

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

**Filtration Avoidance 6.1 Enforcement Actions
for the period October 1, 2021 through March 31, 2022**

April 2022

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



Prepared by: DEP, Bureau of Water Supply

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1. Introduction

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

This semi-annual report on enforcement actions for the period **October 1, 2021 through March 31, 2022** has been submitted as required by the 2017 FAD and provides valuable information about the implementation of *New York City's Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The report first presents an overview of the responsibilities of the Regulatory and Engineering Programs Division (REP) which administers Bureau enforcement activities and the associated City entities that assist in those efforts. Next, the report addresses new enforcement actions that have been undertaken during the above-mentioned reporting period and includes updates to ongoing violations.

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

2. Enforcement Responsibilities

The Bureau is charged with implementation of the Watershed Regulations which identifies activities that require New York City Department of Environmental Protection (DEP) review and approval and activities which are prohibited in the watershed. Among activities that require such review and approval are the construction of WWTPs, new or repaired SSTs, soil disturbing construction activities that require SWPPPs and the construction of impervious surfaces.

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

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

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

2.1. The Regulatory & Engineering Programs Division

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

2.1.1. Wastewater

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

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

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

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

2.1.2. Stormwater

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

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

2.2. DEP Police

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

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

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

2.3. DEP Bureau of Legal Affairs

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

2.4. New York City Law Department

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

3. Specific Enforcement Actions

3.1. Subsurface Treatment Systems and Stormwater

The following tables were established as a summary of the violations by town for the Catskill, Delaware, West Branch, Boyd Corners, Croton Falls, Cross River and Kensico Basins. Actions performed during the current reporting period are noted and cumulative information in the tables includes violations dating back to 1995.

Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	39		33		35	
CONESVILLE	13		10		10	
GILBOA	20	1	15		17	
HUNTER	117		88		97	
HUNTER (V)	17		9		10	
HURLEY	49		48		47	
JEWETT	51		47		51	
LEXINGTON	48		45		46	
OLIVE	197		167		174	
PRATTSVILLE	33		24		33	
ROXBURY	31		23		27	
SHANDAKEN	145		133		143	2
TANNERSVILLE (V)	7		2		7	
WINDHAM	85	1	66		82	1
WOODSTOCK	61		53		51	
Total	913	2	763	0	831	3

Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	83		75		74	
ANDES (V)	4		2		2	
BOVINA	36		33		34	
COLCHESTER	5		6		8	
DELHI	71		65		74	
DELHI (V)	3		2		2	
DENNING	34		33		31	
FALLSBURGH	6		4		4	
FLEISCHMANN'S (V)	1		1		1	
FRANKLIN	6		4		4	
HALCOT	7		7		7	
HAMDEN	34	1	30		30	0

HARDENBURGH	12		10		1 2	
HARPERSFIELD	8		6		6	
JEFFERSON	6		6		6	
KORTRIGHT	64		54		6 1	
LIBERTY	1		1		1	
MASONVILLE	13		11		11	
MEREDITH	22		20		19	
MIDDLETOWN	119		106		112	
NEVERSINK	224	1	188		202	
ROCHESTER	1		1		1	
ROXBURY	35		29		38	
STAMFORD	36		34		37	
TOMPKINS	42		37		40	
WALTON	93		86		84	
WALTON (V)	1		1		1	
WAWARSING	35		32		31	
Total	1003	2	884	0	935	0

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

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
CARMEL	11		10		1 3	
EAST FISHKILL	1		0		0	
KENT	4		4		4	
PUTNAM VALLEY	0		0		0	
TOTAL	16	0	14	0	1 7	0

Kensico Basin

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
GREENWICH CT.	0		0		0	
HARRISON			0		0	
MT. PLEASANT	0		0		0	
NEW CASTLE					0	
NORTH CASTLE	1	1				
TOTAL	1	1	0	0	0	0

3.1.1. Catskill District

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

Overview and Action:

DEP met with the applicant and engineer on the site for a pre-construction meeting on 9/14/18. DEP observed that construction commenced on or before 10/12/18. DEP performed site visits on 10/12 and 11/9/18. There were deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 11/16/18 due to winter. DEP exchanged emails with the owner on 11/16/18 regarding the winter shutdown of the retention pond and water bar. DEP sent an e-mail to the owner and engineer on 3/26/19 regarding setting up a meeting to go over the plan for this season. A site meeting is scheduled for 4/12/19 to discuss the work being performed this season. DEP, CWC, the engineer and applicant will attend. DEP held a meeting with the applicant, original engineer and the new engineering firm on 4/12/19, which E&S inspections were performed. The applicant anticipates restarting within the next two weeks. DEP performed site visits on 6/5, 7/9 and 7/16/19; there were no deficiencies and there was no discharge. The site was vacant. DEP sent an e-mail to the owner on 7/24/19 regarding no further progress noticed at site visits. DEP would like to see this closed out by the end of summer. DEP received an e-mail from the owner on 7/25/19 stating that the project should be completed by the first part of September 2019. DEP spoke with the engineer and the applicant said they should be starting work next week. DEP performed a site visit on 9/10/19; there were deficiencies and there was no discharge. The site was vacant. DEP performed a site visit on 10/8/19. There were deficiencies, there was no discharge and the site was occupied. DEP observed that construction commenced on or before 10/8/19. DEP performed site visits on 10/16, 10/22, 10/30, and 11/19. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner and the engineer on 11/7/19 regarding the site visit on 11/1/19 and the deficiencies noted. DEP performed site visits on 11/8 and 11/22/19. There were no deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 03/26/20 regarding scheduling a site visit to get construction completed this season. DEP performed a site visit on 3/27/20. There were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/17, 5/28, 6/18 and 7/10/20. There were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 7/29/20 confirming that construction was put on hold. Owner plans on resuming and completing construction later this year. DEP sent an e-mail to the owner on 8/28/20 asking when work will resume. DEP performed a site visit on 9/3/20. There were no deficiencies, there was no discharge and the site was occupied. A meeting to discuss reimbursement was held with the project applicant and CWC on 9/3/20. According to the applicant, work is to resume next week. DEP performed a site visit on 9/15/20, there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 10/1/2020, there were no deficiencies, there was a discharge and the site was occupied. A meeting was held with the project engineer on 11/9/2020.

No further work has occurred since the last site visit. The project will be going into winter shut down in the next couple of weeks. DEP met with the contractor, engineer, CWC and the applicant on site for a pre-construction meeting on 4/15/2021 to discuss the plan for the upcoming work season. It is anticipated the project will be completed this summer. DEP performed site visits on 5/18, and 6/17/2021. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the owner on 6/18/2021 advising that construction is expected to be completed this year. DEP received an e-mail from the owner on 7/6/2021 regarding starting construction. DEP exchanged emails with the owners on 7/27/2021 regarding construction. DEP sent an e-mail to the owner on 8/24/2021 requesting a construction schedule. DEP received a response from the owner on 9/2/2021 regarding construction. DEP performed a site visit on 9/20/2021. There were no deficiencies, there was no discharge and the site was vacant. DEP exchanged e-mails with the owner on 9/21/2021 regarding the 9/20/21 site visit and when to expect construction completion. Owner plans to complete construction in October 2021. Letter next month if construction does not start. DEP performed a site visit on 10/07/2021. There were deficiencies. There was no discharge. The site was vacant. DEP exchanged e-mails with the owner on 10/22/2021 regarding construction. He still plans on being completed this season. DEP performed a site visit on 10/29/2021. There were no deficiencies. There was no discharge. The site was vacant. James reached out and no response. DEP sent an e-mail to the owner on 01/14/2022 requesting a schedule for completing the work. DEP received an e-mail from the owner on 01/17/2022 advising that the work will be completed during the 2022 building season. DEP received an email response on 03/22/2022 from the owner advising that construction would resume this spring.

Project Name: Hunter Dr (2015-SC-0498)
Town: Hunter
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: Land clearing, grubbing, and grading of roadways, stockpiles, and lot development in vacant lands above Hunter Drive resulting in disturbances initiated without DEP approval; DEP NOV and DEC NOV.
Discovery Date: 8/28/15
Status: Under Construction

Overview and Action:

DEP exchanged emails with the engineer on 11/6/2020 regarding issues at the site. DEP received a call from the neighboring land owner on 11/9/2020 regarding concerns about the project. The neighbor said no easement was provided for the project, yet he believes that a trench was dug through his road. DEP advised that the approved plan did not show improvements on his property and that there were discussions for a modified plan based on acquiring an easement. DEP provided the neighbor with the engineer's contact information. DEP sent an e-mail to DEC on 11/10/2020 regarding site visits of 11/6 and 11/10/2020 and the deficiencies of the site conditions. DEP performed a site visit on 11/12/2020, there were deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from DEC on 11/12/2020 regarding the deficiencies. DEP sent an email to DEC on 11/13/2020 regarding the drains. Water is still flowing, but it is clear and better than observed on 11/6/2020. DEP performed a site visit on 12/1/2020, there were deficiencies, there was no discharge and the site was vacant. DEP sent the Stormwater report and photos to the engineer on 12/4/2020 regarding the 12/1/2020 site visit.

DEP performed a site visit on 12/9, and 12/15/2020. There were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer, DEC and CWC on 12/17/2020 regarding the 12/16/2020 site visit. DEP performed a site visit on 12/28/2020. There were deficiencies, there was no discharge and the site was vacant. On 12/23/2020 DEP met with the contractor and engineer to discuss SWPPP status. The Engineer is going to prepare an addendum for the pond including clean water diversion around the pond. Contractor was actively coating the surface of the entrance road with crushed stone. A teams meeting was held with the project engineer on 1/6/2021 to discuss reconfiguration of the lower pond. DEP received a call from the engineer on 1/6/2021 regarding redesigning the lower pond. The engineer will complete the revision and submit a formal revised plan for the pond. DEP exchanged emails with the engineer beginning 12/23/2020 to 1/7/2021 regarding items to be discussed. DEP received the Hunter Pond sketch on 1/7/2021. DEP performed a site visit on 1/13/2021. There were deficiencies, there was no discharge and the site was vacant. A site meeting was held to discuss water diversions and stabilization with the project contractor on 1/22/2021. The contractor had a lot of questions about ACOE and DEC regulatory requirements. DEP received an e-mail from the engineer on 2/16/2021 regarding winter shutdown. DEP performed a site visit on 2/25/2021. There were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 3/9/2021 regarding an update. A meeting was held with the project engineer, new engineer to perform E&S inspections, contractor and DEC on 3/30/2021 to discuss the restarting of site work. DEP received an e-mail from the engineer on 4/6/2021 regarding the stabilization of the slope above the pond. DEP performed site visits on 4/23/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP performed a site visit on 5/5/2021. There were deficiencies. There was no discharge. The site was vacant. DEP received the SWPPP Inspection Reports 53, 54 & 55 from the engineer on 5/5/2021. DEP sent the latest E&S Inspection to the engineer on 5/7/2021 with deficiencies that need to be addressed. DEP received the SWPPP Inspection report #56 from the engineer on 5/11/2021. DEP performed site visits on 5/18, 5/21, and 5/28/2021. There were deficiencies, there was no discharge and the site was vacant. DEP received the SWPP inspection Report #62 from the engineer on 6/2/2021. DEP exchanged emails with the engineer on 6/2/2021 regarding scheduling a meeting at the site. DEP received the SWPPP Inspection Report #64 and 65 from the engineer on 6/8/2021. DEP received the SWPPP Inspection Reports #66 & #67 from the engineer on 6/17/2021. DEP received the SWPPP Inspection Report #68 from the engineer on 6/18/2021. DEP received the SWPPP Inspection Report #69 from the engineer on 6/23/2021. DEP received the SWPPP Inspection Report #70 from the engineer on 6/29/2021. DEP received the SWPPP Inspection Report #71 and DEP.s latest Construction Report from the engineer on 6/29/2021. DEP received the SWPPP Amendment #1 from the engineer on 6/30/2021 with Report and plans. DEP performed a site visit on 7/2/2021. There were deficiencies, there was no discharge and the site was occupied. DEP received the SWPPP Inspection Report #72 from the engineer on 7/6/2021. DEP received the SWPPP Inspection Repot #73 from the engineer on 7/7/2021. DEP performed a site visit on 7/8/2021. There were deficiencies. There was a discharge. The site was vacant. DEP sent an e-mail to the engineer on 7/9/2021 regarding the site visit of 7/8/2021. DEP received an e-mail from the day's inspection on 7/9/2021 with the results of their finding. DEP returned a call from the engineer on 7/14/2021 regarding the documented contravention. The engineer was unavailable. DEP initiated an Enforcement Action on 7/16/2021. DEP issued an NOV to the owner on 7/16/2021. DEC issued a NOV on 7/19/2021. A meeting was held with the project engineer, contractor, DEC and DEP on 7/20/2021. The site was assessed the violations cited in the NOVs were discussed. DEP received the SWPPP Inspection Repot #75 and 76 from

the engineer on 7/21/2021. DEP received meeting notes from the engineer on 7/23/2021. DEP performed a site visit on 7/26/2021. There were deficiencies. There was no discharge. The site was vacant. DEP received the SWPPP Inspection Report #78 from the engineer on 7/27/2021. DEP received the SWPPP Inspection Report #79 from the engineer on 7/28/2021. DEP received the SWPPP Inspection Report #80 from the engineer on 8/3/2021. DEP received a copy of the letter and the Certificate of Compliance responding to DEC's NOV from the engineer on 8/11/2021. DEP received the Returned NOV from the Post Office on 8/9/2021. DEP received the SWPPP Inspection Report #82 from the engineer on 8/9/2021. DEP received the SWPPP Inspections Reports #81 and #83 from the engineer on 8/11/2021. DEP performed a site visit on 8/12/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP received an e-mail from the engineer on 8/13/2021 providing the amended SWPPP. DEP received an e-mail from DEC on 8/18/2021 concurring that the NOV items have been addressed. DEP received an e-mail from the engineer on 8/24/2021 advising that the amended SWPPP will be presented to the planning board on 8/26/2021. DEP received the SWPPP Inspection Reports #85, 86 and 87 from the engineer on 8/25/2021. DEP received an e-mail from the engineer on 8/26/2021 that clearly shows the modifications to the plan. DEP received the SWPPP Inspection Report #90 from the engineer on 9/7/2021. DEP received the SWPPP Inspection Report #91 from the engineer on 9/8/2021. DEP observed that construction commenced on or before 9/10/2021. DEP performed a site visit on 9/10/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP received the SWPPP Inspection Report #92 from the engineer on 9/14/2021. DEP received the SWPPP Inspection Report #93 from the engineer on 9/15/2021. DEP received an e-mail from DEC on 9/15/2021 regarding the need to modify the individual construction stormwater SPDES for this project, as the permit references the 4/11/2019, SWPPP and associated drawings. DEP performed a site visit on 9/20/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP received the SWPPP Inspection Report #94 from the engineer on 9/21/2021. DEP had a call with the Watershed Inspector General (WIG) on 9/23/2021 regarding a 4 lot addition and the former SWPPP violations. DEP received a letter responding to the NOV from the engineer on 9/24/2021. DEP received the SWPPP Inspection Reports #95, 96 & 97 from the engineer on 9/27/2021. DEP performed a site visit on 10/01/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP sent e-mail to the engineer on 10/07/2021 regarding the day's site visit. DEP exchanged e-mails with the engineer on 10/07/2021 regarding re-thinking the pond. DEP performed a site visit on 10/07/2021. There were deficiencies. There was a discharge. The site was occupied. Received a call from a new inspector, he will be coming on board as a construction manager. DEP received the SWPPP Inspection Reports #114 and #115 from the engineer on 12/3/2021. DEP performed a site visit on 12/07/2021. There were no deficiencies. There was no discharge. The site was vacant. DEP received an e-mail from the engineer on 12/29/2021 providing the first E&S inspection completed since winter shutdown. Site is reported as being stable. DEP performed a site visit on 02/07/2022. There were no deficiencies. There was no discharge. The site was vacant. DEP received a letter from the engineer on 02/16/2022 responding to the WIG's comments and requesting a site visit. A virtual meeting was held with DEP, DEC, applicant, and construction manager on 02/24/2022. Construction will resume as soon as weather permits. DEP received a letter from the WIG's office on 03/16/2022 regarding comments on the engineer's response letter and revised plans. DEP received an e-mail from DEC on 03/24/2022 regarding the applicant's proposal to blast the rock to expedite excavating the stormwater pond. DEP performed a site visit on 03/29/2022. There were no deficiencies. There was no discharge. The site was vacant. DEP responded to an e-mail from the applicant on

03/29/2022 regarding the need to dewater when blasting.

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

Overview and Action:

On 11/4/19 DEP performed a follow-up inspection of the septic system. DEP called the CEO and received a call back on 12/10/19 regarding locating a proper address to resend the NOV. DEP also commented that there is a third house on the property which is not on tax rolls. DEP issued an NOV to the owner on 12/12/19 to three separate addresses, return receipt. DEP sent the NOV via email to CWC, and DEP attorneys on 12/12/19. The two NOV's that were sent to the Shandaken addresses were returned. On 12/23/19, DEP performed a follow-up inspection of the septic system. DEP received signed return receipt requested on 12/31/19 that was sent to the Kentucky address. DEP sent an e-mail to the on building inspector for Lexington 1/10/20 regarding a request for information on the three homes and their addresses located at this one property. DEP sent an email to DEP attorneys on 2/5/20 that the draft NOV follow up letter to the owner, regarding lack of response to the DEP issued NOV. DEP received the NOV that was signed for on returned as the addressee is deceased 02/11/20. On 2/20/20 DEP performed a follow-up inspection of the septic system. DEP issued a copy of the former NOV to several new addresses on 9/23/20 in an attempt to gain resolution to the SSTS failure. On 11/13/20 DEP performed a follow-up inspection of the septic system. On 11/23/20 DEP performed a follow-up inspection and spoke to the tenant regarding contact information for the owner. On 3/31/21 DEP performed a follow-up inspection of the septic system. DEP spoke with DEP Police on 7/2/2021 to request assistance in locating when the property owner was on the premises, in order to be able to hand deliver the NOV. DEP received a call from the owner on 9/21/21 after the DEP Police dropped off the NOV directly to him, as DEP had not been able to reach him for years. DEP returned a call to the owner on 9/22/21 and had a cordial conversation regarding how the owner explained he would file a lawsuit against CWC, DEP, the engineer and the contractor for the first septic system gone wrong. He said he had another Engineer evaluate it that said it never should have gone there. He said to give him a week to work with his lawyer and get an engineer on board to do soils. DEP asked him to reach out to CWC to discuss his plan and keep us in the loop to witness soils. DEP reminded him that there is an approved design and he needs to work with CWC. DEP reiterated that we just want to see this resolved and if we can work on a plan to get there that is the best scenario and he agreed. DEP called the CWC 10/22/2021 to see if the owner has contacted them regarding SSTS repair. The owner has not reached out to CWC. DEP to inspect. DEP called the owner on 10/22/2021 regarding the ongoing failing SSTS and his lack of response. He mentioned calling back, he said something to the effect of the plan was very expensive. He did not call back. Site Visit type: Followup. Date: 11/17/2021. Septic Failure: Not observed. Wet surface on septic system, spongy ground, not running off site, no odor, could be ground water, but was in location of former failures. No one home, wood furnace not operating,

but fresh cut wood outside, so tenant is probably still there. DEP will continue to inspect. Present for Inspection: None. Property Status: Currently inhabited, Full time use. Site Visit type: Followup. Date: 03/01/2022. Septic Failure: Not observed. On 03/10/22 DEP performed a follow-up inspection of the septic system. No septic failure was observed. Present for Inspection: None. Property Status: Currently inhabited, Full time use. DEP will not pursue action with Law department at this time, not until failure is visible again. Law Dept is pursuing information regarding who is current owner.

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

Overview and Action:

DEP performed a site visit on 10/23/18. Septic failure was observed. The ditch is full of sewage coming from the cesspool. The level in the ditch is the highest it's ever been but still not to the surface or leaving the ditch. A very strong odor was observed. DEP's Assistant Counsel issued a letter to the owner on 11/21/18 regarding the NOV and the lack of response. DEP received an email from the owner on 12/17/18 stating he is waiting for drawings from engineer to approve before submittal to DEP. DEP called the engineer on 12/18/18 who stated that the previous approved design could be implemented without impacting the future addition of a courtesy toilet to the existing garage, which may not happen for years. This possible improvement is what has been holding up revised plans from being submitted. DEP stated a construction commencement date will probably be required come spring. On 1/8/19 DEP REP, Legal, and NYC Law Department discussed and determined that stipulation agreement is a reasonable approach at this time. DEP Legal will draft a document for review, with milestone dates for construction commencing and completion/receiving DEP's construction approval. DEP received the Stipulation letter from the Bureau of Legal Affairs (BLA) on 6/19/19. DEP received a copy of the signed Certified Receipt from BLA on 7/24/19. DEP received digital draft revision from engineer of plans on 4/1/20. DEP sent email to engineer that plans are ready to be approved and they should submit hardcopies. DEP received revised plans from the engineer on 4/20/20. DEP issued a Modified Approval Determination letter on 4/23/20 to the engineer along with the approved plans. DEP emailed the owner for a construction schedule on 8/18/20. DEP performed a site visit on 9/9/20, the property as unchanged. The cesspool is still exposed on one side to a manmade ditch. DEP couldn't visibly see if sewage was in the ditch due to overgrowth, but did smell a strong odor. DEP sent an email to the engineer on 9/17/20 to check if they had any information on a proposed schedule to get this project done. DEP performed a site visit on 7/19/2021. Unable to get a visual of sewage in ditch due to overgrowth. The grass in the ditch is still present and there is a very strong odor of sewage present. DEP performed a site visit on 9/27/2021. Septic Failure: Observed. Wetness in trench. One side of the cesspool is exposed all the way down to the trench and seeps out into the trench. This is difficult to get a clear photo due to all the overgrowth but there are small spots where it can be seen and there is a very strong septic odor. 3/15/2022 Enf Mtg: DEP preparing revised Notice of Violation for legal review.

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

Overview and Action:

DEP performed a site visit on 7/12/17; septic failure was not observed. There was no sign that the house is being used. DEP has put the Enforcement Status on hold as of 9/22/17 due to the property not being inhabited. Project will be monitored by tasks every six months for re-inhabitation and will deal with possible loss of NCRA status and compliance with regulations time of re-inhabitation. DEP is monitoring this project site for inhabitation/failure. DEP performed a site visit on 1/11/18. The house is abandoned and boarded. DEP performed a site visit on 7/10/18. Septic failure was not observed. It appears that the residence has not been accessed and the house is in disrepair. DEP performed a site visit on 1/4/19. Septic failure was not observed. The property still appears to be abandoned. DEP performed a site visit on 7/9/19; septic failure was not observed. The house appears to be vacant and in disrepair. DEP performed a site visit on 7/9/20. Septic failure was not observed. No sign of inhabitation. The prospective buyer called DEP on 9/10/20 inquiring about what needs to be done to be compliant on this site. He already had a copy of the NOF from the current owner. DEP asked that he get the owner's permission to share the project information with him via email. DEP removed this project from the priority enforcement project list on 11/17/2020, and moved to non-priority to watch since this is a holding tank, used seasonally. DEP performed a site visit on 12/28/2020. There was no sign of inhabitants. DEP performed a site visit on 5/5/2021. Residence appears to be recently occupied. Some property maintenance has been done. Leaves and debris have been removed and there are ruts in the driveway from recent traffic. Plastic tank is still exposed. No visible effluent. DEP received a request for a pre-application meeting from the engineer/applicant on 6/9/2021. DEP performed a site visit on 9/30/2021. Septic Failure: Not Observed. Home is under repair. Plastic septic tank is exposed. No visible effluent. Site Visit type: Enforcement. Date: 03/01/2022. Septic Failure: Not Observed. Residence has not been recently accessed. Snow has not been plowed. No tracks in or out. Present for Inspection: None. Property Status: Currently inhabited, Used seasonally.

Project Name: 65 Mckenley Hollow (2019-AS-0701)
Town: Shandaken
Basin: Ashokan
Type of Use: Individual Residential SPPP (IR)
Type of Violation: Demolishing the old house and building new. Requires IRSP; DEP NOV
Discovery Date: 2/5/2021
Status: Ongoing

Overview and Action:

DEP issued an NOV to the owner on 2/5/2021 for 18-39(a)(5)(iii); limiting Distance. DEP sent an e-mail to involved parties on 2/16/2021 stating that DEP has not received a response from the owner regarding the NOV. DEP performed a site visit on 3/11 and 3/18/2021. There were deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the applicant on 4/5/2021 regarding the NOV and that the contractor and engineer are working on resolving the issue at the property. DEP responded to an e-mail from the applicant on 4/8/2021 regarding status of the NOV. DEP sent an e-mail to the owner on 4/9/2021 with a pre-application form and copy of the NOV. DEP performed a site visit on 5/11/2021. There were no deficiencies, here was no discharge and the site was vacant. DEP sent an e-mail to the applicant on 5/12/2021 informing them that the deadline for submitting an IRSP has past and requested an update on the project status. DEP sent an e-mail to the engineer on 6/18/2021 requesting a status update. DEP performed a site visit on 6/29/2021. There were deficiencies, there was no discharge. DEP sent an e-mail to the engineer on 8/19 and 9/22/2021 requesting a status update. DEP sent an e-mail to the owner on 9/23/2021 outlining the history of the project and the no response history from the engineer to move this project forward and resolve the NOV. DEP sent an e-mail to the engineer on 10/21/2021 requesting a status check form the engineer. 10/21/2021 EMAIL DEP received a call from the engineer on 10/26/2021 advising that the owner has never contacted him, the contractor requested the engineer to look at the site. No timeframe was given for the next steps. 10/26/2021 PC DEP called the contractor (Clark Van Etten) and left a message on 11/08/2021 regarding owner's IRSP. 11/8/2021 PC DEP visited the site on 11/10/2021 to verify distance from impervious surface to the watercourse. Although the stream has moved away from the impervious surface since the NOV was issued, the distance is approximately 87-feet. 11/10/2021 RIC DEP sent an e-mail to the owner on 11/10/2021 with copies of the IRSP application, Short EAF and site photos. 11/10/2021 EMAIL A meeting was held with the project applicant and CWC on 11/15/2021 to discuss the requirements for submitting an application for review and approval of an IRSP and resolving the NOV. 11/15/2021 M DEP received a voicemail from the owner on 12/06/2021 in response to DEP's email inquiry. Owner plans to submit paperwork in the next couple of weeks. DEP received an Application for an IRSP on 12/15/2021. DEP issued a NOCA on 12/17/2021. 12/20/2021 A DEP issued an Approval Determination letter on 12/20/2021. DEP observed that construction commenced on or before Dec 27 2021. DEP performed a site visit on 12/27/2021. There were no deficiencies. There was no discharge. The site was vacant. 12/27/2021 SV 12/27/2021 CCOM DEP completed construction inspections on 12/27/2021. DEP has resolved the Enforcement Action on 12/27/2021. 1/4/2022 CC DEP issued a letter of Construction Compliance on 01/04/2022. The violation was resolved and the case was closed on 01/04/2022 with DEP Closure letter dated 01/04/2022 NOVC. DEP received an e-mail from the applicant on 01/05/2022 expressing appreciation for assistance in completing the project.

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

Status: Closed

Overview and Action:

DEP performed a site visit on 11/21/19; septic failure was observed. Backup of sewage into house, surfacing of sewage on ground. Sewage with strong odor pooling on the surface of the ground. Tenant stated that the septic was backing up into the house. Landlord did something, she didn't know what, and it's been better. DEP Police were called initially and forwarded it to REP septic group. DEP observed and prepared a violation report on 11/22/19 DEP initiated an Enforcement Action on 11/22/19. DEP issued an NOV to the owner on 11/25/19. DEP's Assistant Counsel issued a letter to the owner on 12/11/19 regarding the NOV and the need to contact DEP. DEP performed a follow-up site investigation on 12/23/19 and observed sewage puddled on the ground as noted on a prior inspection. On 1/23/20, DEP performed a follow-up inspection of the property and did not observe sewage on the surface as the ground was snow covered. DEP received a call from the project engineer on 1/24/20 regarding the failing septic system and that he was contacted for engineering services. This project is funded under CWC Septic Repair Program. On 2/4/20, DEP received CWC's notice of likely to fail for all three houses listed as a Small Business. DEP called the Engineer on 2/25/20 to explain proper emergency repair procedures and note that there is no emergency repair paperwork on file, so this does not constitute emergency repair at this point. (This is in follow to the Engineers phone conversation with DEP project manager on 1/24/20 that the Engineer did an emergency repair). DEP explained we are aware the applicant is now in the CWC repair program but if the project does not progress DEP will work with NYC Law to pursue gaining compliance. DEP removed this project from the priority enforcement project list on 3/24/20. DEP sent an e-mail to the engineer on 6/2 and 6/17/20 requesting a status update. The engineer left a voicemail advising that a design was in the works. DEP called the project engineer on 6/19/20 regarding the project status and when DEP might see proposed plans for review. DEP performed a follow-up inspection on 6/25/20 and found no failure observed. DEP sent an e-mail to the engineer on 7/24 and on 8/27/20 requesting a status update. DEP received an e-mail from the engineer on 9/1/20 advising that design is nearly complete. DEP sent an e-mail to the engineer on 10/13 and 11/17/2020 requesting a status update. DEP received an e-mail from the engineer on 11/24/2020 advising that he may get the plans submitted next week. DEP performed a site inspection on 12/16/20 and did not observe a septic failure. DEP sent an e-mail to the engineer on 1/20 and 2/17/2021 requesting a status update. DEP received an e-mail from the engineer on 2/23/2021 advising that he is trying to submit the plans by the end of the week. DEP received an Application for a SSTS on 3/16/2021 from the engineer. DEP sent an e-mail to the engineer on 3/25/2021 regarding project status. A meeting was held with the project engineer on 4/1/2021 regarding a minor change to the proposed design plan as submitted. Engineer will make correction and resubmit for review and approval. DEP issued a NOCA on 4/2/2021. DEP issued an Approval Determination letter on 4/15/2021. DEP sent an e-mail to the engineer on 6/18/2021 inquiring when construction might begin. DEP sent an e-mail to the engineer on 8/19/2021 requesting a status update. DEP observed that construction commenced on or before 9/23/2021. DEP sent an e-mail to the engineer on 9/22/2021 requesting a status update. DEP performed a site visit on 9/23 and 9/27/2021. Inspection of 1000 gallon concrete septic tank and concrete dosing chamber installed at house 3 (2 BR). Bedded & level. These were not set exactly as plan showed but Engineer was ok with it and will show the change on the as-built drawing he submits. Inspection of bed for 6 BR house and inspection of bed for the two cottages (2 BR & 3 BR). Also, two dose tests completed. DEP took photos and ties for as built. DEP sent an e-mail reminder to the engineer on 10/2 10/21/2021 EMAIL 1/2021 advising to send in as-builts. DEP

received a call from the engineer on 10/26/2021 advising that as-builts would be completed today. DEP received As-Built plans and an engineer's certification letter from the engineer on 11/03/2021. DEP issued a letter of Construction Compliance on 11/09/2021. 11/18/2021 ENFC DEP has resolved the Enforcement Action on 11/18/2021. The violation was resolved, and the case was closed on 12/20/2021 with DEP Closure letter dated 12/20/2021.

Project Name: 46 Route 214 (2010-AS-0283)
Town: Shandaken
Basin: Ashokan
Type of Use: SSTS Repair (RE)
Type of Violation: DEP NOV. Managed repair area for Phoenicia. House with 2 apartments and storefront; NCRA; failed. 1 bedroom addition connected to new SSTS; house with 2 apartments and storefront was then tied to that.
Status: Closed

Overview and Action:

DEP issued a NOV to the owner on 11/15/2012. A meeting was held with the project applicant on 11/21/2012. They are both seniors in their 80's dealing with serious health issues. They claim to not have the money to do the repair. The two upstairs apartments are currently rented. The rear cabin is winterized and unoccupied. On 2/20/13, DEP performed a visual inspection of the yard in the area of the septic tank. No sewage discharge was observed. On 5/28/13, DEP performed a visual inspection of the yard in the area of the septic tank. No sewage discharge was observed. On 8/28/13, DEP performed a routine followup inspection of the SSTS. No problems were observed. The owner currently has 2 tenants. On 1/22/14, DEP performed a routine inspection of the septic tank from the driveway. No problems were noted. On 8/7/14, DEP performed an inspection of the septic system. No problems were observed. On 12/1/14, DEP performed an inspection of the septic tank/absorption field area. No problems were observed. On 8/18/15, DEP performed an inspection of the area where the septic system is located. No problems were noted. The owner was not home at the time. DEP issued an NOV reminder letter to the owner on 11/25/15. DEP requested a response within 14 days of the letter date and also requested that the letter be given to any prospective buyers. Project was sent to Bureau of Legal Affairs on 3/23/16. On 3/23/16 the violation was forwarded to DEP Legal for follow-up on enforcement action. DEP Legal issued a letter to the owners on 3/24/16 regarding their lack of response to the NOV. To avoid referral of the project to NYC Law for possible litigation, deadlines were given for: 1) An application to be submitted (within 60 days of the letter date); 2) An approved plan to be implemented (by 7/30/16); and 3) DEP to be contacted (within 5 business days of the letter date). DEP received three phone messages from the owner since 4/1/16. DEP returned the call on 4/5/16 and left a message to apologize for missing the 4/1/2016 appointment and to reschedule for 4/8/16. On 4/8/16. DEP met with the property owner at the site. He did not put the property up for sale, and plans to stay there. All apartments are occupied, and he will contact an engineer to propose a solution to DEP. On 8/10/16, DEP met with the engineer and the owner on site for a meeting. On 9/8/16, DEP met with the engineer and hauler to investigate the absorption field. The tank outlet pipe and another pipe were located with an electronic device. An excavator is needed to finish the investigation. On 3/30/17, DEP stopped at the site to look at the lawn area where the SSTS is. There were no signs of failure. DEP called engineer on 10/23/2017 requesting a schedule. On 3/22/18, DEP inspected the site. No signs of the SSTS failing were observed. On 11/29/18 DEP inspected the property. There was no visible evidence of the SSTS failing. On 06/10/19 DEP inspected the property. There was no visible

evidence of the SSTS failing. DEP issued a letter to the Realtor on 12/27/2019 regarding the outstanding NOV that still has not been resolved and that potential buyers should be made aware of. DEP received a call from the engineer on 01/23/2020 to schedule a site investigation of the existing SSTS. A soil/site evaluation was performed on 02/04/2020. DEP sent an e-mail to the engineer on 06/17/2020 requesting an update of the project schedule. Engineer left voicemail stating that a submittal was made in March, but he will resubmit next week. DEP received an Application for a non-conventional individual SSTS on 12/11/20. DEP issued a NOCA on 12/18/20. DEP issued an Approval Determination letter on 12/23/20. DEP sent an e-mail to the engineer on 4/26/2021 requesting an update. DEP sent an e-mail to the engineer on 5/20/2021 requesting a status update. On 6/3/21 DEP performed a satisfactory construction inspection of the absorption bed. DEP observed that construction commenced on or before 6/3/2021. On 8/5/21 DEP performed a final construction inspection. Adequate grass cover is established. DEP completed construction inspections on 8/5/2021. DEP sent an e-mail to the engineer on 8/19/2021 requesting a status update. DEP received As-Built plans and an engineer's certification letter from the engineer on 9/20/2021. DEP issued a letter of Construction Compliance on 9/21/2021. DEP sent an e-mail to the engineer on 9/22/2021 confirming project closeout.

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

Overview and Action:

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

on 7/7/20 regarding the owner's plan to address the remaining work as soon as funding is received. DEP drove by the site and there are no changes. DEP performed a site visit on 11/24/2020. There were no deficiencies, there was no discharge and the site was vacant. No changes to the site. DEP issued a letter to the owner on 11/24/2020 regarding the outstanding NOV. DEP performed a site visit on 4/9/2021. There were no deficiencies. There was no discharge. The site was vacant. DEP exchanged emails with the owner on 4/27/2021 regarding the For Sale sign being taken down. The owner stated that he wants to lease it to a Solar Panel company. Owner is retaining another engineer to pick up where the prior engineer left off. DEP received an e-mail from the owner on 6/16/2021 stating that he has hired a new engineer to prepare the SWPPP and SSTS's for the lots. A site meeting was held with the project applicant, engineer, contractor and DEC on 6/23/2021. The project will consist of either 3-5 homes or a solar panel field. DEP sent an e-mail to the owner and engineer on 8/24/2021 requesting design status.. DEP sent an e-mail to the engineer on 9/15/2021 regarding what was required, along with an application. DEP received an Application for a SWPPP on 9/21/2021 from the engineer. DEP issued a NOCA on 10/08/2021. A soil evaluation was performed on 10/22/2021. Soils are very deep, consist of sandy loam with some silt. No mottling or indication of high seasonal water table was observed. The location is well suited for an infiltration basin. 11/3/2021 CL DEP issued a comment letter on 11/03/2021 to the engineer. DEP exchanged e-mails with the owner and DEC on 11/18/2021 regarding the need for a SWPPP approval and General SPDES Permit prior to any construction at the site. DEP performed a site visit on 11/19/2021. There were deficiencies. There was no discharge. The site was vacant. DEP initiated an Enforcement Action on 11/19/2021 because construction is underway without an approval. DEP exchanged e-mails with the engineer and the applicant on 12/11/2021 regarding latest design submission. DEP legal issued a letter to the applicant on 12/21/2021 advising them that the NOV is still open and that the recent work on the building lot is not authorized. 12/28/2021 RL DEP received a letter and revised plans from the engineer on 12/28/2021. A conference call was held with the engineer, applicant, DEC and DEP on 01/06/2022. The need for a SWPPP was reinforced and the applicant agreed not to challenge the requirement. Also discussed was concerns about the stormwater basin encroaching on the DOT right-of-way. Engineer to revise plans and resubmit. DEC issued an NOV and a blank cert of compliance to be fill out by owner on 01/12/2022. 1/12/2022 CL DEP issued a comment letter on 01/12/2022 to the engineer. DEP received an email and photographs from the owner on 2/1/2022 documenting actions taken in response to the NOV. DEP performed a site visit on 02/07/2022. There were no deficiencies. There was no discharge. The site was occupied. DEP received an e-mail from DEC on 03/15/2022 responding to the applicant's request to stabilize the road. DEP performed a site visit on 03/16/2022. There were deficiencies. There was no discharge. The site was occupied. DEP sent DEC an e-mail to DEC on 03/17/2022 regarding site conditions observed during the last site visit. DEP sent an e-mail to the engineer on 03/17/2022 requesting an update on the SWPPP and DOT right-of-way issue. DEP called DEC on 03/18/2022 to discuss the road construction. DEC to inspect the site next week. DEP received an e-mail response from DEC on 03/22/2022 advising that another inspection was planned. DEP received an e-mail from the owner on 03/24/2022 disputing that the contractor was building the road. The owner stated that the road work involved regarding to "reduce corrosion."

Project Name: 4924/44/48 State Rt. 23 (2014-SC-0628)
Town: Windham

Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: IS.1: Intermediate SSTS. SP.1: DEP NOV and DEC NOV. Greater than two acres of disturbance within 100 feet of a watercourse.
Discovery Date: 9/17/15
Status: Closed
Overview and Action:

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

construction resumed on 6/8/20. DEP setup an inspection for 6/18/20. DEP performed site visits on 6/18 and 7/10/20. There were deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from DEC on 7/28/20 regarding the oil/water separator. DEP performed site visits on 7/30, 7/20, 9/3 and 9/15/20. There were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 10/2, 11/5 and 11/20/2020. There were no deficiencies there was no discharge and the site was occupied. Construction for this project is on hold as of 12/23/2020 due to winter shutdown. DEP performed site visits on 5/21, 5/28, and 7/26/2021. There were deficiencies. There was no discharge. The site was occupied. DEP exchanged emails with the owner on 7/27/2021. Owner is still not feeling well, but hopes to complete construction. DEP performed a site visit on 9/20/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP performed a site visit on 10/22/2021. There were no deficiencies. There was no discharge. The site was occupied. 10/26/2021 Just need to finish swale. DEP received As-Built plans and an engineer's certification letter from the engineer on 11/12/2021. DEP issued a letter of Construction Compliance on 12/07/2021. DEP has resolved the Enforcement Action on 01/12/2022. The violation was resolved and the case was closed on 01/12/2022 with DEP Closure letter dated 01/12/2022.

Project Name: Eastview Subdivision (2014-SC-0628)
Town: Windham
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: SP.1: DEP NOV. Greater than two acres of disturbance within 100 feet of a watercourse; non-compliance with approved SWPPP.
Discovery Date: 3/5/22
Status: New

Overview & Action:

DEP received an Application for a SWPPP on 09/29/2021 from the engineer. DEP received an e-mail from the engineer on 10/12/2021 responding to DEP's NOICA. DEP called the engineer on 10/15/2021 regarding the NOICA. There was no answer, so DEP left a message. DEP received a letter and revised plans from the engineer on 01/10/2022 to DEP's letter of 12/15/22. 10/8/2021 NOICA DEP issued a NOICA to the owner and engineer on 10/08/2021 requesting additional information. DEP issued an Approval Determination letter on 01/11/2022. 1/10/2022 RL DEP received an e-mail from the engineer on 10/29/2021 regarding the calculations. DEP received an e-mail response from the engineer on 03/22/2022 advising that stormwater inspections would begin in the coming weeks. DEP responded to an e-mail from the engineer on 03/29/2022 providing guidance for reduced inspection frequency. DEP issued an NOV to the owner on 03/28/2022.

Project Name: Parlman Road (2006-SC-1040)
Town: Gilboa
Basin: Schoharie
Type of Use: Stormwater (SP)
Type of Violation: DEP NOV. Non-compliance with DEP approved SWPPP.
Discovery Date: 9/17/21
Status: New

Overview & Action:

DEP received a report for the clearing of trees from the engineer on 10/01/2021. Site Visit type: Construction. Date: 10/13/2021. DEP inspected the site on 10/13/2021. No SWPPP work underway. Area is mostly stable except the north end near the pond. Present for Inspection: None. Property Status: Currently uninhabited, Under Construction. Site Visit type: Followup. Date: 10/21/2021. DEP inspected the site on 10/21/2021. York rake was scarifying parts of the cleared area prepping it for seed and mulch. Present for Inspection: Owner's Representative, Contractor. Property Status: Currently uninhabited, Under Construction. DEP initiated an Enforcement Action on 10/27/2021 for tracking purposes while the draft NOV is under consideration. 10/27/2021 ENFO Site Visit type: Followup. Date: 10/28/2021. On 10/28/2021 DEP inspected the site. No earthwork activity going on. It appears the tree clearing area was partially scarified. Present for Inspection: None. Property Status: Currently uninhabited, Under Construction. DEP issued an NOV to the owner on 11/04/2021. DEP inspected the site on 11/5/2021. No earthwork underway. Building crew was working on interior of building. Present for Inspection: None. Property Status: Currently inhabited, Used seasonally, Under Construction. DEP observed that construction commenced on or before 11/05/2021. DEP received an e-mail from the engineer on 11/12/2021 with a copy of the SWPPP site inspection report for 11/12/2021. DEP performed a site visit on 11/18/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP sent an e-mail to the engineer on 11/19/2021 regarding the prior days' site visit. DEP received an e-mail from the engineer on 11/24/2021 with a copy of the SWPPP inspection report for 11/24/2021. DEP received an e-mail from the engineer on 11/26/2021 with a copy of the SWPPP inspection report for 11/26/2021. DEP received an e-mail from the engineer on 11/30/2021 with a copy of the site inspection report. DEP sent an e-mail to the applicant's representative and construction manager on 12/02/2021 with a copy of the Engineer's 11/12/2021 SWPPP inspection indicating deficiencies regarding erosion and sediment controls at the construction site that have not been corrected to date. DEP received an e-mail from the engineer on 12/02/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 12/06/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 12/06/2021 with a copy of the SWPPP amendment. DEP received an e-mail from the engineer with a copy of the site inspection report on 12/10/2021. DEP received an e-mail from the engineer with a copy of the site inspection report on 12/14/2021. DEP performed a site visit on 12/16/2021. There were deficiencies. There was no discharge. The site was occupied. DEP received an e-mail from the engineer on 12/16/2021 with a copy of the site inspection report. DEP issued a comment letter to the engineer on 12/17/2021 regarding the amended SWPPP. DEP sent an e-mail to the engineer on 12/20/2021 regarding two new fuel oil tanks (2,805 gallons each) located in the parking lot waiting to be installed. Depending on the classification, the tanks may be prohibited within 100-feet of a watercourse. DEP received an e-mail from the engineer on 12/21/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 12/23/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 12/29/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 12/31/2021 with a copy of the site inspection report. DEP received an e-mail from the engineer on 01/04/2022 with a copy of the site inspection report. DEP received an e-mail from the engineer on 01/07/2022 with a copy of the site inspection report. DEP received an e-mail from the engineer on 01/12/2022 with a copy of the site inspection report. DEP received an e-mail from the engineer on 01/13/2022 regarding two new structures/additions being built at the camp. One is a 25'x35' carport and the other is a 10'x22' addition to the "Chalet" trailer. DEP received an e-mail from the engineer on 01/14/2022 with a copy of the site inspection report. DEP sent an e-mail to

the engineer on 01/14/2022 stating the two new impervious areas require post-construction stormwater controls in addition to erosion and sediment controls. DEP also informed the engineer that new impervious surfaces may be prohibited within 100-feet of a watercourse. DEP performed a site visit on 01/18/2022. There were deficiencies. There was no discharge. The site was occupied. 1/18/2022 SV DEP sent an e-mail to the engineer on 01/18/2022 a watercourse within close proximity to the new carport based on GIS mapping. 1/18/2022 EMAIL DEP received an e-mail from the engineer on 01/18/2022 stating the setback from the watercourse to the new carport structure was greater than 100-feet. The engineer included a site plan showing 100-foot offset based on aerial topo and some assumptions. The engineer offered to meet DEP at the site to field verify the separation. DEP sent an e-mail to the engineer on 01/19/2022 regarding the setback from the watercourse to the new carport. The mapping indicated the carport was greater than 100-feet from the watercourse, however based on DEP site investigation the watercourse appears to be within 100-feet of the carport. Further evaluation of the watercourse is required due to snow cover and multiple channels. DEP received an e-mail from the engineer on 01/21/2022 with a copy of the site inspection report. DEP received an e-mail from the engineer with a copy of the site inspection report on 01/26/2022. DEP received an e-mail from the engineer with a copy of the amendment to the Dining Hall SWPPP on 01/27/2022. 1/27/2022 EMAIL DEP received an e-mail from the engineer with a copy of the SWPPP inspection report on 01/28/2022. DEP received an amendment to the SWPPP from the engineer on 01/31/2022 regarding additional structures proposed at the site. DEP received an e-mail from the engineer with a copy of the SWPPP inspection on 01/31/2022. DEP performed a site visit on 02/03/2022. There were deficiencies. There was a discharge. The site was occupied. DEP visited the site on 02/03/2022. Two or three structures on the northeast side of South Gilboa Road across from Parlman Road burned to the ground. Fire companies were on site. DEP performed a watercourse determination on 02/03/2022 however, due to snow cover a determination could not be made. DEP will follow-up when the snow has melted. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection on 02/03/2022. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection on 02/08/2022. DEP called the engineer on 02/09/2022 regarding the amendment to the SWPPP. Earlier the engineer asked if the review would continue on the amendment with the pending watercourse determination. DEP could continue with the review, however an approval cannot be issued until the watercourse has been determined and the impervious surface issue resolved for the carport. The engineer inquired about separating the amendment into two separate amendments one for the carport and the other for the tree clearing so that the review and approval could continue on the tree clearing portion. DEP agreed the amendment could be separated as long as the carport was identified as a separate amendment on the tree clearing documents and it will be resolved pending the watercourse determination. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection report on 02/10/2022. DEP sent an e-mail to the engineer on 02/11/2022 following up on a phone call regarding the proposal to construct new building(s) to replace the structures that burned on February 3, 2022. DEP sent an e-mail to the Rabbi on 02/14/2022 with a letter regarding outstanding issues with the erosion and sediment controls at the site. The letter requested a meeting on site to discuss the issues and bring the project back into compliance. DEP received an e-mail from the engineer on 02/15/2022 with a copy of the SWPPP site inspection on 02/15/2022. It appears the contractor has started clearing additional trees for the new building development. DEP exchanged e-mails with the engineer, contractor, applicant and camp manager on 02/17/2022 regarding site inspection and people responsible for overseeing the construction at the site. DEP performed a site visit on 02/18/2022. There were deficiencies.

There was no discharge. The site was occupied. A meeting was held with the camp manager, contractor and engineer on 02/18/2022 to discuss the new tree clearing operation, outstanding erosion and sediment control issues and future development. DEP informed the group no additional tree clearing can take place until approvals are obtained. The trees that were cut can be removed and the tops chipped for mulch as long as no disturbance occurs, no grubbing. All proposed work will require SEQR review and the applicant and engineer should include all proposed future development in the EAF. The camp manager agreed to implement the erosion and sediment controls to reduce tracking out onto the road, turbid runoff from the construction site and divert run-on from above the dining hall construction area. 2/18/2022 WD DEP performed a watercourse determination on 02/18/2022. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection report on 02/23/2022. DEP received a call from the engineer on 03/01/2022 requesting the SWPPP inspections be reduced from twice weekly to once every 7 days. DEP performed a site visit on 03/02/2022. There were no deficiencies. There was no discharge. The site was occupied. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection report on 03/02/2022. The inspection report indicates the project manager is implementing the erosion and sediment controls that were discussed during the meeting on 02/18/2022. DEP sent an e-mail to the engineer on 03/03/2022 regarding reduced site inspections and watercourse determination near the carport. 3/16/2022 C DEP received an amended swppp from the engineer 03/16/2022. DEP received an e-mail from the engineer on 03/16/2022 with a copy of the SWPPP inspection report. DEP received an e-mail from the engineer on 03/23/2022 with a copy of today's SWPPP inspection report. DEP exchanged e-mails with DEC on 03/25/2022 requesting guidance on how they would like to proceed with permitting new developments and revising current NOI's due to ongoing construction at the site. DEP received an e-mail from the engineer with a copy of the SWPPP site inspection report on 03/30/2022. DEP performed a site visit on 03/31/2022. There were deficiencies. There was no discharge. The site was occupied.

3.1.2. Delaware District

Project Name: 1102 County Highway 1 (2014-PE-0154)
 Town: Andes
 Basin: Pepacton
 Type of Use: SSTS Repair (RE)
 Type of Violation: Sewage discharging to roadside ditch; originated as a complaint. DEP NOV. Failing SSTS - CWC- surfacing of sewage on the ground; 60%.
 Discovery Date: 4/21/14
 Status: Approved/Ongoing
 Overview and Action:
 DEP Legal issued a Notice of Intent to Revoke Approval letter to the owners on 11/28/16 via certified/return receipt mail; if plans showing the required information are not received by 12/9/16, DEP intends to revoke the 3/16/16 design approval. DEP performed a site visit on 1/11/17; septic failure was not observed and the site was uninhabited. On 2/13/17, NYC Law notified DEP that the 11/28/16 legal letter was re-sent to the owner at two different addresses via return receipt mail. On 2/12/17, one of the receipts was returned from one address, without a signature, but the letter was not returned. DEP Legal issued another Notice of Intent to Revoke Approval letter to the owners on 3/24/17; DEP intends to revoke the 3/16/16 design approval on 5/8/17, unless certain written statements are provided within 15 calendar days of the date the

owners receive the letter. Affidavit of service was completed for Notice of Intent to Revoke Approval on 4/6/17. DEP performed a site visit on 4/7/17. Paperwork on the door indicates that the property may have fallen into a foreclosure status. The date could not be made out during the site visit. DEP issued a Revocation of the Approval letter to the applicant on 6/19/17 effective 5/8/17 the date specified in the Notice of Intent dated 3/24/17. DEP performed site visits on 10/13/17 and 1/29/18; septic failure was not observed. DEP called the owner on 3/16/18 and spoke with the secretary. DEP requested that the owner call back for an update on the property status, plans, and ownership change, if applicable. DEP performed a site visit on 12/3/18. Septic failure was not observed. There was no visible failure. DEP performed a Follow-up site visit on 12/6/19. Septic failure was not observed; the residence is still unoccupied. DEP performed a site visit on 6/25/20; septic failure was not observed. The house is still unoccupied. DEP received a call from the adjoining property Owner on 9/9/20 regarding an active interest of prospective buyer(s) of the property. She is concerned about the possibility of the property becoming occupied without the SSTS being fixed. She was informed that the T/Andes CEO was sent a copy of the DEP NOV from October 2015 that documents the condition of the existing septic system and the Town has authority to address sanitary issues. DEP received a request for a pre-application meeting from the engineer on 6/10/2021. A soil/site evaluation was performed on 6/10/2021. DEP received a new application and plans from the original engineer on 7/9/2021. DEP sent an e-mail to the engineer on 8/4/2021 denying re-approval of the design due the design approval being revoked in 2017. A copy of the revocation documents were attached. DEP issued a NOICA to the owner/engineer on 10/05/2021 requesting additional information for the neighbor's wells. DEP received an e-mail from the Engineer on 10/08/2021 regarding the NOICA items missing and also revised the plan. DEP received a response to the NOICA from the engineer on 10/08/2021. Submission included plan revisions. 10/12/2021 NOCA DEP issued a NOCA on 10/12/2021. DEP issued a comment letter on 10/13/2021 to the engineer. DEP received an email response with revised plans from the engineer on 10/19/2021 to DEP's letter of 10/13/2021. DEP accepted the email revisions and now just needs hard copy plans in order to stamp and approve them for construction. DEP issued a comment letter on 10/20/2021 to the engineer requesting four hard copies of plans to approve. Revisions via email look good. DEP received a letter and revised plans from the engineer on 10/26/2021. DEP sent an email to the engineer on 10/28/2021 pulling back approval (dated 10/27/2021) due to the absorption area being in the same location as the last revoked approval and the water lines and well for the neighboring property are too close. DEP received a letter and revised plans from the engineer on 11/18/2021 to DEP's letter of 10/28/2021. 11/24/2021 A DEP issued an Approval Determination letter on 11/24/2021. Site Visit type: Followup. Date: 01/03/2022. Septic Failure: Not Observed. No failure observed. House is still vacant. Present for Inspection: None. Property Status: Currently uninhabited, Vacant house.

Project Name: Dirt Rd (2021-CN-0356)
 Town: Delhi
 Basin: Cannonsville
 Type of Use: Other (OT)
 Type of Violation: Report of an unpermitted Campground. OT.2 is for Wetland Filling
 Discovery Date: 05/18/21
 Status: Ongoing
 Overview and Action:

DEP received a call from the Delhi CEO on 5/14/2021 regarding unpermitted campgrounds in

the Town. DEP sent an e-mail to the CEO on 5/18/2021 regarding a phone call on 5/14/2021 about unpermitted campgrounds. DEP exchanged e-mails with the CEO on 5/24/2021 regarding unpermitted campgrounds. DEP exchanged internal e-mails regarding information on the campgrounds 5/24/2021. DEP exchanged e-mails with DOH on 5/24/2021 regarding the campgrounds. DEP exchanged e-mails with DOH and the CEO on 5/27/2021 regarding an inspection of the campgrounds. DEP exchanged e-mails on 6/2/2021 with the DOH and CEO regarding a site visit. On 6/4/2021, DEP meet with DOH, Town CEO, and owner of the facility. The entire facility was inspected and potential wastewater violations were observed. DEP will discuss internally and with DOH on how to proceed. DEP sent an internal e-mail on 6/7/2021 regarding the use of privies in the watershed. DEP exchanged e-mails with DOH on 6/7/2021 regarding the status of DOH's follow-up to the 6/4/21 inspection. DEP received an e-mail copy of DOH's letter to the owners on 6/16/2021 regarding the 6/4/2021 site visit. DEP issued an NOV to the owner on 7/2/2021. DEP initiated an Enforcement Action on 7/2/2021. DEP received an e-mail from the owner on 7/8/2021 regarding scheduling a conference call with their engineer to discuss the NOV. A call was held with the owners, DEP and engineer on 7/12/2021 regarding the NOV. Engineer discussed using portable toilets in the interim to address DEP's concerns with the privies. DEP said portable toilets would be an acceptable short term solution. The showers were also discussed. All of the rain barrels at the cabin structures have been disconnected. There are only two showers at the bathhouses still in use. Alternatives were discussed including holding tanks. The owners offered to disconnect the showers until a permeant solution could be designed. SEQRA was also discussed. The owners have been before the town planning board for an initial meeting. The engineer and owners indicated that they will also be contacting DOH. DEP requested the owners notify them if the portable toilets are onsite and showers are disconnected. DEP exchanged e-mails with the owner on 7/19/2021 regarding a site inspection and installation of portable toilets. DEP exchanged e-mails with the owner on 7/21/2021 to schedule a site visit on 7/22/2021. On 7/22/2021, DEP performed a follow-up inspection with the owners. Two portable toilets were onsite and two of the four out houses were closed. DEP discussed progress and options for remaining out houses with the owners. Owners want to bring a portable bathroom/shower trailer onto the property with a holding tank. The portable bathhouse will need to be discussed with DOH. DEP received an e-mail from the owners on 7/23/2021 regarding a status update on the items in DOH's 6/11/2021 letter. On 8/19/2021, DEP performed a follow-up inspection with the owners. Two portable toilets remain onsite and are pumped out every two weeks. Four outhouses were closed and the doors are screwed shut. Closed signs on each outhouse direct patrons to use the portable toilets onsite. Two hand-washing stations are now onsite. Owners want to bring a portable bathroom/shower trailer onto the property with a holding tank. The portable bathhouse still needs to be discussed with DOH. DEP exchanged e-mails with the owner on 8/19/2021 regarding a status update and to schedule a site visit on 8/19/2021. DEP exchanged e-mails with DOH on 8/20/2021 regarding the number of existing and proposed campsites. On 9/22/2021 DEP performed a follow-up inspection with the owner. An additional portable toilet was added for a total of three portable toilets onsite. Four outhouses remain closed with the doors screwed shut. Closed signs are on each outhouse door to direct patrons to use the portable toilets onsite. Two hand-washing stations also remain onsite. The owners want to bring a portable bathroom/shower trailer onto the property with a holding tank. DEP received an e-mail from the owner on 9/22/2021 regarding an additional portable toilet placed onsite and construction schedule to install holding tanks below the existing privies. DEP sent an e-mail to the owner on 9/23/2021 regarding requirements for holding tanks. DEP received an e-mail from the owner on 10/16/2021 regarding the installation

of one concrete holding tank. Followup. Date: 11/15/2021. Septic Failure: Not observed. On 11/15/2021 DEP performed a follow-up inspection with the owner. Three portable toilets and two portable washing stations remain onsite. Three outhouses remain closed with the doors screwed shut. Closed signs are on each outhouse door to direct patrons to use the portable toilets onsite. One concrete holding tank was installed under one outhouse that is currently in-use. Present for Inspection: Owner. Property Status: Currently inhabited, Used on weekends. DEP received an e-mail from the owner on 11/15/2021 with a status update regarding plans to install two additional holding tanks. Site Visit type: Followup. Date: 01/20/2022. Septic Failure: Not observed. On 01/20/2022, DEP performed a follow-up inspection with the owner. Three portable toilets were removed from the campground. Two portable washing stations remain onsite. Three outhouses remain closed with the doors screwed shut. Closed signs are on each outhouse door. One concrete holding tank is installed under one outhouse that is currently in-use. Over the winter the camp is serving 1-2 guests per week, mostly on weekends. Present for Inspection: Owner. Property Status: Currently inhabited, Full-time use, Used on weekends. DEP received an e-mail from the owner on 03/08/2022 stating that the campground remains lightly used during the winter and ground conditions remain frozen.

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

Overview and Action:

DEP performed a site visit on 10/26/17. Septic failure was not observed. The laterals were open for gravel placement. In the area of the previous failure, additional topsoil was added. The failure seems to be abated with the additional topsoil. Effluent was visible with four laterals open for gravel placement. The owner is trying to keep the water usage down to help mitigate the failure. DEP performed a site visit on 1/8/18. Septic failure was not observed. The area of failure was covered in approximately two inches of snow. The owner stated that the work that was started prior to winter has been completed. DEP called the Owner on 9/17/18 and left a message requesting an appointment to review the situation in the field. DEP performed a site visit on 9/17/18. There was a minor discharge; the site was stable; the site was occupied. DEP called the owner on 3/18/19 regarding scheduling a site visit. The owner indicated that there is still several inches of snow over the absorption area. DEP performed a site visit on 3/28/19. Septic failure was not observed. DEP called the owner on 11/14/19 and left a message regarding the new CWC program for 2nd time SSTS replacements and requested that he/she contact CWC directly to determine if they qualify for the program. DEP left a message for the owner on 12/13/19 requesting a return call to set up a site visit. DEP called the owner on 3/16/20 was unable to leave a message on the answering machine. DEP called the Owner on 7/17/20 and scheduled a site visit for 7/21/20. DEP visited the site on 7/21/20. Septic failure was not observed. The CWC 2nd repair program was discussed with the Owner. DEP left a message for the owner on 1/13 and 3/10/2021 requesting permission to conduct a site inspection. DEP issued a comment letter to a family member on 9/22/2021 regarding the NOV. DEP received a call from the owner on

9/28/2021 regarding a request for a site inspection. Owner said DEP is welcome to stop and visit site anytime. Site Visit type: Enforcement. Date: 12/01/2021. Septic Failure: Not Observed. Regarding areas on the SSTS that appear to have had a surface failure at some point in the past, there was nothing surfacing at the time of this inspection. Present for Inspection: None. Property Status: Currently inhabited.

Project Name: 359 Sally's Alley (2021-PE-0574)
Town: Roxbury
Basin: Pepacton
Type of Use: SSTS Repair (RE)
Type of Violation: Failing SSTS - Surfacing Onsite- CWC - Complaint of Raw Sewage entering into the water. NOV issued for sewage surfacing on the ground.
Discovery Date: 08/10/21
Status: Ongoing

Overview and Action:

DEP received a call from the Public Health office 8/9/2021 regarding Raw sewage going into the water. (Anonymous caller) DEP performed a site visit on 8/10/2021. Septic Failure: Observed. Surfacing of sewage on ground. Failure entering road side ditch. DEP called the residence at 359 Sally's Aly to see if resident is aware of failure on front lawn. DEP left message and is waiting call back. DEP initiated an Enforcement Action on 8/11/2021. DEP spoke to homeowner. Homeowner is calling CWC to get enrolled in septic repair program. DEP Inspector heard from homeowner who stated CWC said they are not taking any new applications at this time. DEP sent email to CWC on 8/17/2021 regarding program status, and stated that DEP will probably issue NOV soon regardless. DEP issued an NOV to the owner on 8/30/2021. DEP received a call from the owner on 9/2/2021 regarding the NOV. Owner said they have contacted an engineer who will be reaching out to DEP to coordinate design of repair. Owner also stated they have contacted a septic pumper to have the tank pumped. Expected to be completed today or tomorrow. Will send receipt of pump out when completed. Owner asked if any reimbursement for pump outs DEP advised owner to contact CWC to see what is available. DEP also discussed reducing water and use of the SSTS to eliminate surfacing of sewage. DEP stressed importance of pumping system regularly to keep sewage from leaving the site. DEP received an e-mail with the pump out receipt on 9/3/2021. DEP received a call from the engineer on 9/3/2021 regarding the NOV and designing a repair system. Engineer said they had been retained by the owners and would be sending a pre-application into DEP shortly to schedule field work. Engineer was also going to send documentation to DEP that they had been hired by owners. DEP sent an e-mail to the engineer on 9/3/2021 regarding an application for a TEA. Engineer called DEP to discuss installing new tank in the interim to aid with pump outs. DEP received an e-mail from the engineer on 9/7/2021 regarding soil testing. DEP received a request for a pre-application meeting from the engineer on 9/2/2021. This project is funded under CWC Septic Repair Program. On 9/7/2021 DEP received CWC's notice of failure. A soil/site evaluation was performed on 9/9/2021. DEP performed a site visit on 9/17/2021. Septic Failure: Not Observed. No failure at this time. Homeowner had existing tank pumped. DEP received an Application for a conventional individual SSTS on 9/27/2021. DEP issued a NOICA to the owner/engineer on 10/04/2021 requesting additional information. DEP exchanged e-mail with the engineer on 10/07/2021 regarding comments on the plans. DEP received a response to the NOICA from the engineer on 10/12/2021. Submission included cover letter and revised plans. DEP exchanged an

e-mail with the engineer on 10/15/2021 regarding correcting the dose on the plans. Engineer was ok with DEP noting correct dose on plan. DEP issued a NOCA on 10/15/2021. 10/15/2021 A DEP issued an Approval Determination letter on 10/15/2021. Site Visit type: Followup. Date: 01/05/2022. Septic Failure: Not Observed. Present for Inspection: None. Property Status: Currently inhabited, Full-time use. Site Visit type: Enforcement. Date: 03/29/2022. Septic Failure: Observed. Failure Description: Migrating off property. Present for Inspection: None. Property Status: Currently inhabited, Full-time use.

Project Name: 956 State Route 55A (2022-RO-0140)
Town: Neversink
Basin: Rondout
Type of Use: Stormwater (SP)
Type of Violation: SP.1: DEP NOV. Greater than two acres of disturbance on a slope over 15% without prior DEP SWPPP approval.
Discovery Date: 03/16/22
Status: New

Overview & Action:

Site Visit type: Investigation. Date: 03/18/2022. DEP inspected the site on 03/16/2022 in response to a DEP police referral. Contractor had already demobilized so there was nobody to discuss the project with. Approximately 3 acres were cleared. DEP to issue an NOV. Present for Inspection: None. Property Status: Currently uninhabited, Vacant land. 3/28/2022 NOVO DEP issued an NOV to the owner on 03/28/2022.

Project Name: 33785 State Route 10 (2007-CN-1096)
Town: Hamden
Basin: Cannonsville
Type of Use: Stormwater (SP)
Type of Violation: SP.1: DEP NOV. Greater than two acres of disturbance within 100 feet of a watercourse and on a slope over 15% without prior DEP SWPPP approval.
Discovery Date: 03/10/22
Status: New

Overview & Action:

DEP issued an NOV to the property owner on 03/30/2022.

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

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

Discovery Date: 10/21/14

Status: Ongoing

Overview and Action:

DEP received a copy via email of DEP's Legal letter to the owner on 1/9/19 regarding the judgement awarded. DEP performed a site visit on 2/11, and 3/8/19; no work in progress. Temporary erosion controls have disintegrated and site is no longer secured, site snow covered. DEP received an email from DEP Legal on 3/12/19 regarding a conversation they had with the owner and his unwillingness to comply with the judgment. DEP received an e-mail from DEP Legal on 3/12/19 regarding updated attorney information for the project. DEP performed site visits on 4/9, 5/3, and 6/7/19; there was no work in progress. Temporary erosion controls have disintegrated and site is no longer secured. Although temporary erosion controls have disintegrated the site is now vegetated. Discussions between DEP, DEP Legal and the County via email on 6/13/19 regarding status of the property. DEP received an e-mail from DEP Legal on 6/26/19 regarding an update on the bankruptcy situation. DEP performed a site visit on 7/8, 7/26, 8/8, and 9/3/19. No change, No work in progress. DEP performed site visits on 10/2, 11/13, 12/13/19, 1/9, and 2/12/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Discussions between DEP Legal and the Town Attorney as well as discussions between DEP Legal and the DEC via email 2/10 to 2/19/20. DEP performed a site visit on 3/9/20. No work in progress. Although temporary erosion controls have disintegrated the site appears stable. Site Visits on 4/14, 5/8, 5/26, 6/10/20, no work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. Site is no longer secured. Internal e-mail sent on 6/10/20 regarding 6/9/20 EOH Enforcement meeting. DEP received a copy of DEC's letter to the owner on 6/11/20 regarding cleanup responsibility. Site Visits on 7/13/20. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. The site is no longer secured. DEP received an email from the Law Department on 7/29/20 regarding recent correspondence among DEC Regional Director, Town Supervisor, and County Legislator. Site Visit on 8/10/2020. No change. No work in progress. Although temporary erosion controls have disintegrated site is vegetated and stable. DEP received a copy of the deed and NYS Department of State entity information sheet from Legal via email on 9/3/20 which the property has been recently conveyed to a new entity (the owner sold the property). Site Visit on 9/8/20. No work in progress at the time of this inspection but site has been secured and vegetation has recently been cut down. Erosion controls must be maintained in multiple areas where it is devoid of vegetation. REP emailed field report to DEP Legal on 9/16/20. DEP received an update from the Law Department on 9/16/20 via email. DEP sent photos of site conditions to the Law Department via email on 9/17/20. Site Visit on 9/28/20. Site has been graded with hay and seed applied and a minimal amount of germination has occurred. Silt fence has been installed but is not keyed in. DEP received an update from the Law Department on 10/26/2020 via email. DEP received a Soil Removal Report from the DEC via email on 10/29/2020. DEP performed a site visit on 11/4/2020. Areas on site that have been seeded has germinated and the majority of site is now stable. DEP performed a site visit on 11/24/2020. No work in progress. The site has germinated and is stable. DEP received an update from the Law Department on 12/02/2020 via email. DEP performed site visits on 12/23/2020, 1/7, 1/26, 2/8, 2/25 and 3/8/2021. No work in progress. The site is partially snow covered and undisturbed. Internal email on 3/10/2021 that DEC obtained the access warrant for the project. DEP performed a site visit on 4/6/2021. No work is in progress. The site is undisturbed and stable. DEP received project status from Legal via email on 4/13/2021. DEP performed site visits on 5/3 and on 6/9/2021. The engineer is in the process of

installing 17 monitoring wells on site. Water samples are scheduled to be taken with results available in approximately 45 days. An additional tank has been found to the back of the property which will be investigated/removed. Also scattered plastic drums have been found on the property with the contents being tested but it appears the contents contain largely water. DEP performed site visits on 7/7, and 7/29/2021. No work is in progress and the site is stable. DEP received project status from Legal via email on 7/29/2021. DEP performed site visits on 8/17, 9/8, and 9/27/2021. No work is in progress and the site stable. Internal email on 10/01/2021 regarding 10/1/2021 EMAIL plan for cleanup of the property. DEP received project status from Legal via email on 10/04/2021. Site Visit type: Followup. Date: 10/06/2021. Contractor was removing barrels with gas products from site. A separate Contractor was exploring the anomalies identified previously. No earth work in progress. Site stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 10/12/2021. No work in progress. Area is stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 10/25/2021. No work in progress, Site stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 11/05/2021. No work in progress. Site vegetated and stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 11/23/2021. No work in progress. Site stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 12/02/2021. No work in progress. Site stable. Present for Inspection: None. Property Status: Currently uninhabited. 12/14/2021 Email DEP received project status from Legal via email on 12/14/2021. Site Visit type: Followup. Date: 12/27/2021. No work in progress. Site undisturbed and stable. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 01/18/2022. No work in progress. Site stable and snow covered. Present for Inspection: None. Property Status: Currently uninhabited. DEP received the new work schedule for site cleanup from Legal via email on 01/19/2022. Site Visit type: Followup. Date: 01/26/2022. No work in progress. Site snow covered and stable. Present for Inspection: None. Property Status: Currently uninhabited. 1/26/2022 SV A meeting was held with contractor and DEC on 01/28/2022. Sequence of construction and erosion and sediment controls discussed. Site Visit type: Followup. Date: 01/31/2022. Medium size rip rap has been installed along perimeter of Fowler Ave which will be used in the future for a lay down area. Work is not scheduled to begin until late February or until weather permits. Present for Inspection: Contractor, NYS DEC. Property Status: Currently inhabited. 1/31/2022 SV Site Visit type: Followup. Date: 02/23/2022. Fuel tanks have been removed and contaminated soil is being removed off site. Erosion controls are in place. Site will be closed to prepare for forecasted snow event and work will resume next week with project completion scheduled to occur within the next two weeks. Present for Inspection: Contractor. Property Status: Currently inhabited. 2/23/2022 SV Site Visit type: Followup. Date: 03/01/2022. Contaminated soil is being excavated and trucked off site. Ten truck loads are scheduled to be removed today and 20 truck loads are scheduled for tomorrow. Erosion controls are in place and appear to be working adequately. Present for Inspection: Contractor. Property Status: Currently inhabited. Site Visit type: Followup. Date: 03/07/2022. No work was in progress at the time of this inspection but soil removal is progressing to the foundation of the building. Erosion controls are in place and appear to be working adequately. Present for Inspection: None. Property Status: Currently inhabited. 3/7/2022 SV Site Visit type: Followup. Date: 03/11/2022. No work is in progress at this time. Erosion controls in place and appear to be working adequately. Present for Inspection: None. Property Status: Currently uninhabited. DEP received a call from the contractor 03/11/2022 regarding work to remove the remainder of contaminated soil. The work is scheduled to resume

next week when total metal analysis tests of soil is completed and the disposal company approves results, additionally contamination has migrated under the existing structure and DEC is considering its removal. Site Visit type: Followup. Date: 03/21/2022. Contaminated soil is continuing to be excavated, loaded onto trucks and hauled off site. Erosion controls in place and working adequately. Present for Inspection: None. Property Status: Currently uninhabited. Site Visit type: Followup. Date: 03/28/2022. No work in progress at the time of this inspection. The majority of site has had the contaminated soil removed and is filled in with gravel. Present for Inspection: None. Property Status: Currently uninhabited.

Project Name: 737 Croton Falls Rd (2010-CF-0892)

Town: Carmel

Basin: Croton Falls

Type of Use: Solid Waste (SO)

Type of Violation: Fill section. Failure to comply with Rules and Regulations. Land Use Permit for survey and eventual remediation. DEP NOV.

Discovery Date: 10/14/10

Status: Ongoing

Overview and Action:

DEP received a Site Remediation Work Plan from the engineer on 2/14/17. DEP received a Stormwater Addendum from the engineer on 8/10/17. DEP received a copy of the Revised Site Remediation Work Plan from the geo tech engineer on 8/25/17. Communication between NYC attorneys and the Watershed Inspector General 5/2/19 to 6/11/19. Correspondence received on 9/17/19 from the NYC Law Department. DEP received a copy of the owner's response to the Watershed Inspector General via email on 9/26/19. DEP received the Executed Certification for the On-Site Areas Remedial Work Pan from DEP Legal on 1/24/20 via email. DEP issued comments to the applicant's attorney on 3/4/20 regarding the On-Site Areas Remedial Work Plan. DEP received a letter from the applicant's attorney via email on 4/1/20 in response to comments regarding the Off-Site Areas Remedial Work Plan. DEP received a copy of the DEC comment letter to the applicant's attorney and applicant on 5/12/20 via email. REP sent an internal e-mail on 7/6/20 regarding property status from the engineer. DEP received DEC's approval of remedial work relative to the property on 7/23/20 via email. DEP received a copy of the SWPPP from the applicant's attorney via email on 7/31/20 for the removal of construction and debris material from the Property. DEP received a copy of the discussion between DEP Legal and the Watershed Inspector General on 8/11/20 in response to the 7/31/20 email received from the applicant's attorney. DEP issued a SWPPP Approval to the engineer via email on 8/25/20 for removal of construction and debris material from the property. DEP received the engineer's response to all outstanding Carmel and WIG SWPPP items on 12/15/2020 via email. DEP received a copy of an update via email from DEP Legal on 1/20/2021. REP sent an internal e-mail on 1/22/2021 regarding the application update. Internal email sent that REP attended the pre-construction meeting on 3/2/2021 for cleanup of the Prato property only. DEP received an expected construction start date via email on 4/1/2021. DEP sent an e-mail to the Town on 4/16/2021 regarding site status. Daily Activity Report received via email on 4/23/2021. DEP sent an e-mail to the Town and DEC on 5/14/2021 regarding site status. DEP received a copy DEC's email to the engineer on 5/24/2021 regarding the site. DEP received an e-mail from DEC on 5/24/2021 regarding the site. DEP performed an inspection of the property site on 5/28/2021. DEP received an e-mail from the DEC on 6/3/2021 regarding status of the site. DEP received an

e-mail from the DEC on 6/9/2021 regarding status of the site. REP sent an internal e-mail on 6/11/2021 regarding site status. DEP sent an e-mail on 6/18/2021 regarding recent site inspection update. DEP received a copy of an email the DEC received from the NYC Town Hall on 6/18/2021 regarding the clean soil bank. DEP received a copy of correspondence on 6/18/2021 via email. DEP received a copy of a letter via email on 6/21/2021 from the Attorney General to the applicant's attorney. DEP sent an e-mail on 6/25/2021 regarding recent site inspection update. DEP received an e-mail confirmation from the applicant's attorney on 6/25/2021 that arrangements are underway to move the material from the property to a solid waste management facility. DEP sent an e-mail on 7/2, 7/9, and 7/16/2021 regarding recent site inspection update. Internal email sent on 7/30/2021 regarding copy of e-mails from the DEC to the engineer on 7/21, 7/28, and 7/30/2021 requesting status of waste removal. DEP sent an e-mail on 7/30 and 7/30/2021 regarding recent site inspection update. DEP received a copy of the waste transport permit for the trucking company via email on 8/03/2021. DEP received an e-mail on 8/4/2021 regarding recent site inspection update. DEP received an e-mail on 8/11/2021 regarding recent site inspection update. DEP sent an e-mail on 8/13, and 8/13/2021 regarding recent site inspection update. REP sent an e-mail on 9/9/2021 regarding the recent meeting with DEC, WIG, applicant's attorney and consultant to discuss cleanup of the City property. DEP sent an e-mail on 8/13/2021 regarding recent site inspection update. DEP received an e-mail on 9/15 and 9/24/2021 regarding site update. DEP sent an e-mail on 9/24/2021 regarding recent site inspection update. DEP received an e-mail on 10/01/2021 regarding 10/1/2021 EMAIL site update. DEP sent an e-mail on 10/12/2021 regarding recent site inspection update. DEP sent an e-mail on 10/22/2021 regarding recent site inspection update. 10/22/2021 EMAIL DEP received an e-mail on 10/22/2021 regarding site update. DEP received information via email from the DEC on 10/27/2021 regarding the project. DEP sent the proposed grading plan on 10/27/2021 via email. DEP sent an email to the DEC on 10/27/2021 regarding the grading plan. DEP sent an e-mail to NYSDEC, Carmel Building Dept 10/22/2021 regarding recent site inspection update. DEP received an update on the off-site sampling plan on 11/03/2021 via email. DEP received an e-mail from the DEC on 10/22/2021 regarding site update. DEP sent draft sampling plans via email on 11/08/2021. DEP sent an e-mail on 10/22/2021 regarding recent site inspection update. DEP received a copy of documents sent via email from the engineer to the DEC on 11/18/2021 regarding plans for partial fill restoration. DEP received an email from the DEC on 11/22/2021 regarding the site update. 11/22/2021 EMAIL DEP received an e-mail from Legal on 11/22/2021 regarding site excavation work photos. DEP sent photos of the site via email to NYSDEC & Carmel on 11/22/2021 as requested. DEP issued a joint DEP/DEC comment letter on 11/22/2021 via email on 11/23/2021 in response to the Off-Site Soil Sampling Plan. DEP sent an e-mail on 12/03/2021 regarding recent site inspection update. DEP sent an e-mail on 12/10/2021 regarding recent site inspection update. DEP sent an e-mail on 12/17/2021 regarding recent site inspection update. DEP received a copy of the response to DEC's Request for Clarifications via email on 01/07/2022. DEP sent an e-mail on 01/14/2022 regarding recent site inspection update. DEP sent an e-mail on 01/21/2022 regarding recent site inspection update. DEP sent an e-mail on 01/21/2022 regarding recent site inspection update. DEP sent an e-mail on 02/11/2022 regarding recent site inspection update – no activity in January due to weather conditions. DEP sent an e-mail on 02/18/2022 regarding recent site inspection update. The engineer responded 02/22/2022 to DEP's 02/17/2022 email regarding the status of the site, no activity in February due to weather conditions. DEP received an email from the engineer on 03/03/2022 regarding status of the site – removal of contaminated material continues and clean fill is being placed on the exposed slope; no erosion issues. DEP sent an e-mail on 03/04/2022 regarding recent site inspection update.

DEP sent an e-mail on 03/18/2022 regarding recent site inspection update. DEP sent an e-mail on 03/25/2022 to NYSDEC & Carmel regarding recent site inspection update.

3.1.4. Kensico Basin

Project Name: 1700 Old Orchard Street
(1996-KE-0459)
Town: North Castle
Basin: Kensico
Type of Use: Solid Waste (SO)
Type of Violation: Illicit fill material. Turbid discharge of stormwater runoff onto City-owned Lands and into Kensico Reservoir. DEP NOV.
Discovery Date: 10/26/21
Status: New

Overview and Action:

On 10-26-2021 -Heavy rain event, turbid stormwater was observed flow from DEP property adjacent to the Jennie Clarkson School, 1700 Old Orchard Street. The turbid stormwater discharged into Kensico Reservoir causing a turbid plume. Photos were taken. DEP performed a site inspection at the Jenny Clarkson School property adjacent to DEP property. Erosion issues were found in a large fill material area adjacent to DEP property. Maintenance Supervisor stated fill material was transported to the property in Spring of 2021. The source of the turbid stormwater discharge into Kensico Reservoir on 10-26-21 was the fill material. Photos were taken. Site inspection performed. Silt fence has been installed along the DEP stone wall below the fill material. Erosion issues in the fill material has exposed metal, glass, coal ash, tile, brick, asphalt, plastic, concrete, and wood. Photos taken. 10/29/2021 EMAIL Discussion between DEP and the owner via email on 10/29/2021 regarding project status. 11/1/2021 PC DEP received a call from St. Christopher's on 11/01/2021 regarding the NOV. DEP received a call from the owner who acknowledge receiving the NOV, he confirmed immediate compliance with items 1, 2, & 4 of the NOV. regarding item 3: Silt fence have been installed & sediments removed on Route 22 – DEP to meet on site with St. Christopher's to discuss additional site stabilization. DEP initiated an Enforcement Action on 11/01/2021. 11/1/2021 NOVO DEP issued an NOV to the owner on 11/01/2021 via email. DEP received correspondence from owner on 11/01/2021 via email. DEP sent a copy of the NOV to the town of North Castle on 11/01/2021. 11/3/2021 PC DEP received a call from the owner's rep on 11/03/2021 regarding site visit and NOV. DEP responded 11/03/2021 to the owner's 11/02/2021 email regarding the scheduled meeting. DEP sent notification to the Town and DEC via email on 11/03/2021 of the upcoming site evaluation regarding the NOV. DEP received a response from the DEC via email on 11/04/2021 regarding the NOV. Discussion between REP and WLCP via email on 11/04/2021 regarding the status of the site. DEP received correspondence on 11/04/2021 via email the Town received from the DEC regarding the site. DEP received proof of compliance for beneficial use via email from owner on 11/04/2021 as requested. An on site meeting was held with the project applicant, the Town of North Castle and DEP on 11/04/2021 to evaluate the site and discuss the project /violations. 11/5/2021 C DEP received copies of the violations on 11/05/2021 via email that the Town issued. Internal email on 11/05/2021 regarding the fill material. REP received an email from EH&S on 11/05/2021 regarding the NOV. DEP responded to the DEC on 11/08/2021 regarding the NOV. DEP received a response from the DEC on 11/08/2021 regarding the NOV. DEP sent an email to owner on 11/08/2021 regarding the NOV 11/8/2021 EMAIL DEP received a response from owner on 11/08/2021 regarding the NOV. DEP performed a site visit on 11/12/2021. There were no deficiencies. There was no discharge. The site was occupied. DEP an e-mail to owner and the engineer on 11/19/2021 regarding the status of the NOV. DEP received a response

from owner to the 11/19/2021 email. DEP received an email from owner on 11/19/2021 regarding the NOV. 11/19/2021 EMAIL DEP received an e-mail from owner on 11/19/2021 regarding the NOV. DEP received an e-mail on 11/22/2021 regarding the NOV. DEP received a call from the project engineer on 11/22/2021 regarding the nature and scope of the NOV. The project engineer has not yet visited the site. A site meeting was held with REP, DEP EH&S, the project engineer, owner & landscape contractor on 11/24/2021. The engineer will prep a plan for removing the fill – I’ve extended his deadline to submit the plan by 5 days, from 11/28 to 12/03. The Eng. will schedule several deep test holes to determine the extent of fill to be remove which we’ll review & witness; and he will look further into where the fill came from. DEP received an e-mail on 11/30/2021 with the proposed test pit locations. DEP witnessed soil testing in the fill material. 10 deep soil tests were performed. Soil samples were collected from the deep holes. A stormwater drainage pipe was located on DEP property below the fill material. Owner was advised to remove the pipe. Photos taken. DEP received an update on the campus fill removal plan from the engineer on 12/06/2021 via email. DEP received an update on the campus fill removal plan via email on 12/07/2021. The stormwater drainage pipe found on DEP property has been removed and relocated to neighbor’s property. Photos taken. DEP issued a comment letter to the engineer on 12/09/2021 regarding the NOV. DEP received an update on the campus fill removal plan via email on 12/07/2021. DEP received an update on the campus fill removal plan via email on 12/22/2021. DEP received an update on the campus fill removal plan via email on 01/05/2022. Discussions between DEP and the engineer via email on 01/25/2022 regarding the site remediation status. Discussions via email regarding fill removal status. DEP received an update on the campus fill removal plan via email on 03/10/2022.

3.2. DEP Police Actions

3.2.1. Catskill District

Name:	Chase Road & Peck Road	SJS 94862
Location:	T/Olive	
Type of Use:	Rural	
Type of Violation:	Stream Violation	
Date Discovered:	7/20/21	
Status:	Closed	
Overview and Action:	NYC DEP Police was contacted regarding a possible stream/ stormwater violation and met complainant at a pond at the above location to investigate. Pond is owned by four separate subjects, one being the complainant. Officer was led to southwest side of pond in the vicinity of the dam where recent construction was observed. A trench measuring 80 yds by 3’ deep by 3’ wide had been dug to drain water from two meeting ground water springs into the pond. In the middle of the trench, a culvert pipe was added to extend a dirt road. Location is question previously flagged by DEP as active wetland. No silt fencing or other sediment deterrents were in place. Pond is six acres in size and feeds into the Butternut Stream which is a major tributary of the Lower Basin of the Ashokan Reservoir. No turbidity observed at the time, but would occur during rain event as there is nothing in place to prevent soil erosion from entering waterway. Photos taken for case file.	

Update 8/13/21 Officer met DEP Bureau of Water Supply West of Hudson Project Review Supervisor at pond site to assess construction zone. Supervisor stated area in question is designated as Federal Wetland which falls under the jurisdiction of the Army Corps of Engineers and he would file a proposal/complaint with the Army Corps to monitor location during next rain event for sediment entering the Butternut Creek. Army Corps of Engineers remediating site.

NYC DEP Police and DEP BWS Project Review and US Army Corps of Engineers involved.

Name: Gate W-1 SJS 96429
Location: T/Olive
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/14/21
Status: Closed
Overview and Action: NYC DEP Police, while patrolling the Ashokan Reservoir observed a small dumpsite consisting of a single black household bag of garbage at Gate W-1. Ashokan Communication contacted DEP Maintainers remove the refuse from the site Closed. NYC DEP Police and DEP Watershed Maintainers Involved.

Name: New Paltz Tap (1) SJS 96548
Location: T/New Paltz
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/21/21
Status: Closed
Overview and Action: NYC DEP Police observed a red couch dumped on City property by the pull off area for the New Paltz Tap. No traceable evidence located. DEP Watershed Maintainers contacted for removal of the couch from the location. Closed. NYC DEP Police and Watershed Maintainers Involved.

Name: New Paltz Tap (2) SJS 96574
Location: T/New Paltz
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/23/21
Status: Closed
Overview and Action: NYC DEP Police observed a dumping of a bicycle, small table and weed whacker, on City property by the pull off area for the New Paltz Tap. No traceable evidence located. DEP Watershed Maintainers contacted for removal of the material from the location. Closed. NYC DEP Police and Watershed Maintainers Involved.

Name: Frying Pan Area SJS 96881
Location: T/Marbletown
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 11/11/21
Status: Closed
Overview and Action: NYC DEP Police observed small dump site, consisting of 2 bags of household refuse alongside of the Porta John. No traceable evidence, Operations notified for cleanup. CLOSED. NYC DEP Police and DEP Operations involved.

Name: Dike Road SJS 97478
Location: T/Hurley

Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 12/22/21
Status: Closed
Overview and Action: NYC DEP Police observed a small dump site, consisting of 2 black garbage bags in front of Gate E-16 T/West Hurley. Patrol checked the contents of the bags for traceable evidence with negative findings. DEP Operations contacted for cleanup of site. Closed. NYC DEP Police and Operations involved.

Name: RT 28 SJS 97770
Location: T/Olive
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/15/22
Status: Closed
Overview and Action: NYC DEP Police received complaint of dumping of multiple bags of refuse on and adjacent NYC DEP property. Upon patrol arrival it was determine that the contents of the dumpsite consisted of household refuse and discarded toys. Site was searched for traceable evidence and had negative findings. DEP Land Management was contacted for cleanup of the site. Closed. NYC DEP Police and Land Management Involved.

Name: Pangman Road SJS 97795
Location: T/Gilboa
Type of Use: Rural
Type of Violation: Hazmat
Date Discovered: 1/17/22
Status: Closed
Overview and Action: NYC DEP Police responded to the area of 990V/Pangman Rd. in the Town of Conesville regarding a fuel spill from an overturned garbage truck. Upon patrol's arrival, SCSO deputies, Conesville Fire, and Schoharie County Haz-Mat Spill Response was on scene. This Officer interviewed Conesville Fire Personnel whom stated that approximately ten to fifteen gallons of diesel fuel spilled from the garbage truck when it was being tipped back onto its wheels. Conesville Fire stated that they were able to plug the tank and a unit was en-route to siphon the rest of the tank. DEC Spill # 2109088 assigned No negative impact to the watershed. Closed. NYC DEP Police, Schoharie County Sheriffs, Conesville Fire Department, and Schoharie County Haz-Mat Spill Response Involved.

Name: 5 Pines Parking Lot SJS 98220
Location: T/Olive
Type of Use: Municipal
Type of Violation: Dumping Medical Waste
Date Discovered: 2/17/22
Status: Closed
Overview and Action: NYC DEP Police received a complaint of 4 hypodermic needles in the Parking of the West Basin Promenade. Olive Pd had arrived on scene first but did not have a sharps container readily available. This officer used a makeshift container to place the needles inside of. All four needles did appear

used. Olive PD took possession of the container and turned it over to Olive Rescue for proper disposal. Closed.
NYC DEP Police and Olive Police involved.

Name: Bullhead Road SJS 98468
Location: T/Conesville
Type of Use: Rural
Type of Violation: Hazmat
Date Discovered: 3/8/22
Status: Closed
Overview and Action: NYC DEP Police were dispatched to a possible hazardous material spill at a Personal Injury Auto Accident (PIAA) that had occurred on SR 990V/Bull Hill RD. Patrol responded and found the fluids from the vehicles were contained by the Prattsville FD to the roadway with no effect to the water supply. DEC was contacted prior to patrols arrival and a spill number was generated (2110272). Schoharie County Hazmat Performed cleanup of the material. Closed. NYC DEP Police, Prattsville Fire Department and Schoharie County Hazmat Involved.

3.2.2. Delaware District

Name: State Route 55 SJS 95759
Location: T/Wawarsing
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 9/8/21
Status: Closed
Overview and Action: NYC DEP Police on patrol, noticed several bags of garbage discarded within a three-mile strip on the side of the road. Officer investigated two of the bags located on city property which contained household garbage that did yield traceable evidence. A third bag contained similar garbage and another envelope with the same address. Officer will follow-up within the next few days. Photos taken for case file. On 9/25/21 at 0645hrs officer conducted a follow-up to the dumping. Officer spoke to subject at traceable address who stated that her boyfriend left their house with the trash in the late afternoon but did not know where he took it. Boyfriend was at work; patrol will follow-up on evening shift. On 10/16/2021 at 2235hrs suspect came to the 5th precinct to talk about this case. suspect stated that he had permission from his wife's job to dispose their garbage at the Liberty location. On the day the dumping was found, he stated that he had a lot of garbage in the bed of his truck without a tarp. He stated that it was possible that a few bags of garbage could've fallen out on his way from his house in Wawarsing to Liberty on SR55. With this, this officer issued suspect a summons for 380-a1 (failure to cover loose load) returnable to the Town of Wawarsing Court. Case Closed NYC DEP Police involved.

Name: Benton Hollow Road SJS 96361
Location: T/Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 10/10/21
Status: Closed
Overview and Action: NYC DEP Police observed a dumpsite consisting of a black garbage bag of

household refuse on the side of State Route 55 at the intersection of Benton Hollow Rd T/Neversink. A search of the contents produced 2 pieces of mail to the same address of a subject in Neversink. The mail was collected and entered evidence. Patrol followed up with the subject who stated that he was taking the garbage to the dump and it may have blown off his truck as he does not cover the garbage. Subject was issued a Notice of Violation for violation of VTL 380(a)1 for operating a vehicle with an uncovered load. Subject cleaned the refuse from the location. Closed. NYC DEP Police Involved.

Name: Readburn Road SJS 97173
Location: T/Tompkins
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 12/1/21
Status: Closed
Overview and Action: NYC DEP Police received complaint of a dump site located on Readburn Road in the Town of Tompkins. Site consisted of a discarded refrigerator, toilet, and household trash. Unable to safely investigate the site currently as it is over an embankment. Arrangements will be made to have the site cleaned up by DEP personnel. DEP Operations contacted for cleanup of site. NYC DEP Police and Watershed Maintainers Involved.

Name: Beech Hill Road SJS 97481
Location: T/Andes
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 12/22/21
Status: Closed
Overview and Action: NYC DEP Police observed a dumpsite consisting of four vehicle tires at the pull off on Beech Hill Rd near State Route 30, Town of Andes. Tires appeared to have been there for quite some time since vegetation had been growing through them. No other identifiable evidence was found. Upon further investigation, a bag of trash was found further down the embankment. Due to the slippery conditions, Officer could not get closer. Land Management was notified for cleanup of the site. Revisiting the site a week later it was determined that the site had been cleaned of the debris/dumped tires. Closed. NYC DEP Police and Land Management involved.

Name: Lower Rondout Creek SJS 97630
Location: T/Wawarsing
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/4/22
Status: Closed
Overview and Action: NYC DEP Police, while on patrol observed a recliner chair dumped on NYC DEP property. The property located at the intersection of State Route 55 and NY Route 55A, is the parking area located at DEP Fishing Access site to the lower Rondout Creek. The recliner can best be described as gold in color and in two pieces. No evidence was located determining the suspect or suspects. Patrol notified DEP Operations for removal. Site Cleaned by DEP Operations. Closed. NYC DEP Police and Operations involved.

Name: Houck Mountain Road SJS 98119
 Location: T/Walton
 Type of Use: Rural
 Type of Violation: Dumping
 Date Discovered: 2/10/22
 Status: Closed
 Overview and Action: NYC DEP Police investigated a dumping complaint received at the 2nd Pct. from resident on Houck Mountain Rd, Walton, NY. Resident stated that several items were dumped along Houck Mountain Rd just up the road from his residence. Upon arrival on scene, DEP Police located the items dumped, which consisted of a mattress, TV, dresser with 2 detached mirrors and several bags of household refuse. Further investigation revealed 2 items of traceable evidence located among the refuse with an address in Walton, NY. Interview with the possible suspect revealed that they had paid a subject to dispose of their refuse at the Delaware County Landfill and had no idea why the belongings were dumped on NYC DEP Property.
 Subsequent interview with the third-party hauler, revealed that he was the responsible party. Subject was issued summons for misdemeanor offense in violation of ECL 71-3501, Depositing Noisome or Unwholesome Substances on or near Roadway. Returnable in Walton Town Court. Responsible subject returned to site to clean the refuse/material from the location and provided proof of proper disposal. Closed. NYC DEP Police involved.

Name: Rt 55 SJS 98322
 Location: T/Wawarsing
 Type of Use: Rural
 Type of Violation: Dumping
 Date Discovered: 2/824/22
 Status: Closed
 Overview and Action: NYC DEP Police located a large television set dumped on NYC Property. There was no traceable evidence located. DEP Land Management notified for cleanup of the site. Closed. NYC DEP Police and Land Management Involved.

Name: Hasbrouck Road SJS 98583
 Location: T/Neversink
 Type of Use: Rural
 Type of Violation: Dumping
 Date Discovered: 3/17/22
 Status: Closed
 Overview and Action: NYC DEP Police while on patrol came upon a small dumpsite, consisting of one black plastic bag of garbage at the big pull off on Hasbrouck Road. Officers picked up the bag and looked for any traceable evidence with negative results. Officers disposed of the refuse at the Neversink Transfer station. NYC DEP Police Involved.

Name: Lackawack Road SJS 98661
 Location: T/Wawarsing
 Type of Use: Rural

Type of Violation: Dumping
Date Discovered: 3/23/22
Status: Closed
Overview and Action: NYC DEP Police while on patrol observed a small dumpsite, consisting of household refuse. Inspection of contents of site revealed no traceable evidence. DEP Land Management notified for cleanup of the site. Closed. NYC DEP Police and Land Management involved.

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

Name: Del Shaft 10 SJS 98274
Location: T/Carmel
Type of Use: Municipal
Type of Violation: Hazmat
Date Discovered: 2/21/22
Status: Closed
Overview and Action: NYC DEP Police was advised of a fuel oil spill at Delaware Shaft 10 boiler room. Upon arrival Officers observed the boiler room, and generator doors to Shaft 10 open and spill booms placed outside near the door sills. Inside the boiler room approximately twenty (20) gallons was observed on the non-permeable sealed concrete surface. Fuel oil was also observed to be present in the adjacent generator room. Officers interviewed NYC DEP Supervisors on scene, who stated NYC DEP Hazmat was contacted, and are on their way for the clean-up. NYC DEP Employee TOS explained the spill was due to mechanical failure to the boiler room. No impact to the watershed observed. Closed. NYC DEP Police, Operations, and DEP Hazmat Involved.

Name: Hemlock Road SJS 96314
Location: T/Carmel
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/7/21
Status: Closed
Overview and Action: On October 7th, 2021. Officers observed twin size mattress and car's rotor that were discarded on DEP property, Hemlock Dam Rd Croton Falls Reservoir. Eastview 6th Precinct made notification to DEP Field Operations Crew for cleanup of site. Site remediated by field crew. NYC DEP Police and DEP Field Operations involved. Case closed.

Name: Kelly Road SJS 97281
Location: T/Carmel
Type of Use: Commercial
Type of Violation: Dumping
Date Discovered: 12/8/21
Status: Closed
Overview and Action: DEP Police was dispatched to a commercial property regarding an Encon dumping complaint affecting the stream that lead to the Croton Falls Reservoir. DEP Police made contact with the Assistant Manager of the property and the manager provided DEP Police with the contact of the owner of the property and the address of his main office. These officers told Assistant Manager that the dumping should be cleaned up by tomorrow morning or the

owner of the property will be issued a ticket for the dumping. Owner of the property advised officers that the dumping will be cleaned up by next day. Check of area revealed that the site was cleaned up. NYC DEP Police involved.

Name: Old Post Road SJS 97026
Location: T/Bedford
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 11/22/21
Status: Closed
Overview and Action: DEP Police while patrolling located a dumpsite consisting of 2 large black garbage bags containing household refuse on Upper Hook Rd and Old Post Rd T/ Bedford. Field crew was notified via email for clean-up. NYC DEP Police and DEP Field Operations involved.

Name: Lower Mine Road SJS 98008
Location: T/Southeast
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 2/2/22
Status: Closed
Overview and Action: NYC DEP Police observed a dumping consisted of an old Magic Chef oil fired furnace with housing, a Westinghouse AC Motor attached to the air handler, a water pressure tank and sections of 2'X 2' wood pallets. Investigation revealed no traceable evidence. NYC DEP Operations crew removed the materials from the site for disposal. Closed. NYC DEP Police, and DEP Operations involved.

3.2.4. Kensico Basin

Name: Shaft 17 SJS 96613
Location: T/North Castle
Type of Use: Municipal
Type of Violation: Hazmat
Date Discovered: 10/25/21
Status: Closed
Overview and Action: NYC DEP Police responded to Shaft 17 off of Cooney Hill road for a report of a hazmat/spill leak of hydraulic fluid from the security gate. Upon arrival at the location DEP workers were on location fixing the issue and containing/cleaning the spill. At this time there is no impact to the watershed and the fluid is contained to the soil. NYC DEP Haz-mat arrived on location and the scene was turned over to them. They advised that they would be having an outside contractor responding to the location for additional cleanup and to purge the Hydraulic line. Any further updates will be provided by DEP Haz-mat. NYC DEP Police and DEP Haz-Mat Involved.

Name: Route 22 SJS 97867
Location: T/North Castle
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 1/23/22

Status: Closed
Overview and Action: DEP Police during conducting security check around Kensico Reservoir. The Officer observed a Sanyo air conditioning SAP120 AC condenser unit serial# 02489 43 on DEP property, RT 22 by boat area# 10 access. DEP Police notified DEP Operations for cleanup. NYC DEP Police and DEP Operations involved.

Name: Westlake Drive SJS 98582
Location: T/Mount Pleasant
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 3/17/22
Status: Closed
Overview and Action: NYC DEP Police, while on patrol observed an illegal dump site on DEP property. The dumping consisted of a black mini fridge and food items and other household refuse. Eastview was notified and email was sent to DEP field crew for removal of the materials from the site. Closed. NYC DEP Police and DEP Field Crew involved.