



NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTEWATER TREATMENT
CSO Order on Consent
DEC Case #CO2-20110512-25 CSO Order Modification to CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – Third Quarter 2012



October 2012

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

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

QUARTERLY PROGRESS REPORT

THIRD QUARTER 2012
(July 1 to September 30)

October 30, 2012

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1.0 Executive Summary

The Combined Sewer Overflow Order on Consent (DEC Case # CO2-20000107-8) was entered into by the City of New York (City), the New York City Department of Environmental Protection (DEP) and the New York State Department of Environmental Conservation (DEC) on January 14, 2005. This Order on Consent was modified on April 14, 2008, September 3, 2009, and March 8, 2012 (collectively, the “Order”). Pursuant to Section IV, Paragraph A of the Order, the City shall submit quarterly status reports to DEC (Quarterly Reports). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress made by DEP in complying with the milestones set forth in the Order between **July 1, 2012 and September 30, 2012.**

Critical Events This Quarter

The following critical events occurred this quarter:

1. DEP certified completion of the following milestones. A copy of each Certification letter is provided in Appendix A:
 - a. Newtown Creek Green Infrastructure Demonstration Project Engineering Report and Design Submittal, July 10, 2012 (Milestone VIII.L.1). Hutchinson River Green Infrastructure Demonstration Project Notice to Proceed, July 24, 2012 (Milestone XI.H.2);
 - b. Jamaica Bay 26th Ward Wet Weather Stabilization Low Level Main Sewer Pumps Notice to Proceed, September 14, 2012 (Milestone XII.K.2);
 - c. Jamaica Bay 26th Ward High Level Sewers Drainage Plan Submittal, September 28, 2012 (Milestone XII.I.1).
2. DEC accepted DEP’s certifications of completion for the following milestones:
 - a. Alley Creek CSO Retention Facility Construction Completion, September 25, 2012 (Milestone I.D.4);
 - b. Newtown Creek Green Infrastructure Demonstration Project Engineering Report and Design Submittal, July 23, 2012 (Milestone VIII.L.1).
 - c. Jamaica Tributaries Destratification Facility Construction Completion, July 23, 2012 (Milestone VI.E.4);
 - d. Westchester Creek Pugsley Parallel Interceptor Initiation of Final Design, July 2, 2012 (Milestone IX.F.1);
 - e. Hutchinson River Green Infrastructure Demonstration Project Notice to Proceed, July 25, 2012 (Milestone XI.H.2);
 - f. Jamaica Bay 26th Ward Wet Weather Stabilization Low Level Main Sewer Pumps Notice to Proceed, September 26, 2012 (Milestone XII.K.2).
3. DEC acknowledged DEP’s June 29, 2012 Certification of Construction Completion for the Avenue V Pumping Station and Force Mains (Milestones VII.C.4 and D.4.) on July 2,

2012. DEP provided a Notice of Force Majeure related to the Con Ed lockout for the Inner Harbor Gowanus Pumping Station and Flushing Tunnel on July 20, 2012 (Milestones III.F and III.G). An update to the Notice of Force Majeure and Modification Request for the Bronx River Floatables Control Facility (Milestone X.C) was submitted for the same reason on August 31, 2012. DEC affirmed the Con Ed Force Majeure for both projects on September 21, 2012 and granted an extension to October 18, 2012 for DEP to certify completion of the Bronx River Floatables Control Facility.

4. On July 23, 2012, DEC responded to DEP's Notice of Force Majeure regarding the June 11, 2012 tunnel leak for the Inner Harbor Gowanus Pumping Station and Flushing Tunnel (Milestones III.F and III.G). DEP provided an update on September 6, 2012. DEC affirmed the tunnel leak Force Majeure on September 21, 2012.
5. On September 14, 2012, DEP withdrew its Force Majeure claim related to contractor selection for the Newtown Creek Enhanced Aeration in Lower English Kills (Milestone VIII.H) because the issue had been resolved. However, DEP noted in that letter that a USACE permit required to perform the work had not been received and that this may be a force majeure event.
6. DEC issued a Notice of Permit Modification on August 10, 2012 revising the Paerdegat Basin Permit Conditions. NYC Legal approved the Final Design Documents on July 12, 2012; the Invitation to Bid was advertised on July 25, 2012; the Bid Opening occurred on August 29, 2012; and a Pre-Award Meeting with the Low Bidder was held on October 18, 2012.
7. DEP issued a Notice of Force Majeure and Modification Request for the PCM Milestones associated with the Newtown Creek, Hutchinson River, and Jamaica Bay Green Infrastructure Demonstration Projects on August 22, 2012 (Milestones VIII.L.4, XI.H.4, and XII.J.4, respectively). DEC accepted the request and revised these Milestones on September 6, 2012.
8. On September 26, 2012, DEC accepted DEP's funding redistribution proposal for the Environmental Benefits Program established by Paragraph III.C of the Order.
9. DEC approved the annual report template for the Green Infrastructure Reporting Requirements on July 2, 2012.

Major Actions This Quarter

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report. As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on **September 24, 2012** at the **Bowery Bay WWTP** to discuss issues related to the Order and to review milestones met during the last quarter.

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

Major Actions Next Quarter

The following major actions are expected to occur from **October 2012** through **December 2012**:
Hold the next Quarterly Progress Meeting between DEC and DEP on **December 11, 2012**.

Table 1 – Milestones This Quarter (Jul 2012 – Sep 2012)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Newtown Creek	Green Infrastructure Demonstration Project in Newtown Creek Watershed	Jul 2012	Submit Engineering Report and Design	Certified Jul 10 2012 Accepted Jul 23 2012
Bronx River	Floatables Control	Aug 2012	Construction Completion	Force Majeure
Hutchinson River	Green Infrastructure Demonstration Project in the Hutchinson River Watershed	Aug 2012	Notice to Proceed to Construction	Certified Jul 24 2012
Jamaica Bay	26th Ward High Level Sewer Separation	Sep 2012	Submit Drainage Plan	Certified Sep 28 2012
Jamaica Bay	26th Ward Wet Weather Stabilization Low Level MSPs	Sep 2012	Notice to Proceed to Construction	Certified Sep 14 2012

Table 2 – Milestones this Quarter to be Considered for Potential Modification

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Bronx River	Floatables Control	Aug 2012	Force Majeure	Extension granted to Oct 18 2012

Table 3 – Milestones Next Quarter (Oct 2012 – Dec 2012)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Flushing Bay	Regulator Modifications	Dec 2012	Initiate Final Design (Design Phase II)	On Schedule
Flushing Bay	Environmental Dredging	Dec 2012	Submit Dredging Permit	On Schedule
Jamaica Tributaries	Parallel 48-Inch Siphon / Interceptor	Dec 2012	Final Design Completion	Delayed
Newtown Creek	Enhanced Aeration LEK	Dec 2012	NTP	Possible delay due to USACE permit issue
Newtown Creek	GI Demonstration	Oct 2012	NTP	On Schedule
Bronx River	Floatables Control	Oct 18 2012	Construction Completion	On Schedule
Hutchinson River	Waste Load Allocation	Dec 2012	Submit Field Sampling Report	On Schedule
Jamaica Bay	26 th Ward High Level Sewer Separation	Dec 2012	Phase I Initiate Design	On Schedule
Jamaica Bay	26 th Ward GI Demonstration	Dec 2012	Construction Completion	On Schedule

Table 4 – Force Majeure Notifications and Outstanding Modification Requests

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION(S)	REASON FOR ACTION(S)	MILESTONE DATE	STATUS
Inner Harbor	Flushing Tunnel Modernization	Notice of Force Majeure	Flushing Tunnel Leak at Station 52+28	Construction Completion Sep 2014	DEC affirmed Force Majeure on Jul 21 2012
Inner Harbor	Flushing Tunnel Modernization	Notice of Force Majeure	Con Ed Work Stoppage	Construction Completion Sep 2014	Notice submitted Jul 20 2012; DEC affirmed Force Majeure Jul 21 2012
Newtown Creek	Enhanced Aeration in Lower English Kills	Notice of Force Majeure	Selected contractor withdrew bid	Notice to Proceed to Construction Dec 2012	Resolved; FM claim withdrawn Sep 14 2012
Newtown Creek	GI Demonstration Project	Modification Request	Consolidate report with Hutchinson River and Jamaica Bay and move date to August 2014	PCM Submittal Dec 2013	Modification to August 2014 granted by DEC Sep 6 2012
Bronx River	Floatables Control	Notice of Force Majeure and Modification Request	Con Ed Work Stoppage	Construction Completion June 2012	DEC affirmed Force Majeure and granted extension to Oct 18 2012
Hutchinson River	GI Demonstration Project	Modification Request	Consolidate report with Newtown Creek and Jamaica Bay and move date to August 2014	PCM Submittal Nov 2013	Modification to August 2014 granted by DEC Sep 6 2012
Jamaica Bay	GI Demonstration Project in 26th Ward Sewershed	Modification Request	Consolidate report with Newtown Creek and Hutchinson River Bay and move date to August 2014	PCM Submittal Apr 2014	Modification to August 2014 granted by DEC Sep 6 2012

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

2.0 Construction Contracts

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

Table 5 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
Alley Creek	CSO Retention Facility	Dec 2006	Dec 2009 ⁽²⁾	Certified Complete ⁽²⁾	100%	100%
Inner Harbor	Gowanus Flushing Tunnel Modernization	Feb 2010	Sep 2014	Sep 2014	56%	61%
	Gowanus Pump Station Reconstruction	Feb 2010	Sep 2014	Sep 2014	56%	61%
	Dredging of Gowanus Canal	TBD ⁽³⁾	TBD ⁽³⁾	TBD ⁽³⁾	-	-
Paerdegat Basin	Structures and Equipment	Sep 2005	May 2011	Certified Complete ⁽²⁾	100%	100% ⁽⁴⁾
	Dredging of Paerdegat Basin	Mar 2013	Mar 2015	Mar 2015	-	-
Flushing Bay	Tallman Island Whitestone Interceptor	Dec 2011	Jul 2015	Jan 2015	21%	4%
	Tallman Island Flushing Interceptor	TBD	TBD	-	-	-
	Divert Low-Lying Sewers / Raise Weir BB-R02	Jun 2014	Dec 2016	Dec 2016	-	-
	Regulator Modifications	Dec 2015	Jun 2018	Jun 2018	-	-
	Environmental Dredging of Flushing Bay	TBD ⁽⁵⁾	TBD ⁽⁵⁾	TBD	-	-
Jamaica Tributaries	Destratification Facility	Sep 2010	Mar 2012	Mar 2012	100%	100%
	Parallel 48-Inch Siphon / Interceptor	Dec 2013	Jun 2016	Jun 2016	-	-
	Bending Weirs	Dec 2014	Jun 2016	Jun 2016	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Jun 2012	Jun 2012	100%	100%
	Avenue V Force Main	Jul 2007	Jun 2012	Jun 2012	100%	100%
Newtown Creek	Enhanced Aeration Lower English Kills	Dec 2012	Dec 2013	Dec 2013	-	-
	Enhanced Aeration East Branch & Upper Newtown Cr	Jun 2015	Jun 2018	Jun 2018	-	-
	Enhanced Aeration Dutch Kills and Lower Newtown Creek	Dec 2016	Dec 2019	Dec 2019	-	-
	Bending Weirs / Floatables Control	Dec 2014	Dec 2017	Dec 2017	-	-

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
	GI Demonstration in Newtown Creek Watershed	Oct 2012	May 2013	May 2013	-	-
Westchester Creek	Modifications to CSO-29 and CSO-29A	Dec 2015	Dec 2019	Dec 2019	-	-
	Pugsley Creek Parallel Interceptor start from CSO-24	Jun 2016	Dec 2019	Dec 2019	-	-
Bronx River	Floatables Control	Jun 2009	Oct 18 2012	Oct 18 2012	98%	99%
Hutchinson River	GI Demonstration in Hutchinson River Watershed	Aug 2012	Apr 2013	Apr 2013	13%	2%
Jamaica Bay	Hendrix Creek Dredging	Feb 2010	Feb 2012	Oct 2011	100%	100%
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-
	26 th Ward HLSS Phase 1	Mar 2016	Dec 2018	Dec 2018	-	-
	26 th Ward HLSS Phase 2	Mar 2018	Dec 2020	Dec 2020	-	-
	26 th Ward HLSS Phase 3	Mar 2020	Dec 2022	Dec 2022	-	-
	GI Demonstration in 26 th Ward Watershed	Jun 2012	Dec 2012	Dec 2012	50%	23%
	26 th Ward Low Level MSPs	Sep 2012	Apr 2015	Apr 2015	-	-
	26 th Ward PST#5 and High Level MSPs	Apr 2014	Dec 2017	Feb 2019	-	-
	26 th Ward Stabilization of PSTs #1 to 4	Dec 2017	Jul 2019 ⁽⁴⁾	Dec 2019	-	-
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-

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

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

(2) DEP certified Construction Completion and DEC has performed final inspection. **Formal acceptance was given by DEC on August 24, 2012.**

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

(4) For escrow recovery; enforceable milestone is July 2020.

(5) Dredging NTP 2 years from effective date of permit (DEC and USACE); completion TBD per permits.

3.0 Detailed Description of Work Performed

3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area includes approximately 1,975 acres within the Tallman Island Wastewater Treatment Plant (WWTP) service area that discharges to Alley Creek in northeastern Queens. The Consent Order projects are constructed under contracts ER-AC1 and AC2, which include the following items:

- ◆ A 5 MG CSO storage facility to capture discharges from Outfall TI-008 just south of Northern Boulevard on the west bank of Alley Creek
- ◆ A double-barrel outfall sewer and outfall structure
- ◆ Upgrading the Old Douglaston Pumping Station
- ◆ Rehabilitation of Outfall TI-008 and restoration of a 1.51-acre surrounding area
- ◆ Additional water mains, stormwater sewers, and combined sewers.

DEP Certified Construction Completion of the Alley Creek CSO Facility on June 27, 2011. The facility was certified as being operational as of March 11, 2011 **and the certification of Construction Completion was accepted by DEC on September 25, 2012.**

No Planning, Design, or Construction Work Performed During This Quarter.

Table 6 – Alley Creek CSO Projects

<i>Phase I, Stage 2</i>	
<i>Contract ID</i>	ER – AC2
<i>Plan Elements</i>	Alley Creek CSO Abatement Facilities
<i>Location</i>	Northern Boulevard and Alley Park in Bayside, Queens
<i>Actions</i>	Construction of CSO abatement facilities, including modifications to the Old Douglaston Pumping Station; hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; and rehabilitation of the CSO Outfall TI-008 structure.
<i>Cost</i>	\$35,629,594
<i>Status</i>	Certification accepted on September 25, 2012
<i>Other Issues</i>	

3.2. Inner Harbor CSO

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

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

Gowanus Canal was added to the US EPA Superfund National Priorities List (NPL) on March 2, 2010. According to EPA, placing the Gowanus Canal on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

No Design Work Performed During This Quarter

Construction Work Performed During This Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
 - The Interim Wastewater Pumping System continued operation.
 - Flushing Tunnel: Dewatering of the Flushing Tunnel continued this period to maintain water levels within the tunnel. Contractor completed installation of additional concrete invert.
 - Flushing Tunnel Building: Demolition of the existing slab and excavation of east side of the building for the new flushing tunnel pump intake chamber commenced during this period. The Contractor also installed additional support of excavation steel frames as excavation progresses.
 - Force Main: Removal of the force main and concrete cradle at the Tunnel west of the Exit Chamber was completed. Installation, testing and shotcrete encasement of the new 33-in FRPMP force main piping commenced during this period.
 - Wastewater Pumping Station: The installation of the 30-in ductile iron force main piping and valves within the pump station continues. Exterior and interior masonry walls were constructed during this period. The bridge crane and associated rails and beams were installed during this period. The precast roof planks at the Mezzanine and Roof levels

were installed and concrete masonry walls were constructed above to meet at the parapet wall at the Roof. The Plumbing Contractor also installed piping for water, roof drains and waste lines for the restrooms.

- Service Building: Concrete masonry work continued in the Service Building on exterior and interior walls including the installation of acoustical masonry units for the Generator Room. The single-ply roofing system was installed during this period. The E Contractor received Con Edison delivery of materials required for the construction of the Network Protection system. The Plumbing Contractor installed piping for roof drains, cold water and sump pump discharges from within the Con Edison Transformer Vault. The reinforced concrete splice chambers were constructed during this period. All concrete equipment pads were constructed.

Anticipated Construction Activities for Next Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
 - The Interim Wastewater Pumping System will continue operation.
 - Flushing Tunnel: Dewatering will continue
 - Flushing Tunnel Building: Complete excavation inside the building and construct new concrete intake structure for the Flushing Tunnel Pumping system.
 - Force Main: Complete installation and testing of 33-inch FRPMP force main pipe and encasement. Perform shotcrete and other masonry repairs to sections of the Flushing Tunnel.
 - Wastewater Pumping Station: Continue with the installation of force main piping inside the building. Continue masonry work. Installation of submersible concrete pump bases and slider brackets. Removal of existing Tide Gate No. 1 and installation of new Tide Gate No.1. Install roof drains and construct concrete parapet wall at Roof. Install single-ply roofing system.
 - Service Building: Complete installation and testing of roof. Complete all concrete masonry unit work. Install conduit, piping and ductwork at the first and second floors. Begin brick veneer and stone masonry work. Deliver and install Motor Control Centers, Switchgear and associated Electrical equipment. Deliver and install HVAC rooftop equipment as well as Control Room Air Conditioning Units. Construct roof slab and backfill at the Fuel Oil Tank vault.
 - Continue installation of Con Edison Network Protection equipment

Table 7 – Inner Harbor CSO Projects

	<i>Dredging of Gowanus Canal</i>	<i>Gowanus Canal Pumping Station and Flushing Tunnel</i>
<i>Contract ID</i>	CSO-DRDG/DRG-GC	CSO-GC
<i>Plan Elements</i>	Dredging Gowanus Canal Head End	Rehabilitation of Pumping Station and Flushing Tunnel
<i>Location</i>	Gowanus Canal	Gowanus Pumping Station Property Brooklyn
<i>Actions</i>	Design on hold pending JAP Approval	Wastewater Pumping Station and Flushing Tunnel Pumping System upgrades
<i>Construction Cost</i>	\$13,100,000	\$147,490,441
<i>Status</i>	Contract procured. Design initiated.	In Construction
<i>Other Issues</i>	Design on hold pending JAP Approval.	

3.3. Paerdegat Basin CSO

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

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

Design Work Performed During This Quarter

- Environmental Dredging
 - DEC issued a Notice of Permit Modification on August 10, 2012 revising the Paerdegat Basin Permit Conditions.
 - NYC Legal approved the Final Design Documents on July 12, 2012; the Invitation to Bid was advertised on July 25, 2012; the Bid Opening occurred on August 29, 2012; and a Pre-Award Meeting with the Low Bidder was held on October 18, 2012.

Construction Work Performed During This Quarter

- Phase III - Structures and Equipment
 - All contract work was found to be substantially complete on August 5, 2011 with only change order work, minor punchlist work and warranty repairs remaining.
 - All contractors have continued turnover of final operation and maintenance (O&M) documents, as-built drawings and final copy working drawings.
 - The 5G contractor performed the following work: continued minor repairs in the Five Barrel Outfall structure; continued installation of the vehicle fueling station feeder-root and continued performing warranty work as necessary.
 - The 5E contractor continued performing banding, labeling and tagging and continued troubleshooting of the Electrical Power Monitoring Control System. Contractor also completed change order installation of emergency light fixtures.
 - The 5H contractor continued performing punch list work in the process buildings; and complete balancing in the Existing Pump Station. Contractor also completed installation of the Boiler Master Control Panel as well as commissioning of the same.

- The 5P contractor continued performing punch list throughout the Process Buildings. Contractor also completed installation of the change order emergency eyewash and installation of the hot water tank in the Pump Back Building.
- Environmental Dredging
 - Negotiating Construction Management Contract.

Anticipated Design Activities for Next Quarter

- Environmental Dredging
 - Continue procurement process for environmental dredging construction contract.
 - Continue to respond to DEC Requests for Information on Final Design in order to obtain permit approval.

Anticipated Construction Activities for Next Quarter

- Phase III - Superstructures and Equipment
 - All contractors will continue to turnover O&M Manuals, as-built drawings and final copy working drawings.
 - The 5G contractor will perform warranty work in the Process Buildings as needed; complete remaining work at the 5-Barreland complete installation of vehicle fueling station and receive inspection from the FDNY.
 - The 5E contractor will finalize Electrical Power Monitoring Control System; continue performing punch list and warranty work in the Process Buildings as needed; finalize light pole foundations for tank roof and complete lightpole installation.
 - The 5H contractor will continue performing punch list and warranty work in the Process Buildings as needed; and complete balancing work in the Existing Pump Station.
 - The 5P contractor will complete all punch list documentation and perform warranty work in the Process Buildings as needed.
- Environmental Dredging
 - Advertise and Award construction contract.
 - Submit a Force Majeure for the environmental dredging of Paerdegat Basin Construction NTP related to the National Grid Oil Spill.

Table 8 – Paerdegat Basin CSO Projects

	<i>Phase III</i>	<i>Dredging</i>
<i>Contract ID</i>	CSO - 5	CSO - DRDG
<i>Plan Elements</i>	Structures and Equipment	Environmental Dredging
<i>Location</i>	West Shore of Paerdegat Basin	Head end of Paerdegat Basin
<i>Actions</i>	Minor change order , punchlist and warranty work on aboveground structures and buildings	Dredge bottom sediments to finish depth of three ft below MLLW
<i>Construction Cost</i>	\$ 207,324,114	\$8,884,940 (based on low bidder)
<i>Status</i>	Construction complete	DEC issued Permit on 3/19/10 and approved DEP's modification request with conditions on 6/13/12. National Grid oil spill on 9/28/12
<i>Other Issues</i>	Five Barrel Outfall structure work was halted due to a spill from National Grid. Contractor will complete remaining work when DEC Spill Response issues "all clear" to return to affected areas.	Construction Contract being procured. NTP Construction Milestone is March 2013

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

3.4. Flushing Bay CSO

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

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

Design Work Performed During This Quarter

- Tallman Island Flushing Interceptor
 - DEP Certified Completion of the Report and Milestones Submittal on March 30, 2012.
 - Contractor submitted proposal to DEP for performing diving inspection to determine the condition of the bottom and sides of the sewer. Inspection and cleaning protocol will be submitted to DEC for approval. Revised engineering report will be submitted by November 16, 2012 as required.
- Divert Low-Lying Sewers/Raise Weir BB-R02
 - The basis of design report (BODR) was reviewed and comments were incorporated. The Basis of Design Report was approved on July 18, 2012.
 - Preliminary Design was submitted on July 20, 2012. Design of the sewers and drop structures began.
 - Regulator modification drawings were prepared DEP began reviewing submittal.
 - A preliminary list of specifications was prepared.
 - The need for additional field surveys was identified during this period.
- Regulator Modifications
 - Met with NYCDOT & NYSDOT to discuss project needs.
 - Continued work on the BODR.
- Environmental Dredging
 - Continued field work (odor monitoring, noise, topographic survey, wetland delineation).
 - Completed the 30% Design Drawings, Preliminary Design report and Construction Cost Estimate and submitted to DEP on September 14, 2012.
 - Continued work on environmental review and planned for development preparation of EAS and JAP.

- Provided Subtidal Benthos Report on September 5, 2012.
- Received waiver from DEC for seasonal restrictions for both Winter Flounder and Striped Bass on May 10, 2012.
- Provided Sediment, Water Quality and Pore Water Report to DEP on September 12, 2012.

Construction Work Performed During This Quarter

- Tallman Island Whitestone Interceptor
 - Continued mobilization to Powell's Cove Park and installed CM field trailer.
 - Completed Clearing, Grubbing and tree removal along alignment of new Whitestone Interceptor.
 - Installed and maintained erosion and sediment control measures in Wetland and adjacent areas.

Anticipated Design Activities for Next Quarter

- Tallman Island Flushing Interceptor
 - Developing an inspection protocol for diving inspection and submitting to DEC for review.
- Divert Low-Lying Sewers/Raise Weir BB-R02
 - Obtain approval of the BODR and begin final design phase of the project. Proceed to final design.
 - Conduct Environmental Borings.
 - Continue permitting.
 - Inspect nearby structures.
 - Start 90% design.
- Regulator Modifications
 - Complete & submit Basis of Design Report for approval by operating bureaus.
- Environmental Dredging
 - Submit Habitat Characterization Study for Winter Flounder and Striped Bass to DEC.
 - Conduct 30% Design Review and Scope Freeze Workshop.
 - Complete field work.
 - Continue work on and submit EAS and JAP.
 - Meet with DEC Staff to further discuss wetland impact/mitigation and capping approaches.

Anticipated Construction Activities for Next Quarter

- Tallman Island Whitestone Interceptor
 - Complete mobilization to Powell's Cove Park
 - Complete dewatering system installation
 - Begin Demolition of Pier at 7th Avenue.
 - Begin construction of New Whitestone Interceptor in Powell's Cove Park
 - Begin work for new connection chamber at Tallman Island WPCP

Table 9 – Flushing Bay CSO Projects

	<i>Tallman Island Whitestone Interceptor</i>	<i>Tallman Island Flushing Interceptor</i>	<i>Divert Low- Lying Sewers / Raise Weir BB- R02</i>	<i>Regulator Modifications</i>	<i>Environmental Dredging of Flushing Bay</i>
<i>Contract ID</i>	TI-WW-1	EE-DSGN-4	CS-FB-LLD	CS-FB-BWR	CSO-DRDG
<i>Plan Elements</i>	New section of Whitestone Interceptor; Regulators 10, 10A and 13	Address Flushing Interceptor sag in Ulmer Street	Divert Low Lying sewers in the vicinity of Bowery Bay WWTP. Raise the weir at regulator BB - 02	Bowery Bay High Level Interceptor regulator modifications at 10 regulators	Environmental Dredging
<i>Location</i>	From existing junction chamber at 11 th Ave / 130 th St to the WWTP, College Point, Queens	From MH 45 at Whitestone Expressway to MH 29 at Ulmer Street and 25 th Avenue	Regulator BB- 02. Berrian Blvd and 19 th Ave between 43 rd St. and 45 th St.	Six of ten regulators along 108 th street, Ditmars Blvd and the LaGuardia Airport site	Within proximity of Outfalls BB006 and BB008
<i>Actions</i>					Dredge bottom sediments to finish depth of 4 ft below MLLW
<i>Cost</i>	\$22,071,512	\$139,000	\$5,610,000	\$41,400,000	\$50,300,000 (based on 30% Design)
<i>Status</i>	Construction NTP Issued December 22, 2011	Draft Report submitted to NYSDEC for review	In Design	In Design	Conceptual Design complete; 30% design complete JAP due Dec 2012
<i>Other Issues</i>	-				None

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

3.5. Jamaica Tributaries CSO

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

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

Design Work Performed During This Quarter

- Parallel 48-inch Siphon/Interceptor
 - The Addendum to the Basis of Design Report (BODR) was approved, the project is proceeding with 30% design.
- Bending Weirs
 - The BODR was approved. The project is proceeding with 30% design.

Construction Work Performed During This Quarter

- Destratification Facility
 - DEC accepted the Certification of Construction Completion on July 23, 2012.

Anticipated Design Activities for Next Quarter

- Parallel 48-inch Siphon/Interceptor
 - Continue work on & complete 30% design.
 - Submit 30% design for review.
- Bending Weirs
 - Continue work on & complete 30% design.
 - Submit 30% design for review.

Anticipated Construction Activities for Next Quarter

Table 10 – Jamaica Tributaries CSO Projects

	<i>Destratification Facility</i>	<i>Parallel 48-inch Siphon / Interceptor</i>	<i>Bending Weirs</i>
<i>Contract ID</i>	CSO-JT-SB	CS-JA-BBS	CS-JA-BWR
<i>Plan Elements</i>	Destratification	Parallel 48-inch Sewer	Bending Weirs
<i>Location</i>	Shellbank Basin Queens	Belt Parkway Queens	Regulator J6 on the East Interceptor and regulators J3 and J14 on the West Interceptor
<i>Actions</i>	Construct Permanent Facility	Design and construct system upgrades	Design and construct system upgrades
<i>Construction Cost</i>	\$2,621,918	\$26,241,000	\$7,743,000
<i>Status</i>	Complete	30% Design Underway	30% Design Underway
<i>Other Issues</i>	Certification Accepted July 23, 2012	Design delayed	

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

3.6. Coney Island Creek CSO

The Coney Island Creek CSO Facility Planning area includes the drainage area of CSO Outfall OH-021, approximately 2,900 acres within the Owls Head WWTP service area in Brooklyn. Outfall OH-021 discharges into Coney Island Creek approximately midway between its head end and the mouth. The Consent Order projects are constructed under contracts PS-79G, PS-79H, PS-79P, PS-79E, and PS-79F, which include the following items:

- ◆ Upgrade of Avenue V Pumping Station to increase the wet weather pumping capacity; and
- ◆ Construction of Avenue V Force Mains to provide additional conveyance to the increased pumping station capacity.

Construction Work Performed During This Quarter

- Avenue V Pumping Station Upgrade
 - Interim System: Completed the decommissioning of the temporary bypass system B and removed pumps, meters, piping, gate valves from the Wet Well Extension. Continued the pumping of raw sewage from the Wet Well by using the permanent system.
 - Main Building: Continued activities associated with the remaining Main Building terra cotta work and completed installation of coping stones and existing steel repairs at “water line”. Continued the work associated with Cast iron restoration including window frames, fascia and handrails restoration work in the Main Building. Commenced interior glazed tiles installation inside Main Building. Completed installation of granite stone at old Building entrance.
 - Completed the installation of Valve Room sump pump equipment and piping. Completed the installation of RPZ and associated pipe/valve for sprinkler system inside MER. Commenced the work associated with the installation of Garden Roofing System on top of MER roof.
 - Generator Building: Completed all work associated with the generator building. Miscellaneous punch list items to be completed.
 - Network Protection Structure: Completed all work associated with the NPS. Miscellaneous punch list items to be completed.
 - Site work: Continued construction of perimeter wall, yard pavement installation, curb/sidewalk and road base installation. Completed foundation installation for flag poles, installation of light pole bases, installation of yard hydrant, and installation of catch basins and basin connections for PS property.
 - Continue to maintain all installed equipment
- New Force Mains
 - Continued Punch List, landscape, and maintenance work.

Anticipated Construction Activities for Next Quarter

- Avenue V Pumping Station Upgrade
 - Complete all exterior restoration work, including terra cotta, garden roof, and associated yard and fence work.
 - Continue to install interior terra cotta tile and other miscellaneous architectural details
 - Complete all interior and exterior lighting work
 - Complete all HVAC work
 - Continue Main Building/Generator Building HVAC equipment maintenance
 - Commence installation of plumbing fixtures.
 - Continue operating and maintaining all installed equipment

- New Force Mains
 - Punch list activities.
 - Continue maintenance of installed landscaping.

Table 11 – Coney Island Creek CSO Projects

	<i>Avenue V Pumping Station Upgrade</i>	<i>Avenue V Force Mains</i>
<i>Contract ID</i>	PS-79G, H, P, E	PS-79F
<i>Plan Elements</i>	Upgrade Pumping Station	42-inch and 48-inch force mains
<i>Location</i>	Avenue V and West 11th Street Brooklyn	Shore Parkway to Regulator 9A Brooklyn
<i>Actions</i>	Comprehensive upgrade to automate and increase station capacity to 80 MGD; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey dry and wet weather flow
<i>Construction Cost</i>	\$79,622,409	\$116,818,080
<i>Status</i>	Certified 6/29/12	Certified 6/29/12
<i>Other Issues</i>		

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

3.7. Newtown Creek CSO

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

- ◆ Enhanced Aeration in the Lower English Kills
- ◆ Enhanced Aeration in East Branch and Upper Newtown Creek
- ◆ Enhanced Aeration in Dutch Kills and Lower Newtown Creek
- ◆ Bending Weirs / Floatables Control
- ◆ Green Infrastructure Demonstration project in the Newtown Creek watershed

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

Design Work Performed During This Quarter

- Enhanced Aeration
 - The US Army Corps of Engineer (USACE) is still reviewing our permit application for the Enhanced Aeration in Lower English Kills project. We have requested a meeting with USACE in an effort to understand their concerns so we may address them.
 - The Basis of Design Report (BODR) was approved for the Enhanced Aeration in East Branch and Portions of Newtown Creek Enhanced Aeration project. This project is now proceeding with 30% design.
 - Continued evaluation of the Borden Ave. Pump Station to be used as a potential site to house the aeration equipment for the Enhanced Aeration in Dutch Kills and Portions of Newtown Creek project.
- Bending Weirs and Floatables Control
 - The BODR was reviewed and comments were incorporated. Approval of the Final BODR is pending.
- Green Infrastructure Demonstration Project in Newtown Creek Watershed
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Design Activities for Next Quarter

- Enhanced Aeration

- Meet with USACE & address their concerns for the individual permit required for the Enhanced Aeration in Lower English Kills project. Register the construction contract.
- Continue work on the 30% design for the Enhanced Aeration in East Branch and Portions of Newtown Creek project.
- Complete & submit BODR for approval for the Enhanced Aeration in Dutch Kills and Portions of Newtown Creek project.
- Bending Weirs and Floatables Control
 - Complete surveying, geotechnical and related work.
 - Complete 30% design.
 - Complete 30% design workshop.
- Infrastructure Demonstration Project in Newtown Creek Watershed
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 12 – Newtown Creek CSO Projects

	<i>Enhanced Aeration 1</i>	<i>Enhanced Aeration 2</i>	<i>Enhanced Aeration 3</i>	<i>Bending Weirs / Floatables Control</i>
<i>Contract ID</i>	CSO-NC-2	CSO-NC-3	CSO-NC-4	CS-NC-REG & FLO
<i>Plan Elements</i>	Enhanced Aeration	Enhanced Aeration	Enhanced Aeration	Floatables Controls and Overflow Reduction
<i>Location</i>	Lower English Kills	East Branch and Upper Newtown Creek	Dutch Kills and Lower Newtown Creek	Dutch Kills, Maspeth Creek, English Kills and East Branch
<i>Actions</i>	Construction contract has been bid, but the low bid has been withdrawn. DEP preparing to award contract to other bidder.	The design of the blower building and aeration system continues.	The design of the blower building and aeration system continues	Evaluating Bending weirs, baffles, screen to reduce overflows/floatables
<i>Construction Cost</i>	\$1,738,412	\$17,180,731	\$17,300,412	\$30 Million (Planning Estimate)
<i>Status</i>	Construction Bid	Design	Design	Design
<i>Other Issues</i>	(i) Notice of Force Majeure submitted; winning bidder withdrew. (ii) Delay in obtaining response/approval from Army Corps.			Radiation (possible legacy thorium) conditions at St. Nicks Weir and Regulator B-1 sites.

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

3.8. Westchester Creek CSO

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

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

Design Work Performed During This Quarter

- Modifications to CSO-29 and 29A
 - Continued preparation of BODR
- Pugsley Creek Parallel Interceptor
 - The drainage plan amendment was finalized on June 26, 2012.
 - Topographic survey ordered June 28, 2012.

Anticipated Design Activities for Next Quarter

- Modifications to CSO-29 and 29A
 - Submittal and review of BODR.
 - Proceed with Design Activities.
- Pugsley Creek Parallel Interceptor
 - Commence topographic survey.
 - Continue with design activities.

Table 13 – Westchester Creek CSO Project

	<i>Modifications to CSO-29 and CSO-29A</i>	<i>Pugsley Creek Parallel Interceptor start from CSO-24</i>
<i>Contract ID</i>	CS-ER-WCM	CS-ER-WCP
<i>Plan Elements</i>	Improve flow control structures in sewers to convey more flow to the Hunts Point WWTP	Add capacity to convey more flow to the Hunts Point WWTP
<i>Location</i>	Eastchester Road, Bronx	Classon Point, Bronx
<i>Actions</i>	Continue Design	Continue Design at DDC
<i>Construction Cost</i>	\$56.4 Million (Estimated)	\$65.8 Million (Estimated)
<i>Status</i>	Basis of Design Report being prepared.	Drainage Plan under review
<i>Other Issues</i>		

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

3.9. Bronx River CSO

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

- ◆ Floatables Control at the Bronx Zoo site (CSO-27)
- ◆ Floatables Control at the Bronx Park Avenue site (CSO-27A)
- ◆ Floatables Control at the Soundview Park site (CSO-13)
- ◆ Floatables Control at the West Farm Road site (CSO-28)
- ◆ Green Infrastructure Demonstration project in the Bronx River watershed

The green infrastructure demonstration project originally intended for the Bronx River CSO drainage area has been modified to take place in the Hutchinson River drainage area due to a lack of viable sites in the originally planned area. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Construction Work Performed During This Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
 - Installed access chamber steps railing and painted access chamber steps.
 - Completed installation of mechanical screens control panels and hydraulics.
 - Completed construction of new retaining wall.
 - Completed relocation of utilities (sewer lines).
 - Commence site restoration at Bronx Park Ave.
 - Article 16 granted on September 27, 2012.
- Floatables Control at the Soundview Park site (CSO-13)
 - Article 16 granted on May 8, 2012.
- Floatables Control at the West Farm Road site (CSO-28)
 - Article 16 granted on May 8, 2012.
- Floatables Control at the Bronx Zoo site (CSO-27)
 - Article 16 granted on May 8, 2012.

Anticipated Construction Activities for Next Quarter

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

Table 14 – Bronx River CSO Project

<i>Floatables Control</i>	
<i>Contract ID</i>	ER – BR - 1
<i>Plan Elements</i>	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
<i>Location</i>	West Farms Road, Bronx Park Avenue, Bronx Zoo, Soundview Park
<i>Actions</i>	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
<i>Construction Cost</i>	\$29,025,336
<i>Status</i>	Modification Request and Force Majeure for Con Ed work stoppage
<i>Other Issues</i>	

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

3.10. Hutchinson River CSO

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

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

Planning Work Performed During This Quarter

- Waste Load Allocation Field Sampling
 - The Field Sampling and Analysis Plan (FSAP) was approved by DEC on May 15, 2012.
 - DEP initiated field sampling on May 22, 2012. A Certification letter was submitted to DEC on May 31, 2012. DEC accepted the Certification on June 1, 2012.
 - Seven wet weather surveys were performed. Each survey was three days in duration. The surveys began on May 30, 2012, June 13, 2012, June 26, 2012, July 16, 2012, July 27, 2012, August 28, 2012 and September 19, 2012.
 - Five dry weather surveys were performed on June 20, 2012, July 10, 2012, July 23, 2012, July 31, 2012 and August 21, 2012.
 - Two wet weather marsh outflow sampling events were performed on May 22, 2012 and June 6, 2012
 - Two dry weather marsh outflow sampling event were performed on June 11, 2012 and July 11, 2012.
 - Seven CSO and storm quality sampling events were performed on May 29, 2012, June 12, 2012, June 25, 2012, July 15, 2012, July 26, 2012, August 28, 2012 and September 18, 2012.
 - Three dry weather sampling at manholes were performed on September 12, 2012, September 21, 2012 and September 25, 2012.

Design Work Performed During This Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Planning Activities for Next Quarter

- Waste Load Allocation Field Sampling

- Sampling program completed as of October 12, 2012 per the QA/QC team. Last sampling date was September 25, 2012.

Anticipated Design Activities for Next Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 15 – Hutchinson River CSO Project

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

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

3.11. Jamaica Bay CSO

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

- ◆ Interim dredging of the head-end of Hendrix Creek
- ◆ Improving conveyance to the Rockaway WWTP
- ◆ 26th Ward High Level **Storm** Separation (HLSS)
- ◆ Demonstration
- ◆ 26th Ward Wet Weather Stabilization
- ◆ 26th Ward Green Infrastructure Demonstration Project

Design Work Performed During This Quarter

- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.
- 26th Ward Wet Weather Stabilization
 - DEP is finalizing the design contract with a new consultant. As such there will be a delay to the start of the design process and consequently the design completion date. DEP will soon be providing additional details in a modification request letter.

Construction Work Performed During This Quarter

- Hendrix Street Canal Dredging
 - Continued preparation of the first Post-Dredge Monitoring Report.
 - Complete ambient odor monitoring for the second Post Dredge Monitoring Report.

Anticipated Design Activities for Next Quarter

- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Construction Activities for Next Quarter

- Hendrix Street Canal Dredging
 - Complete and submit first Post Dredge Monitoring Survey Report to the DEC.
 - Complete bathymetric survey and benthic field activities for the second Post Dredge Monitoring Report.

Table 16 – Jamaica Bay CSO Projects

	<i>Hendrix Creek Dredging</i>	<i>Rockaway WWTP Conveyance Improvements</i>	<i>26th Ward HLSS</i>	<i>26th Ward Wet Weather Stabilization</i>
<i>Contract ID</i>	CSO-HC	Project not yet initiated	CS-FB-SEW	26W-15 26W-20
<i>Plan Elements</i>	Removal of CSO sediment mounds from the head end of the Hendrix Street Canal	Improve collection system and WWTP capacity to achieve 2DDWF		Low Level MSPs High Level MSPs PST#5 PST1-4 Stabilization
<i>Location</i>	Hendrix Creek, Brooklyn	Rockaway WWTP, Queens	Fresh Creek, Brooklyn	26 th Ward WWTP, Brooklyn
<i>Actions</i>	None	None	None	-
<i>Construction Cost</i>	\$13.2 million	TBD	\$50 million for Phases 1a and 1b (Estimated)	\$7.6M \$126.4M
<i>Status</i>	Construction Complete	Project not yet initiated	BWSO preparing CPI for Phases 1a and 1b	In Design
<i>Other Issues</i>				

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

3.12. Environmental Benefits Projects

These projects were undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations. The 2008 Modification to the CSO Consent Order requires not less than \$4 million worth of DEP-funded Environmental Benefit Projects (EBPs) designed to abate CSOs and/or address wet weather water quality impacts from CSOs and to benefit the waters in and around New York City. The 2012 Modified Consent Order requires the extension of DEP's existing Green Infrastructure Grant Program and a commitment to use no less than \$3 million of EBP funds over the next three years to expand available grant funding for applicants. DEP will identify awarded projects with signed Funding Agreements to commit EBP funds toward before December 31 for each year of the three-year grant program (i.e., 2012, 2013 and 2014).

Work Performed During This Quarter

- 2012 Green Infrastructure Grant Program
 - Design and review of legal documents including restrictive covenants and funding agreements commenced for awarded projects; 60% design review completed for four projects and ongoing for two projects.
 - One recipient (Lefrak) opted out of grant program due to concerns about restrictive covenant; as a result, the total number of selected projects was reduced from 11 to 10 and; the current total value of grants awarded is \$4.2 million (\$3.2 million capital program and \$1.0 million funded as EBP).
- Bronx River and Gowanus-Flushing EBP Grant Projects
 - Commence soil boring work in both the Bronx and Gowanus.
 - Legal review of contract transferred to Columbia from NYC Audubon was completed, and Columbia signed the contract.
 - Modular green roof trays are being grown.
 - Unisphere and RPA designs have been completed and put it out to bid.
- DEC US Forestry Service Grant
 - Gaia portion of grant completed.
 - Riverkeeper is working on finding another site.

Anticipated Activities for Next Quarter

- **2013 Green Infrastructure Grant Program**
 - Announce opening of application period for the 2013 Green Infrastructure Grant Program cycle, which will make a total of \$6 million (including \$1 million in EBP funding) available for projects in combined sewer areas.
 - Hold a series of workshops to explain eligibility requirements, guide users through the online application and provide support in computing the stormwater calculations.

- DEP to submit an updated EBP Grant Plan that provides more detail on how the total \$3 million will be committed over the three years and reflects any rollover amounts to be committed in the second and third years.
- 2012 Green Infrastructure Grant Program
 - Review and approve 60% Designs to be submitted for four remaining projects.
 - Review and approve Funding Agreements and execute Declarations of Restrictive Covenants, dependent on responsiveness of grant recipients, and forward to NYC's Comptroller's Office for contract registration.
 - Certify to DEC that Funding Agreements have been signed for select grant projects to be funded through EBP.
 - Submit an updated EBP Grant Plan to provide DEC with details on how the total \$3 million will be committed over the three years.
- Bronx River and Gowanus-Flushing EBP Grant Projects
 - Install modular green roof trays in late summer 2012
 - Apply for DOB permit for green roofs
 - Continue to incorporate soil boring information into designs.
- DEC US Forestry Service Grant
 - USFS contracts almost completed, may have extension of time.

Table 17 – 2008 and 2012 Modified CSO Consent Order Environmental Benefits Projects

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Location:	HP-009 service area	Multiple areas	6th St / 2nd Ave, Brooklyn	Bronx River and Newtown Creek CSO Areas
Description:	Stormwater BMP evaluations	Manhattan College New York Hospital Green roof (\$660,440); RPA bioretention basins under the LIE (\$600,000); Unisphere treatment wetlands and rain gardens for Meadow Lake (\$386,551); Columbia University Rego Park Green Streets (\$389,187);	Gowanus Canal Conservancy 6th Street Green Corridor Project	Enhanced tree pit evaluation in HP-009 service area; Green infrastructure installation in Newtown Creek CSO shed; Open source access for Drexel University's LIDRA model; Education and stewardship activities in the HP-009 area.
Cost:	Budget: \$850,000 Cost to date: \$0 This Qtr: \$0 Next Qtr: \$75,000	Budget: \$2,036,178 Cost to date: \$300,000 This Qtr: \$150,000 Next Qtr: \$150,000	Budget: \$583,470 Cost to date: \$75,000 This Qtr: \$75,000 Next Qtr: \$10,000	Budget: \$250,000 Cost to date: \$223,244 This Qtr: \$17,467 Next Qtr: ~\$5,000
Status:	In Design	Manhattan College completed design. Unisphere and RPA completed design. Columbia has signed contract to complete NYC Audubon grant	In design	Gaia portion of grant completed. Riverkeeper is working on finding another site.
Other Issues:	None	None	None	USFS contracts almost completed, may have extension of time.

3.13. Green Infrastructure Program Implementation

This section of the quarterly report provides the status of green infrastructure program implementation required under the 2012 CSO Consent Order. The Order sets forth financial commitments, schedule and capture targets, and other requirements for the program to reduce runoff and CSO through the use of green infrastructure. Additionally, Appendix A of the 2012 CSO Consent Order contains completion milestones for three green infrastructure demonstration projects:

- ◆ Newtown Creek Green Infrastructure Demonstration Project
- ◆ Hutchinson River Green Infrastructure Demonstration Project Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed

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

Design and Construction Work Performed During This Quarter

- Green Infrastructure Program (Citywide)
 - Final standard ROW bioswale designs were signed on July 25, 2012 and updated August 3, 2012; final designs were subsequently forwarded to DEC, EFC and city agencies and posted on DEP's website.
 - DPR advertised a survey and boring contract to on-call engineering firms for the Bronx River Watershed on September 27, 2012.
 - New York City Environmental Development Corporation (EDC) issued a limited request for proposals (RFP) to EDC Retainer Civil Engineers for the design work including borings/survey/permeability tests in the 26th Ward Sewershed on August 28, 2012; proposals were received on September 14, 2012 and are currently being negotiated with contractor.
 - As part of DEP's 2011 Green Infrastructure Grant Program, two out of 12 grants projects awarded in 2011 started construction. Of these, Brooklyn Navy Yards is complete and Queens College is anticipated for completion in October. In addition, Bishop Loughlin (green roof) was registered during the third quarter of 2012;. See also 2012 Grant Program information under Section 3.12 Environmental Benefits Program.
 - Design commenced for on-site work at NYCHA's Edenwald Houses in Hutchinson River Watershed.
- Hutchinson River Green Infrastructure Demonstration Project (Demo Area 1)
 - Construction commenced on the ROW bioswales on September 13, 2012.
 - A Modification Request was submitted to DEC on August 22, 2012 to modify the due date for post-construction monitoring (PCM) reports for the Hutchinson River Watershed, 26th Ward Sewershed and Newtown Creek Watershed and change the report submittal to one consolidated report; the request was granted by DEC on September 6,

2012 and the modified milestone date for the submittal of one PCM report is August 2014.

- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed (Demo Area 2)
 - Construction commenced on August 3, 2012.
 - Comments about other planned GI and surface cover changes were received from DEC on August 20, 2012. Responses to these comments will be submitted to DEC.
 - In a parallel effort, DEP incorporated NYCHA's design comments and finalized 90% designs in September for on-site stormwater management system at Seth Low Houses.
 - DEP staff led a tour of the demonstration project area during construction for DEC staff on September 24, 2012.
 - A Modification Request was submitted to DEC on August 22, 2012 to modify the due date for post-construction monitoring (PCM) reports for the Hutchinson River Watershed, 26th Ward Sewershed and Newtown Creek Watershed and change the report submittal to one consolidated report; the request was granted by DEC on September 6, 2012 and the modified milestone date for the submittal of one PCM report is August 2014.
- Newtown Creek Green Infrastructure Demonstration Project (Demo Area 3)
 - Bid opening for the construction of the ROW bioswales occurred on July 12, 2012. Three bids were received and a low bidder was identified. Pre-award meetings and contract development are underway. An award letter was forwarded to J. Pizzirusso Landscaping Corporation on September 19, 2012, and the contract was subsequently finalized for submittal to Comptroller's Office for registration.
 - Comments about the overall size of the demonstration area and other design parameters were received from DEC on July 24, 2012. Responses to these comments were submitted to DEC on August 30, 2012 and additional comments were received from DEC on September 7, 2012. Responses to these additional comments will be submitted to DEC as part of an Amended Engineering Report.
 - In a parallel effort, DEP incorporated NYCHA's design comments and finalized 90% designs in September for on-site stormwater management system at Hope Gardens Houses.
 - A Modification Request was submitted to DEC on August 22, 2012 to modify the due date for post-construction monitoring (PCM) reports for the Hutchinson River Watershed, 26th Ward Sewershed and Newtown Creek Watershed and change the report submittal to one consolidated report; the request was granted by DEC on September 6, 2012 and the modified milestone date for the submittal of one PCM report is August 2014.

Anticipated Design and Construction Activities for Next Quarter

- Green Infrastructure Program (Citywide)

- Complete remaining borings/survey/permeability tests in Flushing Bay (Phase I) via DPR contract.
- Contractor to commence construction of bioswales and stormwater greenstreets in Flushing Bay (Phase I) under DPR contracts.
- Construction to commence for bioswales and stormwater greenstreets in Bronx River under DPR contracts.
- Design work including borings/survey/permeability tests anticipated to commence in the 26th Ward Sewershed under EDC contract.
- Finalize and register contracts for design services for Gowanus, Newtown Creek and Flushing Bay.
- Proceed with design of on-site work at NYCHA's Edenwald Houses in Hutchinson River Watershed to finalize designs and bid package in first Quarter of 2013.
- Hutchinson River Green Infrastructure Demonstration Project (Demo Area 1)
 - Continue monitoring data collection related to wet weather flows.
 - Continue construction in anticipation of construction completion certification in second Quarter of 2013.
- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed (Demo Area 2)
 - Complete construction and submit certification of construction completion by December 31, 2012.
 - Continue monitoring data collection related to wet weather flows.
 - In parallel effort, finalize 100% designs and contract documents for construction of on-site work at NYCHA Seth Low Houses through EDC on-call contract.
- Newtown Creek Green Infrastructure Demonstration Project (Demo Area 3)
 - Continue monitoring data collection related to wet weather flows.
 - Register contract and forward NTP to construction to J. Pizzirusso Landscaping Corporation; submit certification of NTP to DEC by October 31, 2012.
 - In parallel effort, finalize 100% designs and contract documents for construction of on-site work at NYCHA Hope Garden Houses through EDC on-call contract.

Table 18 – Green Infrastructure Program Implementation Status

	<i>Green Infrastructure Program</i>	<i>Hutchinson River Demo</i>	<i>26th Ward Demo</i>	<i>Newtown Creek Demo</i>
<i>Contract ID</i>	Implemented under numerous contracts	DPR Contract GXHP24-03	GK26W03-1	GKNC15-05
<i>Plan Elements</i>	Capture first inch of precipitation on 1.5% of impervious surfaces citywide	24-acre GI Demonstration Area	23-acre GI Demonstration Area	16-acre GI Demonstration Area
<i>Location</i>	Citywide	E. 225 St, E. 229 St, Schiefflen Ave, and Baychester Street Bronx; Outfall HP-024	Junius St and Powell Street between East New York and Belmont Avenues Brooklyn; Outfall 26W-003	Grove Street area, Brooklyn; Outfall NCB-015
<i>Actions</i>	Design and construct green infrastructure on public property in priority areas; administer GI Grant Program	Construction work started Sep 2012	Construction work started Aug 2012	Award letter forwarded to contractor Sep 2012
<i>Construction Cost</i>	\$187 million citywide	Approximately \$300,000 for ROW bioswales	\$705,000 for ROW bioswales	\$508,000 for ROW bioswales
<i>Status</i>	On-going	In construction	In construction	Contract pending registration and NTP
<i>Other Issues</i>	NA	NA	NA	DEP to submit Amended Engineering Report

Changes from the previous reporting period are shown in **bold**. In addition, DEP is in the process of designing and constructing onsite installations that when combined with ROW installations will achieve the EPB funding requirements of Section III, Paragraph B of the Order.

4.0 Community Relations

During the **Third Quarter of 2012**, DEP completed several community relations-related tasks and provided several LTCP-related updates and education materials to the public. All tasks, efforts and updates are described in this Quarterly Report.

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

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

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

LTCP Meetings

- July 19, 2012: SWIM Coalition Quarterly Meeting on GI Program (30 attendees)
- September 12, 2012: Queens Borough Cabinet Meeting; topics presented on included NYC's CSO program, LTCP process and development schedule for Alley Creek and LTCP public participation plan (15 attendees)
- September 27, 2012: Green Infrastructure Steering Committee Meeting (17 attendees)
- September 29, 2012: Little Neck Bay Festival; DEP staffed a table and provided information on the Alley Creek LTCP schedule, NYC's CSO program and LTCP process (50 attendees at DEP table)

LTCP Education and Outreach Activities

- On September 12, 2012, DEP presented the Alley Creek LTCP development schedule, background on NYC's CSO program and the LTCP public participation plan to the Queens Borough President and Queens Community Board representatives. DEP provided Community Board representatives with the PowerPoint presentation on September 21, 2012, to be forwarded to their constituents.
- On September 29, 2012, DEP staffed a table at the Little Neck Bay Festival at the Alley Pond Environmental Center in Douglaston, Queens. DEP distributed an Alley Creek summary, an Alley Creek LTCP Kickoff notice and other LTCP-related educational materials to attendees.
- DEP's LTCP Program website was updated several times during this quarter. A summary of the Citywide LTCP Kickoff Meeting was added to the website on August 6, 2012. In addition, an Alley Creek LTCP-specific page was added in September and includes a

meetings announcement section, educational handouts section and a link to the Alley Creek WWFP.

- DEP updated its Green Infrastructure Website with bioswale information in August.

Planned Activities Not Conducted During This Quarter

- DEP conducted all planned activities this quarter.

Summary of Comments Received

- A summary of comments received during the Second Quarter of 2012 was developed and reviewed by DEC and approved on August 6, 2012. DEP posted the summary to the LTCP Program website and emailed the summary to all meeting attendees on August 6, 2012. Comments received during the Second Quarter of 2012 were specific to the public participation process, CSO advisories, public access, water quality standards and ecological restoration.
- DEP received the following comment via email and provided the following responses:
August 8, 2012: Would you be able to share the sign in sheet or at least a list of attendees with organizational affiliation?
 - DEP provided the list of organizational affiliations, as requested.

5.0 Key Personnel Changes

The table below provides key personnel as of the **Second Quarter of 2012**.

Table 19 – Key DEP Personnel for Contracts Subject to the CSO Consent Order

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

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

6.0 Other Issues

Action Items generated during the **September 24, 2012** CSO Quarterly Meeting are summarized below.

Table 20 – Action Items from Quarterly Progress Meeting

<i>Planning Area</i>	<i>Responsible Party</i>	<i>Action Item</i>	<i>Status</i>
Alley Creek	DEC	-Conclude final inspection and acceptance of Certification of Construction Completion	DEC approved on Sep 25, 2012
Paerdegat Basin	DEC	-Confirm CSO facility variance to be included in next update to SPDES permit	Completed
Bronx River	DEC/DEP	-Discuss removal of tide gate at West Farms Road site at technical meeting	Ongoing
	DEC	-Complete final inspection of Floatables Controls	Ongoing
Coney Island Creek	DEC	-Complete final inspection of Avenue V FM and PS projects	DEC approved on Oct 23, 2012
Inner Harbor	DEC	-Confirm legal basis for SPDES permit for Gowanus Canal dredging	Ongoing
Flushing Bay	DEP	-Provide 30% design for dredging project for DEC to determine if elimination of sand cap near marina is acceptable	Completed
Hutchinson River	DEP	-Present preliminary water sampling data at technical meeting prior to submittal of report	Deferred to next technical meeting
Jamaica Bay / Tribs	DEP	-Provide timeframe for completion of 90% design for 48-inch parallel sewer	On-going
	DEP	-Contact Paul Kenline regarding meetings for 26th Ward Low Level Main Sewage Pumps	Completed
Green Infrastructure	DEC/DEP	-Discuss addition of on-site work for Newtown Creek and 26th Ward GI demonstration projects	Completed
	DEC	-Provide formal written response to DEP's request to rollover some EBP funds to out years	Received 9/26/12
	DEP	-Discuss approach/strategy for reporting and tracking of private GI projects	Completed
	DEP	-Provide an update on the 2011 GI grants status of construction	Completed

7.0 Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific Long Term Control Plan (LTCP) and Waterbody/Watershed Facility Plan (WWFP) development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved.

- The 2012 CSO Consent Order established dates for the submittal of all Long-Term Control Plans. The dates are specified below.
 - Alley Creek: June 2013
 - Coney Island Creek: June 2014
 - Hutchinson River: September 2014
 - Flushing Creek: December 2014
 - Bronx River: June 2015
 - Gowanus Canal: June 2015
 - Jamaica Tributaries and Bay: June 2016
 - Westchester Creek: June 2017
 - Newtown Creek: June 2017
 - Citywide: December 2017
- The following Waterbody/Watershed Facility Plans (WWFPs) were approved during the Second and Third Quarters of 2012: Newtown Creek: (June 21, 2012); Flushing Bay (May 4, 2012); Flushing Creek (May 4, 2012); and Westchester Creek (May 4, 2012).
- The Jamaica Bay and CSO Tributaries that was resubmitted on January 17, 2012 has not been approved as of the end of the Third Quarter of 2012.
- All remaining WWFPs have been previously approved.

APPENDIX A
CONSENT ORDER CERTIFICATION LETTERS



Carter H. Strickland, Jr.
Commissioner

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

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

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

July 10, 2012

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

Re: Order on Consent (DEC Case no CO2-20110512-25), modification to
(DEC Case No. CO2-20000107-8) (the "CSO Order")
Appendix A, VIII. Newtown Creek CSO, L. Green Infrastructure
Demonstration Project in Newtown Creek Watershed, 1. Submit
Engineering Report and Design
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the CSO Order this letter certifies compliance by the New York City Department of Environmental Protection with the above referenced milestone. Enclosed are the Engineering Report and Design for the Green Infrastructure Demonstration Project in the Newtown Creek Watershed, which are due July 31, 2012.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', is written over a light blue horizontal line.

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

Copy With Attachments

Cheryle Webber, P.E.
New York State Environmental Facilities Corporation
625 Broadway
Albany, New York 12207
(1 Hard Copy)

Mark Klotz
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway 4th Floor
Albany, NY 12233-3500
(2 Hard Copies & CD)

Robert Elburn, P.E.
Regional Water Engineer
Division of Water, Region 2
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, New York 11101
(1 Hard Copy)

Cover Letter Only:

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

Mary von Wergers, Esq.
DEC, Office of General Counsel
625 Broadway, 14th Floor
Albany, NY 12233-1500

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

DEP: A. Licata, M. Farag, M. Walker, J. Stein, J. Mueller, K. Mahoney, L. Lee, H. Donnelly
H&S: P. Young, File



Carter H. Strickland, Jr.
Commissioner

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July 24, 2012

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

Re: CSO Order on Consent DEC Case No. CO2-20110512-25, modification to
CO2-20000107-8 (the "CSO Order")
Appendix A, XI. Hutchinson River CSO, H. Green Infrastructure
Demonstration Project in Hutchinson River Watershed, 2. Notice to
Proceed to Construction
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, the New York City Department of Environmental Protection ("DEP") hereby certifies compliance with milestone XI.H.2. Notice to Proceed to Construction (Order to Work) has been transmitted by the New York City Department of Parks and Recreation to the general contractor for work that includes the Green Infrastructure Demonstration Project ("Demo Project") in the Hutchinson River watershed. The total contract amount of work attributable to the DEP's Demo Project, specifically the construction of right-of-way bioswales, is approximately \$300,000.

A copy of the Order to Work is attached.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', written over a light blue horizontal line.

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

cc:

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

Mark Klotz
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway 4th Floor
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DEP: A. Licata, M. Farag, J. Mueller, K. Mahoney, L. Lee, M. Walker, J. Stein,
H. Donnelly
H&S: P. Young, File



**City of New York
Parks & Recreation**

The Arsenal
Central Park
New York, New York 10021

Adrian Benepe
Commissioner

Capital Projects

Olmsted Center
Flushing Meadows-Corona Park
Flushing, New York 11368

Charlette Hamamgian
Agency Chief of Management Services
(718) 760-6789
Charlette.Hamamgian@parks.nyc.gov

June 14, 2012

By Fax (631) 591-0628
By Regular U.S. Mail

Constar, Inc.
67 John St.
Babylon, NY 11702
PH (631) 608-3878

RE: ORDER TO WORK — FOR FURNISHING ALL LABOR, MATERIALS AND EQUIPMENT, TOGETHER WITH ALL WORK INCIDENTALS THERETO, NECESSARY OR REQUIRED FOR THE CONSTRUCTION OF GREENSTREETS DESIGNED FOR CAPTURING STORMWATER IN THE BOROUGH OF THE BRONX, KNOWN AS CONTRACT # XG-212M, PIN: 8462012X000C03, (DEP Contract # GXHP04-01/GXHP09-01)

Dear Gentleperson:

On May 14, 2012, the Agency awarded Contract XG-212M (the "Contract") to Constar, Inc. (hereinafter, "Contractor").

On June 7, 2012, the New York City Comptroller registered the Contract and assigned it Comptroller's Contract **20121441566**. Please pick up your copy of the registered Contract as soon as possible from the Office of Contracts Administration located in Room 60 of the Olmsted Center, Flushing Meadows Corona Park, Flushing, New York 11368.

This letter shall constitute the Agency's Order to Work ("OTW") for this Contract. Contractor is hereby ordered to start work pursuant to this Contract on August 1, 2012, (hereinafter, the "OTW Date").

The Term of this Contract is 365 calendar days and the Date of Completion is July 31, 2013.

This letter shall constitute all Department of Parks and Recreation ("DPR") permits required for the Contract, as awarded May 14, 2012.

YOU ARE REMINDED OF THE FOLLOWING:

- 1) **Insurance Requirements:** Within six (6) weeks of the OTW Date, the Agency requires the submission of the originals and copies of all insurance policies required in accordance with Schedule A of the Contract. All policies must name the City of New York and The Department of Parks and Recreation as additional insured. Policies must be effective from the OTW Date listed through final acceptance and completion of punch list work. Proof of valid insurance policies must be on file with the Agency by the OTW Date and continue through the life of the Contract.

Order to Work Letter
Contract # XG-212M
June 14, 2012
Page 1 of 3

2) Contractor must submit a Progress Schedule to the Agency within ten (10) days of the OTW Date.

3) Subcontractor Approval

- a. Subcontractors shall perform no work unless and until approval has been granted in writing by the Agency;
- b. Unless the Agency has granted Contractor a pre-award waiver of, or the Contract is otherwise exempt from the M/WBE requirements set forth in Local Law 129 of 2005, Contractor shall, **within thirty (30) days of the issuance of this OTW**, submit a list of entities to which it intends to award subcontracts within the next twelve (12) months ("Subcontractor List" [enclosed]).
 - i. The Subcontractor List must include the following information for each subcontractor that the contractor intends to hire during the applicable twelve (12) month period
 1. The subcontractor name, address, EIN/SSN, contact numbers and e-mail;
 2. The type and estimated dollar value of, and general time frame for the work, that the contractor intends to award to the subcontractor; and
 3. Whether the subcontractor is a certified M/WBE.
 - ii. If the Contract has a multi-year Contract Term, the Subcontractor List shall be updated and resubmitted on the anniversary of the registration date
- c. Submit the Contractor M/WBE Contractor Participation letter for all M/WBE listed on the Subcontractor list (enclosed).
- d. All Subcontractor Lists should be sent to the attention of:

**Ms. Alicia H. Williams
D/M/WBE Program Manager
Olmsted Center, Room # 59
Flushing Meadows Corona Park
Flushing, NY 11368**

4) Contractor shall notify Ms. Netty Compton, Director of Green Infrastructure as indicated below within at least forty-eight (48) hours before actual field operations begin to confirm the start of work

Department of Parks & Recreation
Olmsted Center
Flushing, New York 11368
Telephone: (718) 760-6874

- 5) Prior to the start of construction, Contractor shall photograph the Project Site and forward Project Photographs to the Project Supervisor, identified above
- 6) **Permits:** Contractor shall obtain and post at the Project Site any permits required by the Department of Buildings or other agency.
- 7) **Variations in Unit Quantities:** Contractor is hereby warned not to exceed the Engineer's estimate of quantities without obtaining written approval to do so from the Agency.
- 8) **Labor Law:** Contractor must comply with the applicable Prevailing Wages laws, regulations, and requirements set forth in New York Labor Law § 220 *et seq* and the Contract. Contractor shall be liable for all costs incurred by the City in enforcing prevailing wage requirements, including the cost of an

Order to Work Letter
Contract # XG-212M
June 14, 2012
Page 2 of 3

investigation conducted by or on behalf of the Agency or the Comptroller, where the City discovers a failure to pay prevailing wages by the Contractor or its Subcontractor(s). Violation of such laws may also subject Contractor to various administrative, civil and criminal penalties.

9) This Agency will not process Contractor's first partial payment until compliance with Contract requirements. Before submitting its first payment requisition, Contractor should review the Contract and confirm compliance with all Contract requirements or conditions, including but not limited to the following:

- a. Insurance requirements listed above;
- b. Contractor's delivery and Agency acceptance of Project and Anticipated Shop Drawing Submission Schedules and Contractor's lump sum breakdown;
- c. Subcontractor Approval requirements indicated above;
- d. Contractor's delivery of Pre-construction Project Photographs indicated above;
- e. Contractor's delivery Agency acceptance of any Vehicle required by the Contract and
- f. All required Construction Fence, Project Signage and Tree Protection installation is complete.

Sincerely,



Don Scoma
Procurement Analyst

DS: ds

Cc: B. Nickels, M. Nunn, N. Compton, C. Hamangian, J. Carmona-Graf, O. Davies, S. Neilson, J. Gaweda, J. Natoli, P. Granitto, B. Kim, Data Systems, E.A.O., P. Rivera, and File.



September 28, 2012

Carter H. Strickland, Jr.
Commissioner

Vincent Sapienza, P.E.
Deputy Commissioner
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vsapienza@dep.nyc.gov

James G. Mueller, P.E.
Assistant Commissioner
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Bureau of Wastewater
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Mr. Joseph DiMura, P.E.
Director, Bureau of Compliance
New York State Department of
Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, NY 12233-3506

RE: Order on Consent (DEC Case No. CO2-20110512-25), modification to
DEC Case No. CO2-20000107-8 (the "CSO Order")
Appendix A, XII. Jamaica Bay CSO, I. 26th Ward High Level Sewer
Separation, 1. Submit Drainage Plan
Certification of Milestone Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the CSO Order this letter certifies
compliance by the New York City Department of Environmental Protection
with the above-referenced milestone. Enclosed are the drainage plan maps in
both electronic and paper copy.

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

Sincerely,

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

Copy With Attachments:

Cheryle Webber, P.E.
New York State Environmental Facility Corporation
625 Broadway
Albany, NY 12207
(1 Hard Copy)

Mark Klotz
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway, 4th Floor
Albany, New York 12233-3500
(2 Hard Copies & CD)

Robert Elburn, P.E.
Regional Water Engineer
Division of Water, Region 2
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, New York 11101
(1 Hard Copy)

Cover Letter Only:

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

Mary vonWergers, Esq.
DEC, Office of General Counsel
625 Broadway, 14th Floor
Albany, NY 12233-5500

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

DEP: J. Garin, J. Mueller, K. Mahoney, L. Lee, H. Donnelly
H&S: P. Young, T. Groninger
AECOM: D. Bingham



September 14, 2012

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

Carter H. Strickland, Jr.
Commissioner

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

James G. Mueller, P.E.
Assistant Commissioner
Planning & Capital Projects
Bureau of Wastewater
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96-05 Horace Harding
Expressway
Corona, NY 11368
T: (718) 595-5973
F: (718) 595-6950

Re: CSO Order on Consent (DEC Case No.CO2-20110512-25, modification to Case No. C02-20000107-8)
Appendix A, XII. Jamaica Bay CSO,
K. 26th Ward WPCP Wet Weather Stabilization,
2. Notice to Proceed to Construction for Low Level Main Sewage Pumps
Certification of Milestone Completion

Dear Mr. DiMura,

In accordance with Article III of the above referenced CSO Order on Consent, this letter is sent to certify compliance by the New York City Department of Environmental Protection with above named milestone. Notice to proceed to construction has been transmitted to the general contractor for the 26th Ward WWTP Low Level Main Sewage Pumps. A copy of the Order to Commence Work is attached.

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

Sincerely,

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

Attach.

Copy to:

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

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

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

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

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

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

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



AUG 27 2012

Carter H. Strickland, Jr.
Commissioner

Daniel A. Solimando, P.E.
Portfolio Manager
Bureau of Engineering
Design & Construction
dsolimando@dep.nyc.gov

96-05 Horace Harding
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Corona, NY 11368
T: (718) 595-6116
F: (718) 595-5999

Mr. Vincent Hallisay
Project Manager
Gottlieb Skanska/Slattery Skanska
75-20 Astoria Boulevard
Queens, NY 11370

Re: WP-206 26th Ward Wastewater Treatment Plant
Contract 12G - Miscellaneous Improvements
Structures and Equipment
Registration No. CTC 826 20060009187
**Order to Commence Work – Change Order 26W-12G-128:
Installation of Low Level Main Sewage Pumps**

Dear Mr. Hallisay,

Transmitted herewith is your duly executed **Change Order 26W-12G-128** for furnishing all labor and materials necessary and required for the **Installation of Low Level Main Sewage Pumps**.

The Change Order was registered in the amount of **\$7,590,135.70** by the Comptroller on **August 21, 2012**.

The commence work date is **August 29, 2012**.

Upon receipt of this order please contact Vladimir Radulescu, P.E., Accountable Manager at (718) 595-7507.

Sincerely,

Daniel A. Solimando, P.E

cc: K. Donnelly – BEDC
Radulescu – BEDC
Fenves/Ferone – BEDC
Pazan – ACCO
H. Donnelly – BLA

516-2012
10.55

CITY OF NEW YORK
Unit/Div
CONTRACT CHANGE ORDER - Form 1: Contractor Proposal

PROJECT IDENTIFICATION **Registered Change Order**

Contract Title/Description: 26th Ward 12G Miscellaneous Improvements AUG 21 2012

Contract Registration No.: CTC 826 20060009187	FMS Project ID: 826-26-STAB
Procurement Identification Number (PIN #):	FMS Project ID Description: 26 th Ward WWTP - Contract 12G Miscellaneous Improvements
Agency Contract No.: WP-206	FMS Occurrence ID:

CONTRACTOR / CONSULTANT INFORMATION

Contractor Name: Gottlieb Skanska/Slattery Skanska, INC.
 Contractor Address: 20 North Central Ave., Valley Stream, NY 11580
 Contractor Telephone: (516) 872-5700

Goods/Services Provided by this Contract (e.g., Design, Construction, CM, etc.): Construction	If this is a Construction Contract, Name of the Design Consultant: Hazen and Sawyer, P C
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CHANGE ORDER INFORMATION

Change Order (CO) No.: 12G-128	or Over/Underrun(OR) No.:	Original Contract Award Amount \$59,877,000.00
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Change Order Title: Installation of Low Level Main Sewage Pumps

Change Order Description: Describe the work to be performed in this Contract Change (use additional pages, if necessary) (See attached Description)

	<input checked="" type="checkbox"/> Check if addtl page(s) is attached	
	Contract Proposal	Authorized Cost
	\$9,302,604.00	\$7,590,135.70

1. Contractor shall not proceed with this work until issued a Contract Change or otherwise directed by the Commissioner. All work begun before Contract Change is registered by the Comptroller's Office is done at the Contractor's own risk.
2. All work is subject to audit by the Department's Engineering Audit Officer and to post-audit by the Comptroller's Chief Engineer.
3. All payments for extra work must be requisitioned separately from payments for work required under the original Contract (except at Final Payments).

AUTHORIZED SIGNATURES

CONTRACTOR APPROVAL	AGENCY APPROVAL
Submitted above is my cost proposal for contract change. The Contractor certifies that the cost and pricing data submitted are accurate, complete and current as of this date.	The amount of this contract is approved. Payment will be made in accordance with the agreement and shall not exceed the final authorized cost. Payment may not be made prior to registration of this contract change by the Comptroller's Office.

Contractor Signature: <i>[Signature]</i> Name: Vincent Hallisay Title: Project Manager Date: 11/18/11 Telephone No.: 718 827 7048	Authorized Signature: <i>[Signature]</i> Name: Kathryn Mallon Title: Deputy Commissioner Date: 5-12-12 Telephone No.: (918) 545-6183
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Contractor Agrees with Authorized Cost The Contractor agrees to perform the work described in this contract change in accordance with the final authorized cost set forth above.	Basis of Payment <input checked="" type="checkbox"/> Time and Materials <i>12, 13, 13A, 13B</i> <input checked="" type="checkbox"/> Lump Sum <i>12, 13, 13A, 13B</i> <input type="checkbox"/> Unit Price <input type="checkbox"/> Cost Plus Fixed Fee <input type="checkbox"/> Overrun/Underrun
Contractor Signature: <i>[Signature]</i> Name: Vincent Hallisay Title: Project Manager Date: 5/18/12 Telephone No.: 718 827 7048	

Placeholder for Agency's Legal Counsel Notices

APPENDIX B
NYSDEC COMMENTS ON PREVIOUS QUARTERLY REPORT

**NY\$ DEC Comments
Quarterly Report
2nd Quarter 2012**

Comments on Quarterly Report:

1. Section 3.9 Bronx River: Include floatables control at Bronx Zoo Site (CSO-27) in list after first paragraph.

Questions/Comments for Quarterly Meeting:

1. Provide update on USCOE permit for aeration system for lower English Kills and status of operation of existing aeration system in upper English Kills.
2. Provide update on structural inspections for regulator modification for Flushing Bay, BB HLI.
3. Provide update on 26th Ward wet weather stabilization project and anticipated submittal date for modification request.
4. Discuss submittal of SPDES permit for Gowanus Canal for dredging project.
5. Discuss proposed interim operation for Bronx River floatables control until permanent power is installed.
6. Provide status of Jamaica Bay/Tribs WWFP responsiveness summary.
7. Provide status of availability of remaining documentation for the Avenue V PS and FM final inspection.