maximizing Treatment at the Existing WPCP Treatment Plant; (8) Implementation Schedule; and (9) Post Construction Compliance Monitoring.

During the 4th Quarter of 2005 and the 1st Quarter of 2006, all of the waterbody plans were under development. The Paerdegat Basin LTCP was submitted to DEC and is currently under review. All other waterbodies are in the W/WFP development phase.

The table below presents the status of completion of the nine elements of an LTCP for each waterbody.

Waterbody	Percent Completion of Each LTCP Element								
	1	2	3	4	5	6	7	8	9
	CSS Characterization	Public Participation	Sensitive Areas	Alternatives Evaluation	Cost / Performance	Operational Plan	Maximizing WPCP Treatment	Implementation Schedule	Post-Construction Monitoring
Alley Creek	75	25	90	50	25	0	50	0	75
Bergen Basin	50	10	90	10	0	0	50	0	75
Bronx River	90	90	90	90	90	90	90	90	90
Coney Island Creek	90	50	90	90	90	90	75	75	75
East River	50	10	50	0	0	0	50	0	75
Flushing Bay	90	25	90	50	25	0	90	0	75
Flushing Creek	90	25	90	50	25	0	90	0	75
Fresh Creek	50	10	90	10	0	0	50	0	75
Gowanus Canal	90	90	90	90	90	90	90	90	75
Hendrix Creek	50	10	90	10	0	0	50	0	75
Hutchinson River	75	10	90	75	0	0	50	0	75
Jamaica Bay	60	10	50	10	0	0	50	0	75
Newtown Creek	25	10	90	10	0	0	50	10	75
Open Waters	25	10	50	0	0	0	50	0	75
Paerdegat Basin	100	100	100	100	100	100	100	100	100
Spring Creek	50	10	90	10	0	0	50	0	75
Thurston Basin	50	10	90	10	0	0	50	0	75
Westchester Creek	90	10	90	90	50	50	90	0	75

APPENDIX A

CONSENT ORDER CERTIFICATION LETTERS

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION
59-17 Junction Boulevard
Flushing, New York 11373

Emily Lloyd
Commissioner

Warren Kurtz, P.E.
Deputy Commissioner

Bureau of Environmental Engineering
96-05 Horace Harding Expwy
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warrenk@dep.nyc.gov

APR 20 2005

Mr. Joseph DiMura, P.E.
Director, Bureau of Compliance
New York State Department of
Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3500

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Initiation of Final Design for the Bronx River CSO /Floatables Control

Dear Mr. DiMura:

In accordance with Section III F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter is to certify the compliance with a milestone contained in the Order by the New York City Department of Environmental Protection (DEP). Specifically, final design has been initiated for the floatables control for the Bronx River, in conformance with milestone X, C, 1 in Appendix A of the Order.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller, P.E.
Director
Planning and Capital Budget

cc: Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500

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

Scott Crisafulli, Esq.
Water Compliance Counsel
New York State Department of Environmental Conservation
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Division of Water, Region 2
New York State Department of Environmental Conservation
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Long Island City, New York 11101

Timothy Burns, P.E.
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Albany, New York 12207

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

DEP: W. Kurtz, R. Levine, E. Rogak, J. Prero, M. Klein, M.Osit,
J.Romano,G. Tang, File

New York State Department of Environmental Conservation
Division of Environmental Enforcement
Bureau of Enforcement and Compliance Assurance, 14th Floor
625 Broadway, Albany, New York 12233-5500
Phone: (518) 402-9507 • **FAX:** (518) 402-9019
Website: www.dec.state.ny.us

Denise M. Sheehan
Commissioner

January 19, 2006

Elizabeth Rogak, Esq.
Assistant Counsel
NYC Dept. of Environmental Protection
59-17 Junction Boulevard - 12th Floor
Corona, NY 11368

RE: CSO Order on Consent (#CO2- 20000107-8); Appendix A; VI. Jamaica Tributaries CSO; C. Meadowmere & Warnerville DWO Abatement; 3. Notice to Proceed to Construction; Request for Modification of a Milestone Date/ DEC DETERMINATION.

Dear Ms. Rogak:

The Department has reviewed your letters submitted on behalf of the New York City Department of Environmental Protection ("NYCDEP") dated November 15 and December 27, 2005, as well as the accompanying Meadowmere and Warnerville Bid Evaluation Report. These NYCDEP submissions were made in the context of the above captioned Order on Consent ("Order"). DEP's force majeure claim that the unexpectedly high bid submissions were "entirely" beyond the control of DEP is not supported based on the Department's review of these submissions. As set forth below, the original engineer's estimate was apparently out-of-date and lacking several bid items that should have been included with the bid documents.

The original engineer's estimate is dated March 2005 and was for the 90% design. The bids were advertised on August 29, 2005 and opened on October 27, 2005. It is stated in the bid evaluation that the NYCDEP Division of Design and Construction portion of the design was not completed until May 2005, and yet it was not added into the final engineer's estimate, even though it added several million dollars to the project. Moreover, the final engineer's estimate should always be calculated based on 100% design and it appears that there was time to do so prior to bid advertisement and opening in this case. Finally, the engineer's estimate which was used to evaluate bids did not include such items as: (1) incentive payment allowances; (2) the cost of pre-treating discharge waters; (3) the final landscaping design; (4) the helical micro piles (over $1 million alone); (5) wetlands restoration; and (6) sufficient contingencies for market fluctuations and the significant risk factors that the contractors will be subject to.

Due to the above discrepancies, the Department cannot approve NYCDEP's November 5th and December 27th claims of force majeure, and the corresponding request to modify the March 31, 2006 Notice to Proceed to Construction Milestone to June 30, 2006. Moreover, as required by the force majeure provisions of the Order, NYCDEP has failed to indicate what steps it has taken to mitigate any delays caused by these actions. For these reasons, this correspondence constitutes a DEC Determination pursuant to Paragraph VII.A. of the Order, rejecting NYCDEP's modification request. However, since the extension requested by NYCDEP is brief in duration, the Department is willing to utilize its enforcement discretion and not pursue violations for NYCDEP's non-compliance with the March 31, 2006 Notice to Proceed to Construction Milestone for the Meadowmere & Warnerville DWO Abatement, set forth in Appendix A, VI. Jamaica Tributaries CSO, of the Order. The Department will continue to utilize its enforcement discretion provided that NYCDEP certifies compliance with the Notice to Proceed to Construction Milestone for the Meadowmere & Warnerville DWO Abatement project by June 30, 2006 and complies with the Construction Completion Milestone for this project by March 31, 2009.

Should you have any questions, please feel free to call me at (518) 402-9509.

Sincerely,

Scott Crisafulli, Esq.
Water Compliance Counsel
Division of Environmental Enforcement

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

cc: T. Rudolph
G. Kline, P.E.
S. McCormick, P.E.
M. Altieri, Esq.
J. Prero, DEP Esq.
J. Mueller, DEP

EDMS #219912

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
Corona, New York 11368

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Commissioner

Alfonso R. Lopez, P.E.
Deputy Commissioner

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February 22, 2006

Mr. Joseph DiMura, P.E.
Director, Bureau of Compliance
New York State Department of
Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3500

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Notice to Proceed to Construction for Outer Harbor/Regulator Improvement Fixed Orifices

Dear Mr. DiMura:

In accordance with Section III-F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter is to certify the compliance with a milestone contained in the Order by the New York City Department of Environmental Protection (DEP). Specifically, notice to proceed to construction has been transmitted to the general contractor for the above referenced project, in conformance with milestone II, C, 3 in Appendix A of the Order. A copy of the order to commence work is attached.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv
Attachment

cc: Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500

Scott Crisafulli, Esq.
Water Compliance Counsel
New York State Department of Environmental Conservation
Division of Environmental Enforcement
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DEP: E. Rogak, M. Klein, S. Mallik, D. Taffe, R. Marandi, G. Tang
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The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION
59-17 Junction Boulevard
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Emily Lloyd
Commissioner

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AGENCY CHIEF CONTRACTING OFFICER

Tel (718) 595-3225
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CFENVES@DEP.NYC.GOV

February 17, 2005

Delaney Associates LP
125-08 26th Avenue
Flushing, NY 11354

RE: ORDER TO COMMENCE WORK FOR CONTRACT CSO-OH-REG

Dear Contractor:

Transmitted herewith is your duly executed contract **CSO-OH-REG** for furnishing all labor and materials necessary and required for the **Outer Harbor CSO Regulator Improvements in Staten Island and Brooklyn NY.**

The Contract was:

Awarded to you on	**December 07, 2005**
Executed on	**January 05, 2006**
Registered by the Comptroller on	**February 15, 2006**

The Contract was awarded in the amount of **$4,390,100.00** and the registration number is **CTC 826 20060023638.**

The commence work date is **February 27, 2006.** You must complete the work within **790** 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 **April 27, 2008.**

Upon receipt of this order please contact **Reza Marandi**, located at **3201 Jerome Avenue, Bronx NY, (718) 595-6105.**

Yours truly,

Debra E. Butlien
Deputy Agency Chief Contracting Officer

DEP

311 Government Information and Services for NYC

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
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Alfonso R. Lopez, P.E.
Deputy Commissioner

Bureau of Engineering Design & Construction

Tel. (718) 595-5050
Fax (718) 595-5999
alopez@dep.nyc.gov

January 24, 2006

Mr. Joseph DiMura, P.E.
Director, Bureau of Compliance
New York State Department of
Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3500

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Initiation of Final Design for the Jamaica Tributaries/Destratification Facility

Dear Mr. DiMura:

In accordance with Section III-F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter is to certify the compliance with a milestone contained in the Order by the New York City Department of Environmental Protection (DEP). Specifically, final design has been initiated for the Shellbank Basin Destratification Facility for the Jamaica Tributaries, in conformance with milestone VI, E, 1 in Appendix A of the Order.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

cc: Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
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