

**New York City
Department of Environmental Protection**

Bureau of Water Supply

**Filtration Avoidance 6.1 Enforcement Actions
For the period October 1, 2012 through March 31, 2013**

April 2013

Prepared in accordance with the November 2007 EPA Filtration Avoidance Determination



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1. Introduction

Encompassing eight counties and 71 towns and villages, the New York City watershed is a politically, economically and geographically diverse landscape covering nearly 2000 square miles. Protecting this watershed is the responsibility of the New York City Department of Environmental Protection's Bureau of Water Supply (the Bureau). To ensure that the high quality of the water is sustained and the sources of the water are protected, the Bureau has developed an aggressive enforcement program both in the field and through the legal system. Enforcement activities of the engineers, field staff, police and legal departments responsible for the protection of the watershed are detailed in this bi-annual report.

This report, covering actions from October 1, 2012 through March 31, 2013, first presents an overview of the responsibilities of those sections within the Bureau charged with enforcement activities. The report then addresses specific enforcement actions that occurred during the reporting period. Included are new violations as well as updates on ongoing violations. The report is divided into sections relating to the areas covered. The **West of Hudson** (WOH) area is comprised of the following basins: Ashokan and Schoharie of the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Also included are those portions of the **East of Hudson** (EOH) area comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.¹ Within each of these sections, the enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), subsurface sewage treatment systems (SSTSs), stormwater and erosion control structures, as well as other activities, such as solid waste management facilities. In addition, individual police actions are also included. The final section is devoted to the Kensico Spill Response activities, including specialized Haz Mat training.

2. Enforcement Responsibilities

The Bureau is charged with implementation of *New York City's Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The Watershed Regulations identify activities that are prohibited in the watershed as well as those that require New York City Department of Environmental Protection (DEP) review and approval. Among activities that require such review and approval are the construction of new or the alteration of existing WWTPs and new or altered SSTSs. Stormwater pollution prevention plans (SWPPPs) for projects involving impervious surfaces within certain limiting distances or exceeding certain thresholds are also subject to DEP review and approval.

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

Following the approval of proposed regulated activities, those activities are monitored to assure compliance with the conditions of the approval, the Watershed Regulations and any applicable state or federal laws. The Bureau also conducts inspections throughout the watershed to ensure that any violations of the Watershed Regulations or state or federal law are identified and reported. Citizen complaints are also investigated, and the Bureau works with the DEP's Office of the General Counsel and the New York City Law Department to resolve any violations or enforcement actions. If an enforcement action is commenced, the Bureau will monitor the activity for compliance with the terms of the consent order or other enforcement document. Enforcement actions may include Compliance Conferences, Notices of Violation (NOVs), summonses for violations of the New York State Environmental Conservation Law (ECL), or Clean Water Act citizen suits. The Bureau always endeavors to correct the violation in the fastest and most effective manner.

The following provides an overview of the specific responsibilities of various groups within the Bureau to enforce the appropriate laws and regulations. In addition to the groups mentioned, the Bureau's Division of Water Quality (WQ) supports the enforcement efforts by monitoring water quality throughout the watershed and alerting other divisions of any potential water quality violations. Also, the Bureau coordinates with a number of other agencies on enforcement issues, including the New York State Departments of Health (DOH) and Environmental Conservation (DEC), the United States Environmental Protection Agency (EPA), the office of the Watershed Inspector General, as well as county and local law enforcement and health agencies.

2.1. The Regulatory & Engineering Programs Section

The Regulatory & Engineering Programs Section is divided into two (2) programs: Wastewater Treatment Programs and Stormwater Programs. Both of these programs consist of a Compliance and Inspection Section. The entire Regulatory & Engineering Programs staff is critical to the effective enforcement of the Watershed Regulations and other environmental laws and regulations. The Regulatory & Engineering Programs staff has primary responsibility for the review and approval of regulated activities within the NYC Watershed to assure that these activities are designed and constructed in accordance with the Watershed Regulations. Once facilities are constructed, the Regulatory & Engineering Programs staff inspects the construction sites, and responds to complaints of possible violations. If the staff confirms violations and the violations are not immediately resolved, staff may provide the necessary documentation to support an NOV or other enforcement action. At the conclusion of any enforcement actions, Regulatory & Engineering Programs staff again conducts inspections to assure that the work is corrected in accordance with appropriate regulations and the terms of any NOVs, consent order or other enforcement document.

2.1.1. Wastewater Treatment Programs

This Unit reviews and approves sewer systems, WWTPs and SSTs, which are regulated by the Watershed Regulations. In addition to the review of wastewater treatment systems, they are also responsible for the review of the construction or alteration of all wastewater treatment systems having either surface or subsurface discharges. Engineering reports and facility plans for wastewater treatment systems are reviewed and conservative technical standards are applied to all new and/or reconstructed facilities prior to approval. The Wastewater Treatment Programs

staff are responsible for the investigation of reported commercial septic system failures and some residential SSTs, including dye testing and the review and approval of remediation plans. When it is determined that a system is in failure, a formalized NOV/Notice of Failure (NOF) procedure will be initiated. Also before an NOV is served, DEP's Office of the General Counsel and the New York City Law Department are notified, and they closely monitor steps taken to remediate the failed systems should court prosecution become necessary. Other environmental violations may be documented and forwarded to other sections within the Bureau for corrective action or further investigation and/or legal action.

There are several existing or proposed programs funded by DEP that either pay for the remediation of SSTs in failure or likely to fail, or pay for the review and approval of remediations within certain areas of the watershed. The Catskill Watershed Corporation (CWC) "Septic Rehabilitation and Replacement Program" funds the remediation (design and construction) of individual SSTs that are in failure or likely to fail and are located within eligible priority areas. Per the 2007 FAD, the program was expanded to include small businesses and cluster systems. The CWC solicits property owners within the eligible areas, inspects the site and makes the necessary SST improvements. The review and approval of these repairs is performed by DEP, and progress is tracked by DEP and entered in the Engineering database. This Program is reported in the FAD Report 3.1 "Septic Rehabilitation and Replacement Program."

DEP has a delegation agreement with Putnam County Health Department that includes the review and approval of SST repairs by Putnam County. This supplements the delegation agreement for the review and approval of new SSTs. The delegation agreement for repairs includes the review and approval of failing commercial and individual SSTs. The existing Putnam County Sanitary Code requires that a permit be issued by the County for all repairs or modifications to any SST. Before DEP and Putnam County entered into the delegation agreement for repairs, DEP did not consistently have the opportunity to review and approve repairs and modifications in Putnam County. Under the revised delegation agreement, the County reviews and approves repairs in accordance with the Watershed Regulations. These repairs are tracked by DEP as applications received and approved, and are reported within the FAD Report 6.1.1, Section 3.5, "Individual Septic System Review."

Putnam County initiated a Septic Repair Program in 2005 for the design and construction of failing SSTs within critical areas of Putnam County. Funding for this program is through the EOH Water Quality Investment Program fund which was provided by DEP through the 1999 MOA. This, like the CWC program, is a voluntary program, and has phased priority areas based on distances to watercourses and reservoirs. Putnam County has separate staff to administer the program. All repair plans must be reviewed and approved by the Putnam County Health Department. The Putnam County Septic Repair Program is discussed in FAD Report 4.9.

The existing Westchester County Health Department Delegation Agreement with DEP has been revised to cover the review and approval of failing SSTs in Westchester County. Westchester County has revised its sanitary code to require review and approval of all repairs and modifications, including changes of use for all SSTs. This repair delegation agreement is similar to the Putnam County repair delegation agreement.

As many of the above described programs are voluntary, DEP does not pursue enforcement actions on failing SSTs where the owners are eligible for funding under the above mentioned programs to encourage owners to participate and to self-report failures. DEP expects that pursuing enforcement actions in such cases would reduce the overall number of failing SSTs being detected or repaired and thus reduce the water quality benefits and effectiveness of these programs. DEP continues to issue NOVs and to pursue appropriate enforcement when it identifies failing SSTs that are not covered under these voluntary programs. A semi-annual summary of these NOVs will be reported in FAD Report 6.1.2.

2.1.1.1. Regulatory Compliance and Inspection Unit (located only WOH)

This unit consists of the Field Staff in the field offices of the WOH Watershed. The Field Staff's responsibilities include individual household septic system site evaluations, pre-application conferences, soils tests and construction inspections and enforcing the Watershed Regulations for individual residences. The SSTs Regulatory Compliance and Inspection Staff are responsible for the investigation of reported residential septic system failures, including dye testing and follow up activities. When it is determined that a septic system is in failure, DEP monitors the progress and, if the homeowner does not make the appropriate effort for the repair to occur, an NOF is issued. Also before an NOF is served, DEP's Office of the General Counsel and the New York City Law Department are notified, and they closely monitor steps taken to remediate the failed systems should court prosecution become necessary. Other environmental violations may be documented and forwarded to other sections within the Bureau for corrective action or further investigation and/or legal action.

2.1.1.2. Wastewater Treatment Plant Compliance and Inspection Unit

The Wastewater Treatment Plant Compliance and Inspection staff is responsible for quarterly and semi-annual inspections of all the existing WWTPs within the watershed, providing technical assistance to many of the WWTP operators to improve treatment operations and follow up of on all wastewater spills from sewer collection systems, pump stations and WWTPs. This unit is also responsible for the review and approval of WWTPs undergoing modification in accordance with the Wastewater Upgrade Program (MOA 141). The Upgrade Program activities of this unit are reported within FAD Report 3.4. The enforcement activities at the existing WWTPs in the watershed are reported in FAD Report 6.2.

2.1.2. Stormwater Programs Unit

This unit reviews SWPPPs, impervious surface construction, non-point source discharges and wetland protection, as well as applications pending before state and federal agencies for projects with the potential to affect water quality within the NYC watershed. These include activities such as stream crossings, wetland incursions, mining operations and timber harvests. For projects requiring review and approval under the Watershed Regulations, DEP reviews engineering reports for impervious surfaces and SWPPPs for all new and/or reconstructed sites and applies conservative technical standards. For projects requiring approvals from other governmental agencies, DEP provides comments regarding potential water quality impacts and mitigation strategies.

2.1.2.1 Stormwater Compliance & Inspection Unit

The staff of this unit monitors construction sites to ensure compliance with approved SWPPPs. This unit also initiates enforcement actions when there is site construction or the creation of impervious surfaces without a DEP approved SWPPP. This unit issues NOVs with the assistance of the Stormwater Programs unit, DEP's Office of the General Counsel and the New York City Law Department. The DEP's Office of the General Counsel and the New York City Law Department closely monitor steps taken to remediate the violation should court prosecution become necessary. DEP and DEC hold compliance conferences with the applicants as needed for the remediation of individual sites. On a semi-annual basis, DEP, DEC, EPA, DOH and NYS Attorney General's Office hold coordination meetings on all stormwater violations.

2.1.3. SEQRA Coordination Unit

The SEQRA Coordination Unit was relocated to the Compliance and Administrative Manager in January 2010 to facilitate coordination with other sections within the Bureau and other DEP Bureaus. The SEQRA Coordination Unit ensures that the Bureau's responsibilities as an Involved Agency under SEQRA are fully complied with and documented. Comments concerning applications submitted under SEQRA are submitted to the designated Lead Agencies. If DEP is the designated Lead Agency for projects undertaken, funded, or approved by NYC, the unit ensures that all necessary procedures and protocols are established and followed. Activities of this unit are not included in this report. The SEQRA activity will continue to be reported within FAD Report 6.1.1 as it was in the past.

2.2. DEP Police

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

The DEP Police is organized into three (3) major divisions. The largest, the Environmental Enforcement Division, is responsible for all patrol operations, protective functions and short-term investigations relating to environmental and criminal complaints.

The Detective Bureau and Intelligence Division are responsible for all long-term investigations relating to pollution, crime and terrorism.

The Special Operations Division includes the Special Projects unit responsible for construction project security considerations, and the Aviation Unit, responsible for aerial surveillance of the watershed. In addition, the Special Operations Division is responsible for the Environmental Police Academy, which trains DEP Police recruits in law enforcement techniques. The Environmental Police Academy now includes 305 hours of training in environmental law. The Division also provides ongoing training to seasoned officers to update their knowledge and develop new skills, and updates the policies and procedures within the Police Department. It also ensures accreditation through the NYS Division of Criminal Justice Services.

The redeployment of the former Protection Section staff has increased the responsibility of the DEP Environmental Police to ensure the detection and the adequate and timely response to stormwater, WWTP, septic system and other environmental violations. The Environmental Police are frequently utilized by other divisions within the Bureau to investigate and issue NOVs, summons, and where warranted, violations of the NYS ECL. Close coordination between the Regulatory & Engineering Programs Section and the DEP Environmental Police is necessary to ensure that proper and adequate actions are taken when violations of environmental laws or regulations are discovered.

2.3. DEP's Office of the General Counsel

DEP's Office of the General Counsel (DEP Legal) provides legal support for the enforcement of the Watershed Regulations and, among other laws, the State Environmental Quality Review Act (SEQRA) to ensure complete environmental review of proposed developments. When DEP's regulatory authority or a specific decision is challenged, DEP Legal, together with the New York City Law Department, promotes and defends such authority or decision. Also, prior to the service of an NOV, DEP Legal reviews the NOV to ensure that all pertinent legal issues have been included and documented. Additionally, DEP Legal renders legal opinions, interpretations and advice on enforcement matters to all divisions of the Bureau.

2.4. New York City Law Department

The New York City Law Department, in conjunction with DEP Legal, may enter into formal negotiations with alleged violators, and, when necessary, undertake legal action. NYC can take actions under, among other laws: the State Public Health Law, to enforce the Watershed Regulations; the federal Clean Water Act, to bring SPDES violators into compliance; or SEQRA, to require appropriate environmental review of proposed developments. Actions may also be taken to affirm DEP's role in development planning and review as an Involved Agency under SEQRA. The New York City Law Department also defends, where necessary, regulatory decisions rendered by the Divisions within the Bureau. The New York City Law Department also renders legal opinions, interpretations and advice on enforcement matters to all divisions of the Bureau.

3. Specific Enforcement Actions

3.1. Wastewater Treatment Plants (See 6.2 FAD Report from now on)

3.2. Subsurface Treatment Systems and Stormwater

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

Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	37	0	31	0	31	0
CONESVILLE	13	0	10	0	9	0
GILBOA	19	0	15	0	16	0
HUNTER	108	1	80	0	82	1
HUNTER (V)	17	0	9	0	10	0
HURLEY	50	1	48	0	49	2
JEWETT	49	0	46	0	50	1
LEXINGTON	47	0	45	0	44	0
OLIVE	193	0	165	0	172	3
PRATTSVILLE	27	0	22	0	26	0
ROXBURY	31	0	23	0	26	0
SHANDAKEN	142	0	129	0	134	2
TANNERSVILLE (V)	7	0	1	0	8	2
WINDHAM	79	0	65	0	71	0
WOODSTOCK	57	0	52	0	49	1
Total	876	2	741	0	777	12

Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	81	0	74	0	74	1
ANDES (V)	4	0	2	0	2	0
BOVINA	35	0	32	0	33	0
COLCHESTER	5	1	5	0	4	0
DELHI	70	0	64	0	69	0
DELHI (V)	3	0	2	0	3	1
DENNING	34	0	33	0	31	0
FALLSBURGH	6	0	4	0	4	0
FLEISCHMANN'S (V)	1	0	0	0	0	0
FRANKLIN	6	0	4	0	4	0
HALCOT	7	0	7	0	7	0

HAMDEN	31	0	29	0	31	2
HARDENBURGH	12	0	10	0	12	0
HARPERSFIELD	8	0	6	0	6	0
JEFFERSON	6	0	6	0	6	0
KORTRIGHT	62	0	52	0	59	1
LIBERTY	1	0	1	0	1	0
MASONVILLE	12	0	10	0	10	0
MEREDITH	20	0	18	0	18	0
MIDDLETOWN	114	0	104	0	105	0
NEVERSINK	221	0	188	1	202	1
ROCHESTER	1	0	1	0	1	0
ROXBURY	34	0	28	0	32	0
STAMFORD	35	0	33	0	34	0
TOMPKINS	42	0	37	0	40	0
WALTON	90	1	82	0	80	1
WALTON (V)	1	0	1	0	1	0
WAWARSING	34	0	32	0	30	0
Total	976	2	865	1	899	7

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

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
CARMEL	11	0	9	0	11	1
EAST FISHKILL	0	0	0	0	0	0
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	0	0	0
TOTAL	15	0	13	0	14	1

Kensico Basin

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
GREENWICH CT.	0	0	0	0	0	0
HARRISON	0	0	0	0	0	0
MT. PLEASANT	0	0	0	0	0	0
NEW CASTLE	1	0	1	0	1	0
NORTH CASTLE	3	0	1	0	1	00
TOTAL	4	0	2	0	2	00

3.2.1. Catskill District

Town: Ashland
Basin: Schoharie
Project Name: Tallo, Leonard, (Log #2007-SC-0689)
Project Description: New SSTS; DEP and DEC NOV for SWPPP
Project Type: Stormwater (SP)
Status:

DEP initiated an Enforcement Action on 4/22/11. DEP issued an NOV to the owner on 4/22/11. A meeting was held with DEC and CWC on 5/6/11. DEC will be issuing an NOV and will be looking into if a dam permit is required. DEP received a letter responding to the NOV on 5/24/11 from the engineer requesting an extension for the SWPPP submission until 6/30/11. DEC issued a NOV to the homeowner on 6/14/11. DEP received a letter from the engineer responding to the DEC NOV. On 6/25/11, DEP received the engineers' field notes showing the pond's volume and the entire site disturbance; the site will require a dam permit. DEP received a letter and drawings from the engineer to DEC on 7/13/11 regarding the NOV. DEP received call on 8/25/11 from the engineer regarding the SWPPP design. The engineer is trying to schedule a meeting with the owner to discuss the design and how it will impact the property. The engineer is also waiting for a response from DEC regarding the sketch plan design. A meeting was held with the project engineer on 9/15/11 to discuss the design of the SWPPP. DEP received an e-mail from the engineer on 2/1/12 stating that he expects to finish and submit the plans within three weeks. DEP received a call on 2/08/12 from the engineer regarding clarification on treating the volume of the one year storm in the filter strip or the pond. DEP received an e-mail from the engineer on 2/24/12 stating the design is 80 - 90% complete. DEP received a copy of the Consent Order and the schedule of compliance from DEC on 1/7/13. DEC forwarded the letter to the owner on 1/11/13 regarding the agreement to extend the SWPPP submittal and engineer's assessment of the dam about six months. DEP Legal contacted DEC legal and inquired about the CO and schedule of compliance on 2/5/13. A six month extension was granted to the owner; however an engineer's assessment of the site is due by 4/15/13.

Project Name: 117 Lake of Seven Bridges (Log #2009-SC-0568)
Town: Conesville
Type of Use: Residence
Type of Violation: Failed SSTS - CWC - surfacing
Discovery Date:
Status: Approved

Overview and Action:

DEP received an Application for a conventional individual SSTS on 8/22/11. DEP issued a NOCA on 8/31/11. DEP issued an Approval Determination letter on 9/8/11. DEP issued a letter to the owner on 3/20/12 stating that construction has not yet commenced. On 8/21/12, DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP received a call from the owner on 9/5/12, regarding the recent DEP letter. The owner was confused as to the next step with the project and was referred to CWC to discuss contractor bidding procedures. Owner asked to re-contact DEP with results of discussion with CWC. On 2/20/13 DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP called owner on 2/20/13 to discuss SSTS schedule, but no answer or message machine available. DEP received call from

the owner's representative on 2/25/13; they left a message that they called in reference to recent DEP letter encouraging them to move forward with SSTS project.

Project Name: 1083 Potter Mtn. Road (2005-SC-0233)
Town: Conesville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1703 - Unapproved Construction of Septic System
Discovery Date: 11/13/2002
Status: No Application

Overview and Action:

An NOV was issued to the Owner on 11/22/02. DEP performed a site visit on 1/7/11; septic failure not observed; no evidence of discharge, the ground is snow covered in the area of the septic. DEP performed a site visit on 2/18/11; no visible discharge, no sign of melted snow in the vicinity of the system. DEP performed a site visit on 4/4/11 for a septic failure; none was observed, it appears the residence has been vacated, there were no signs of traffic or inhabitation and there was no visible discharge. DEP performed a site visit on 6/3/11; the house has been abandoned. DEP performed a site visit on 8/11/11; the house is still vacant. DEP performed a site visit on 9/13/11 for a septic failure; none was observed. The house is vacant and in disrepair and currently uninhabited. On 10/3/11, DEP issued a reminder letter to the applicant/owner due to the lack of activity. Site Visit type: Enforcement. Date: 10/26/11; septic failure not observed. The house has been abandoned. DEP performed a site visit on 7/24/12; the trailer has been abandoned and falling into disrepair. DEP performed a site visit on 7/26/12; the trailer and garage were being demolished. DEP performed a site visit on 10/1/12; septic failure was not observed; the house has been demolished. On 11/14/12 DEP issued a reminder letter to the owner due to the lack of activity. DEP performed a site visit on 1/3/13; septic failure was not observed. There is a sign posted in the front yard declaring that Schoharie County has started foreclosure proceedings. DEP issued a letter to the homeowner on 1/22/13 regarding the loss of the NCRA status. DEP received a message from the Schoharie County Treasurer's Office on 3/12/13 regarding the receipt of the recent DEP letter. DEP called the county office on 3/13/13. They stated that the property with TMN 204.-2-14 will be auctioned off in the future and is now and always has been vacant land. The adjacent lot, TMN 204.-2-15 used to have a trailer and garage which have been removed and this land is now vacant as well, and was auctioned off to the new owner in May 2011. DEP issued a letter to the new owner on 3/13/13 regarding the outstanding issues with the SSTS and that a new SSTS design must be submitted and approved for final construction prior to wastewater being generated on the site. DEP received a call from the new owner in response to recent DEP letter on 3/19/13. He will provide dates of when the property went on the market for sale and the date he purchased the property to help determine if the NCRA was actually lost. DEP performed a site visit on 3/29/13; septic failure was not observed; no activity at this site.

Project Name: 465 Bull Hill Road (2003-SC-0917)
Town: Conesville
Type of Use: Septic System (SS)
Type of Violation: Failed SSTS; New SSTS
Discovery Date: 10/4/05
Status: Under Construction

Overview and Action:

DEP sent an e-mail to the DOH on 12/27/11 updating them on this project and requesting their assistance. DEP called DOH on 1/4/12 to check on their enforcement plans for this site. DEP called DOH on 1/5/12 regarding their enforcement plans. DEP and DOH will set up an onsite meeting to review the area for SSTS field designed but not built and make sure it has not been disturbed. If it looks like the expired design would still work, then DOH may recertify it to get re-approval from DEP. DOH agreed that having the system built will be necessary before close of 2012. Site Visit type: Enforcement; Date: 1/6/12; septic failure not observed. DEP met with the owner; the site has not changed since the original design was issued. The owner would like to use the reserve area for the septic field. It is actually a better site offering more of slope for the 4ft. fill system designed by DOH. The owner is going to flag the site and start clearing trees. DEP received a letter from the engineer requesting design extension on 1/18/12. DEP sent an e-mail to DOH on 1/17/12 requesting the use of the same design and clarification that the site is unchanged. DEP received a letter from DOH on 1/23/12 requesting that DEP grant the owner an extension to install the design as approved in 2003. DEP called to let the owner know that his existing design is still valid. The tank being set establishes that construction was started. He plans to speak to a contractor later this month to finish the project. DEP called the owner on 3/19/12 to check on project status and request pump out receipt which was promised but never sent to DEP. The owner said that the pump out receipt is at the site and he won't be there till the end of the month. Then he will send to DEP. Otherwise, he stated that ribbons have been put on trees and some trees have been recently cut down. The owner plans on doing the project himself, so DEP encouraged him to call DEP inspector as much as necessary to help make sure he doesn't make any mistakes. Site Visit type: Enforcement; Date: 3/30/12; septic failure not observed; no change; construction has not started. DEP received notice on 4/5/12 that construction had begun on 4/1/12; they started clearing the absorption area. DEP performed a site visit on 6/29/12; 1/2-2/3 of the clearing has been done for the septic area. DEP sent an email to the owner on 7/17/12 and after speaking with him, requesting pump out receipts. The owner stated that he will start cutting more trees and putting up stakes for fill material later in the summer. DEP called the owner on 8/21/12 regarding not having received copies of pump out receipts. Owner stated they were sent to DEP several weeks ago. DEP asked owner to resend and owner agreed to do so later in the afternoon, adding DEP contact name on documents. DEP called owner and left message on 8/23/12 requesting that pump out receipts be sent to DEP. An email was also sent on same day requesting the same. DEP received call from owner on 8/27/12 stating that he has the pump out receipts and will send them very soon. DEP sent owner an e-mail on 9/4/12 requesting pump out receipts. DEP received faxed copies of pump out receipts for February, April, May, and August 2012. Owner will continue to fax receipts as pump outs are done, and plans to recommence construction starting with more tree cutting in early fall. DEP called the owner on 10/25/12 for a status update; the owner is not planning on doing much work this year, other than minor tree removal. Will continue to send pump out receipts, probably next will be during or after hunting season (a month in the future), as property has not been recently used. DEP issued an email to the owner on 11/15/12 requesting pump out receipts to be faxed to DEP for pump outs since last submission. DEP emailed the owner on 1/11/13 requesting pump out receipts. Owner called DEP back and stated that he has not been using the house, but may go there in February. DEP will re-contact owner if receipts are not received by the end of February 2013. DEP performed a site visit on 2/1/13; septic failure was not observed. The house appears to be used sparingly. DEP performed a site visit on 3/15/13; septic failure was not observed. There

was no visible discharge from the tank. DEP sent an email to the owner on 3/15/13 requesting pump out receipts, as follow-up to January phone call. DEP issued a NOV to the owner on 3/25/13. DEP received a call from the owner on 3/28/13 in response to the recent NOV. DEP reviewed the NOV with him, and stated that generation of wastewater on the site could lead to further enforcement action.

Town: Gilboa
Basin: Schoharie
Project Name: Pine Island - Lot #31 (Oliveri), (Log #2006-SC-1026)
Project Description: New SSTS for Lot #31
Project Type: Stormwater (SP)
Status:

DEP issued a letter to the applicant on 2/22/10 stating that they are not in compliance with the approved SWPPP. DEP performed a site visit on 6/24/10; the site was stable; there was no discharge; the site was occupied. DEP initiated an Enforcement Action on 1/21/11. DEP issued a NOV to the owner on 1/21/11. DEP received call on 2/4/11 from the applicant regarding the NOV. DEP called the applicant on 2/9/11 regarding the NOV. The applicant agreed to contact DEP in early April to set up a meeting at the site. DEP called on 4/18/11 to set a time for a site meeting; tentatively scheduled for 5/6/11. DEP called the owner on 9/22/11 regarding a potential site meeting on 10/7/11. DEP called the engineer on 12/7/11 regarding stormwater controls. DEP performed a site visit on 5/18/12; there were no deficiencies, there was no discharge and the site was occupied. The violation was resolved and the case was closed on 8/1/12 with DEP Closure letter dated 8/1/12. DEP has resolved the Enforcement Action on 8/1/12. DEP sent an e-mail to the owner on 10/10/12 requesting a meeting date. DEP sent an e-mail to the owner on 12/5/12 stating all that is needed is a revised deed for the property indicating the areas shown on the drawing as filter strips will remain as such and not be developed.

Project Name: 31850 State Highway #23 (Log #2007-SC-0677)
Town: Gilboa
Type of Use: Residence
Type of Violation: Failed SSTS
Discovery Date: 7/26/07
Status: Approved

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed on 7/26/07. DEP issued an Approval Determination letter on 2/26/08. On 10/22/10 DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP issued a Design Approval Expiration letter on 10/22/10. Site Visit type: Follow up. Date: 11/18/10 for Septic Failure; no visible discharge. DEP received a letter from the engineer on 6/13/11 requesting design re-approval. DEP issued a renewed Approval determination on 5/7/12. DEP issued a letter to the owner on 8/21/12 stating that construction has not yet commenced. DEP performed a site visit on 10/4/12; septic failure was not observed. The owner expressed desire to have the system re-designed without the pump. DEP called the owner and engineer for an update on this project, and to catalyze the project getting constructed in the spring of 2013.

Project Name: 1681 Platte Clove Road (2008-SC-1035)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS
Discovery Date: 4/13/2005
Status: No Application

Overview and Action:

DEP called the owner on 10/12/12 and left message to call back with SSTS re-certification status and owner's plans/schedule to do the repair. DEP called the owner on 1/18/13 and left message to call back and discuss SSTS replacement project status and failure status. Five inspections assigned to DEP inspector during 2013 to watch for failure. DEP called on 2/4/13 regarding replacement septic for failed system. Also advised the owner that routine inspections will be conducted to verify system is not failing to the surface of the ground. DEP performed a site visit on 3/18/13; septic failure was not observed. DEP spoke with the tenant who stated that there were no current septic issues.

Town: Hunter
Basin: Schoharie
Project Name: Legg, Dwane E., (Log #2012-SC-0647)
Project Description: Failed SWPPP; NOV for failure to obtain an approved SWPPP prior to start of land clearing activities
Project Type: Stormwater (SP)
Status: New

DEP issued a NOV to the owner on 10/10/12. A meeting was held with the project owner on 10/23/12; an Interim erosion control plan was requested. A meeting was held with the project applicant and engineer on 11/16/12. DEP sent an e-mail to the engineer on 11/28/12 with a recap of what was discussed at the property. DEP sent an e-mail to DEC on 11/29/12 regarding the property. DEC issued a NOV on 11/29/12. DEP received an e-mail from the engineer on 12/5/12 regarding site disturbance and the submittal for the interim plan. DEP sent an e-mail to the engineer on 12/19/12 regarding the status of the interim plan. DEP received the interim erosion control plan from the engineer on 12/21/12. DEP received the revised plans from the engineer on 12/27/12. DEP sent an e-mail to the engineer on 12/28/12 regarding the revised plans. DEP sent an e-mail to the engineer on 1/3/13 regarding additional water bars to prevent flow from accumulating along the roads from direct rain and snow melt. DEP received call on 1/7/13 from the engineer regarding the interim E&SC plan. The engineer indicated the plan would be emailed to DEP. DEP received call on 1/7/13 from the applicant regarding the status of the interim E&SC plan. DEP called the engineer on 1/7/13 regarding the status of the interim E&SC plan. DEP received an e-mail from the engineer on 1/24/13 with the revised interim E&SC Plan. DEP issued an interim letter of acceptance on 1/29/13 for the E&SC Plan. A meeting was held with the project applicant on 2/5/13. The site was snow-covered and frozen. As soon as there's a thaw, the owner will be installing water bars across most of the access roads throughout the site. DEP received a letter from the engineer on 2/6/13 regarding the site and the Interim E&SC Plan.

Town: Hunter
Basin: Schoharie
Project Name: Rosen, Eli, (Log #2011-SC-0585)
Project Description: IRSP NOV
Project Type: Individual Residential SPPP (IR)
Status:

DEP initiated an Enforcement Action on 8/16/11. DEP issued a NOV to the owner on 8/16/11. A meeting was held at the site with an engineer on 9/7/11. DEP received preliminary plans from the engineer on 12/15/11. DEP received the drainage analysis report and revised plans from the engineer on 1/4/12. DEP sent an e-mail to the engineer on 1/9/12 listing a couple of items that need to be addressed. DEP received the revised drainage analysis and plans from the engineer on 1/12/12. DEP received an Application for an IRSP on 2/13/12 from the engineer. DEP issued a NOCA on 2/22/12. DEP issued an Approval Determination letter on 2/24/12. DEP performed a pre-construction site visit on 4/30/12. DEP sent an e-mail to the applicant asking when the work will be performed on 7/31/12. DEP received a call from the contractor on 8/20/12 regarding the estimate for the work. DEP received the proposed budget from the engineer on 11/4/12.

Town: Hunter
Basin: Schoharie
Project Name: Summer, Jeffrey (Nehapwa Cottage), (Log #2010-SC-0805)
Project Description: Change in use
Project Type: Intermediate Repair (CR)
Status: New

DEP issued a NOV to the owner on 12/13/11. DEP sent an e-mail to the owner on 12/27/11 regarding the lack of response to the NOV. DEP received an e-mail response from the owner on 1/9/12; he reviewed the NOV and stated that he will discuss it with his attorney and that he is not conducting business at the site and that his engineer will contact DEP. DEP returned a call to the engineer 1/9/12. Engineer taken back by issuance of NOV and insists that DEP does not have jurisdiction. DEP advised that DEP has been consistent with NCRA upgrades and that DEP is only asking for follow through with what was proposed. DEP called the engineer on 1/26/12 regarding the lack of response to the NOV. The engineer believes that DEP has no regulatory authority and believes the SSTS is an NCRA. DEP received a letter responding to the NOV letter on 2/9/12 from the owner's attorney. A phone meeting was held with DEP Legal, NYC Law, REP and the applicant's attorney on 3/2/12. DEP received a letter from the applicant's attorney on 3/16/12 regarding a follow up to the 3/2/12 meeting and discussed the NCRA status. DEP attended the Hunter Planning Board meeting on 4/3/12 as an engineer presented a sketch plan for the conversion of the residence to a 4 bedroom B&B and 5 bedroom residence. DEP received an e-mail from the Hunter Planning Board, which included the SEQR form completed for the sketch plan that was submitted for a B&B at the 4/3/12 planning board meeting. The site plan map was mailed to DEP SCS group. DEP sent the letters to and from DEP and the applicant's engineer to the Hunter Planning Board in an e-mail on 4/10/12. DEP issued a letter to the Planning Board on 4/20/12 regarding the site plan and full EAF presented at the 4/3/12 Planning Board meeting. DEP sent an email to the applicant's attorney requesting an update on 6/27/12. On 11/29/12 DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP received a response to DEP's letter of 11/29/12. DEP issued a response letter to the

applicant on 2/13/13 in regards to the latest letter from the Engineer. DEP received a letter from the Town of Hunter CEO on 2/27/13 stating that the building permit application is for four (4) rental bedrooms for the B&B and additional bedrooms for the owners' use not to exceed nine (9). DEP called the Town of Hunter CEO on 3/25/13 regarding the letter DEP received from him on behalf of the owner and his engineer. DEP requested that the CEO contact DEP if he observes any changes to the number of bedrooms in the building.

Project Type: SEQRA (SQ)

Status:

SCS received a Full EAF on 4/4/12. SCS received copy of a letter and site plan from the Planning Board. DEP issued a letter to the Town of Hunter Planning Board on 4/20/12 with comments. SCS received Lead Agency Neg Dec resolution dated 5/1/12 issued by the Planning Board.

Town: Hunter

Basin: Schoharie

Project Name: Leach, Matthew (Wiltse, Jim), (Log #2007-SC-1080)

Project Description: Initiated as a single lot; will develop into a 4 lot subdivision Failing SWPPP

Project Type: Stormwater (SP)

Status:

DEP issued an Approval Determination letter on 8/4/11. The violation was resolved and the case was closed on 10/3/11 with DEP Closure letter dated 10/3/11. DEP has resolved the Enforcement Action on 10/3/11. DEP performed site visits on 11/30/11 and 3/19/12; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 7/17/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received notice on 1/7/13 that construction will begin on 1/9/13. DEP received an e-mail from the engineer on 1/14/13 stating that they encountered rock shelf in the lower basin and requested making it into a two bay basin being split by the rock shelf. DEP performed site visits on 2/6 and 3/11/13; there were no deficiencies, there was no discharge and the site was vacant.

Project Type: SEQRA (SQ)

Status:

DEP issued a Neg. Dec. on 6/10/10 to the applicant.

Town: Hunter

Basin: Schoharie

Project Name: Gilbert, Ben, (Log #2007-SC-0887)

Project Description: New SSTS requiring an IRSP

Project Type: Individual Residential SPPP (IR)

Status:

DEP issued a letter to the applicant on 6/1/12 making a final request to start the construction process. DEP received an e-mail from the homeowner on 6/13/12 stating that he plans on beginning the work in August 2012. A meeting was held with the project applicant on 7/6/12. The driveway swale will be done first and as soon as possible. The upper portion of the stream will be second and from the culvert outfall to the receiving stream will be done third. A pre-

construction meeting will be held prior to initiating each phase. DEP performed a site visit on 8/21/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the homeowner on 9/13/12 regarding the site. DEP sent an e-mail to the homeowner on 9/17/12 regarding the site. DEP performed a site visit on 10/10/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the homeowner on 10/16/12 stating that he is working with his contractor to schedule the phase 1 work. DEP received an e-mail from the homeowner on 10/29/12 stating that due to the heavy rains, the contractor has left the site and will resume at the end of the week. DEP performed a site visit on 10/29/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the owner on 11/21/12 regarding the intent to finish the project and a timeline for the rest of the construction. DEP issued a letter to the owner on 12/10/12 stating that Swale B has been installed in accordance with the plans and is acceptable. Construction for this project is on hold as of 12/10/12 due to the homeowner waiting until spring 2013. DEP performed a site visit on 1/31/13; there were no deficiencies, there was no discharge and the site was vacant.

Town: Hunter (V)
Drainage Basin: Schoharie
Project Name: Hunter Estates (Klein, Shane), (Log #2004-SC-0325)
Project Description: Realty Subdivision - 4-acre lots/20 lots on an 88-acre parcel revised to a single lot. Build Town Road; Preliminary PB Approval
Project Type: Stormwater (SP)
Status: Closed

DEP received a copy of DEC's NOV regarding fines issued to the owner from DEC on 12/17/10. DEP received a letter from NYC Law Department to the owner on 12/17/10 regarding the stipulated penalties. A meeting was held at the county court house in Catskill, NY. DEP sent the applicant an email on 12/21/10 to provide DEP contact information. DEP performed site visits on 4/14/11 and 5/17/11; there were no deficiencies, there was no discharge, the site was vacant. DEP received an e-mail from the Assistant Attorney General on 6/2/11 stating that he is in the process of drafting a complaint and requested the status of the site. DEP performed a site visit on 6/3/11 for Stormwater Violation: SPPP, Water Quality, Construction started without SPPP approval; there were deficiencies, there was a discharge, the site was vacant. DEP sent and received e-mails to and from the Assistant Attorney General on 6/10/11 and 6/13/11 regarding the stabilization measures not in place and that the bank has foreclosed on the property. DEP received an e-mail from the Assistant Attorney General on 7/14/11 regarding a draft affidavit in order to move forward with a move for contempt. DEP signed the affidavit on 8/3/11. DEP received the motion papers and the memo of Law from the Attorney General's Office on 8/9/11. DEP performed a site visit on 9/16/11; there were deficiencies, there was no discharge, the site was vacant. DEP received the signed contempt order from DEP Legal on 12/12/11. DEP attended a conference call on 11/16/12 with Land Acquisition regarding the site deficiencies and the purchase of the land. DEP closed the project on 12/10/12 due to Land Acquisition acquiring the land. The violation was resolved and the case was closed on 12/10/12 internally. DEP has resolved the Enforcement Action on 12/10/12.

Project Type: SEQRA (SQ)
Status:

DEP received the Neg Dec on 12/28/05. The letter did state there will be a Public Hearing on the project on 1/3/06 for Site Plan approval.

Town: Hunter
Drainage Basin: Schoharie Reservoir
Project Name: Hunter Highlands Hotel/Condos (Trailside), (Log #2000-SC-0602)
Project Description: Proposal for the construction of a 200 unit hotel; Site is +- 12 acres. Approvals for Phases 2-4 have expired. This is a new proposal for three condos in 1st phase of which two can be built without SPDES expansion; Phase 1 to consist of 3-12 unit condos. Each building will consist of four 1-bedroom, four 2-bedroom and four 3-bedroom units. Phase 2 will consist of a 28-room hotel; Phase 3 will consist of three 12-unit condos.
Project Type: Stormwater (SP)

Status:

DEP sent an e-mail to the engineer on 10/7/11 regarding comments on the plan for correcting the drainage problem. DEP received an e-mail from the engineer on 10/26/11 responding to comments sent 10/7/11. DEP issued a comment letter to the engineer on 11/2/11 regarding their recent submission. DEP initiated an Enforcement Action on 11/17/11. DEP issued a NOV to the owner on 11/17/11. DEP received an e-mail from the engineer on 12/14/11 responding to the comments sent by DEP on 11/2/11. DEP sent a copy of the NOV to the owners via e-mail on 12/29/11. DEP performed a site visit on 2/28/12; there were deficiencies, there was no discharge and the site was occupied. DEP's Assistant Counsel issued a comment letter to the engineer on 3/7/12 regarding the NOV. DEP left a message on 4/24/12 for the managing member of Trailside regarding the legal letter and outstanding NOV. DEP performed a joint site visit with DEC on 6/14/12; there were deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 6/25/12 with pictures taken from the site visit showing how the runoff is not being directed into the catch basins. DEC issued a NOV on 7/10/12. DEP received the DEC NOV by email on 7/10/12. DEP received DEC's third attempt of the issuance of the NOV on 8/15/12. DEP received an e-mail from DEC on 9/17/12 stating that their last attempt to deliver the NOV failed again. DEP performed a site visit on 12/6/12; there were deficiencies, there was no discharge and the site was vacant. DEC issued a NOV on 12/11/12. DEP sent an email to DEC containing the contact info for another partner on 1/7/12. The partner is going to reach out to the association regarding the NOV. DEC sent the NOV to the other partner on 1/30/13.

Town: Hunter
Basin: Schoharie
Project Name: Onteora Club, (Log #1990-SC-0005)
Project Description: 14 Lot Residential Subdivision on 64 acres, Proposal to connect Field House to Onteora Club Wastewater System; install a grease trap & septic tank & connect to existing 4" gravity line
Project Type: Intermediate SSTS (IS)

Status:

DEP performed a site visit on 8/14/12; septic failure was observed for the Surchage septic tank, cesspool, drywell, visibly entering watercourse/wetland, migrating off property, surfacing of sewage on ground and direct discharge from building. DEP stopped at the pump house to do an

inspection. An alarm was going off inside the building and sewage was observed flowing out of a hole in the rear of the building, as well as flowing out of the wooden box outside the building. DEP received a call on 8/14/12 from the superintendent saying that he had the pump chamber emptied and that there was no longer a discharge. On 8/16/12, DEP Regulatory (REP), DEP Land Management & DEP Police met with a member of the Ontoera Club Board of Directors and with the manager of the Mountain Top Arboretum. DEP has a conservation easement on the parcel to the south and east of the pump house discharge; the parcel is owned by the Mountain Top Arboretum. DEP corresponded by email with the superintendent regarding the sewage spill. DEP corresponded by email on 8/17/12 with the DEP Police to discuss daily inspections requested by REP. DEP received an e-mail from a member of the Board of Directors on 8/20/12, concerning the sewage discharge on 8/14/12 and the subsequent meeting on 8/16/12. DEP Land Management & REP replied to the email on 8/23/12 and included a video of the sewage release from 6/14/10. DEP received an e-mail reply from a member of the club's Board of Directors on 8/23/12 and copied the maintenance supervisor. DEP sent an e-mail to the superintendent on 8/27/12, confirming the appointment for a pump house inspection on 8/29/12. DEP received an e-mail reply from the President of the board on 8/28/12, acknowledging the meeting scheduled that will be attended by a board member. A meeting was held with the project applicant on 8/29/12. An electrician, a pump specialist and the alarm company met with DEP, the facility operator and a board member. On 8/29/12, DEP met with Club representatives and trades people to perform an assessment of the pump house and discuss required actions to address the chronic sewage discharges from the pump house. DEP received a map that the Club generated of the SSTS. DEP sent an e-mail to the Club on 8/30/12, with DEP approval letters from the past connections to the SSTS. DEP spoke with the design engineer for the project on 8/30/12. He will mail DEP a copy of the "as built" from 1993. DEP issued a NOV to the owner on 8/31/12. DEP initiated an Enforcement Action on 8/31/12. DEP received an e-mail from one of the members of the board on 9/4/12, with an update that the SSTS components have been located and that an engineer has been hired. DEP received a phone message from the facility operator on 9/5/12, confirming a meeting with the engineer on 9/6/12. DEP received a phone message on 9/5/12 from a member of the board, confirming the receipt of the NOV. On 9/6/12, DEP met at the pump house with the electrician, the pump contractor, the facility operator and a member of the Board of Directors. A breaker was dedicated for the high liquid alarm level float, the pump function was checked and found to be low, and options for pump replacement were discussed. DEP received an e-mail from the Board of Directors on 9/9/12, with the engineers' inspection report attached. DEP responded to the concerns on 9/10/12. DEP received a letter from the representative on 9/12/12 regarding a letter that was issued to them for the sewage spill from the adjacent Ontoera Club pump house that has impacted the Mountain Top property and constitutes a violation of the easement. DEP received a copy of the 1993 As-Built plans from the engineer on 9/12/12. On 9/12/12, DEP met with the engineer, the facility operator, the pump contractor and a member of the Board of Directors. The club is moving forward with the investigation into the operation and maintenance of the SSTS. DEP sent an e-mail to the engineer, Board of Directors and facility supervisor on 9/13/12, with the 1993 "as built" attached. DEP also advised again doing any remedial work prior to the engineer and DEP being in agreement. DEP received the pump out receipt on 9/13/12. On 9/17/12, DEP met with the engineer and facility operator to look at the pump function and the SSTS components. Several issues were noted that will be explained in a report with recommendations from the engineer. DEP received a copy of the SPDES Permit application from 1992 on 9/17/12. DEP sent an e-mail to the Club and the

engineer on 9/18/12 regarding the urgent need to have at least one pump in good working order until the pumps are replaced on 9/18/12. DEP received an e-mail from the engineer on 9/18/12, with a report of the 9/17/12 inspection and recommendations attached. On 9/20/12, DEP met with the facility operator, his staff and a member of the board to try to locate the dosing chamber and the d-boxes. DEP gave the operator the "as built" that was generated by the design engineer in 1993. On 9/25/12, DEP met with the engineer, the hauler and the operator. The tanks at the field house and theatre were exposed; the theatre tank was empty. The dosing chamber and the large septic tank are being pumped down for cleaning and maintenance. On 9/26/12, DEP met with the operator's staff to continue looking at SSTS structures. The operator and DEP called the engineer to discuss the findings. The pump contractor is installing a 3HP well pump to temporarily replace the worst of the two failing pumps. On 9/27/12, DEP met with the operator and his staff, who are working on sealing the dosing chamber and repairing the tilted bell on one of the siphons in the dosing chamber. DEP received an e-mail from the facility operator on 10/3/12 with an email from the engineer and a progress report for the SSTS. DEP received an e-mail from the engineer on 10/4/12 with the progress report and summary of the site visit of 10/4/12. On 10/9/12, DEP performed an inspection of the theatre septic tank; the liquid level was about 7 inches below the invert of the outlet. No work has been done on the dosing chamber or d-boxes. A meeting was held with the maintenance supervisor and the engineer to discuss a plan to relocate a portion of the force main on 10/18/12. DEP received an e-mail from the engineer on 10/18/12, including a summary of the site visit and plans to relocate a section of the force main. DEP performed a site visit on 10/19/12; there has been no progress in the repair of the dosing chamber (siphons), location of additional manholes or repair of leak in pump station. A meeting was held with the project applicant on 10/22/12; the force main and stream crossing issue was discussed at length and the Club prefers the stream restoration and keeping the force main in place to the relocation of the force main. DEP performed a follow up site visit on 10/22/12; there has been no progress on the repair of the SSTS. DEP corresponded by e-mail with the engineer, Club management and superintendent concerning the force main issue and methods of repair from 10/23/12 to 10/26/12. DEP sent an e-mail to the engineer, the management and the superintendent on 10/26/12, with a punch list of items to check before the impending storm. DEP called the superintendent on 10/31/12 to find out if the force main stayed intact during and after the recent hurricane. He said that he had re-enforced it on 10/28/12 with a steel sleeve and rip rap above it. DEP corresponded by email with the engineer and the Club board. The only option for the force line is to bury it deeper under the stream bed and stabilize the stream to protect the pipe. DEP called the superintendent on 10/31/12 to inquire on any problems with the SSTS after the recent storm. DEP called the superintendent again on 10/31/12 to discuss the SSTS. He informed DEP that several members are here due to problems at their homes in NYC and Connecticut due to Hurricane Sandy. He had turned on a temporary pump from the septic tank to the pump chamber to lower the level to work in the dosing chamber tomorrow. DEP advised him to remove the pump and call the hauler instead. On 11/1/12, DEP stopped at the site because the superintendent said he was pumping down the septic tank into the pump chamber to avoid being dosed while working in the siphon chamber. DEP received an e-mail from the superintendent on 11/2/12. He said the siphons have been repaired and he wants to schedule an appointment for testing. DEP received an e-mail from the superintendent on 11/2/12. The siphons have been repaired and are ready for testing. DEP replied with dates available for an inspection. DEP received an e-mail from the superintendent on 11/4/12. He received notice that the new pumps for the pump station are due to be shipped on 11/19/12. DEP received an e-mail from the

engineer on 11/6/12. He said the stream specialist and the surveyors were on site and a plan for the protection of the stream and the force main will be submitted to DEP within a week. DEP performed a site visit on 11/7/12; the septic tanks and d-boxes are still exposed; the pump station has had no problems. On 11/9/12, DEP met with the engineer and the maintenance supervisor; the siphons in the dosing chamber have been successfully repaired and the dose test was completed. The siphons alternate 1330 gallons to each of the two distribution boxes, which have been water tested with speed levelers. DEP received an e-mail from the engineer on 11/15/12 with plans for burying the force main deeper under the stream. On 11/15/12, DEP performed an inspection of the grease trap, distribution boxes and septic tanks at the field house. DEP stormwater corresponded by e-mail with a member of the board of directors on 11/21/12, to coordinate a meeting for both the stream mitigation and stream crossing. On 11/27/12, DEP met with a member of the board, the engineer, the new manager and his maintenance staff; we discussed the plans submitted to bury the force main deeper under the watercourse. The plans will be revised and resubmitted to DEP. DEP received an e-mail from the engineer on 11/28/12 with revised plans to relocate the force main about 20 feet down-slope of its present exposed location. DEP received an e-mail from the engineer on 11/28/12 with the report from the 11/27/12 site meeting concerning the force main replacement. DEP performed a site visit on 12/7/12; trees have been cut where the new force main will be installed. DEP performed a site visit on 12/10/12; the contractor has cleared the area where the new pipe will be installed. DEP performed a site visit on 12/11/12; the contractor has not worked since 12/10/12. The site was muddy, although he ditched surface water; silt fence should be installed. On 12/17/12, DEP performed an inspection of the site; heavy mulch was observed in the stream channel and the water was muddy, although the discharge from the culvert pipe emptying into the stream was clear. The entire disturbance except the diversion channel he created in the wetland had been mulched. DEP called the contractor 12/18/12 and asked him to remove the abandoned force pipe from the stream, mulch the water diversion ditch he installed in the wetland, and install silt fence parallel to the stream bank. DEP called the site supervisor on 12/18/12 regarding the work performed over the weekend. The supervisor told DEP that the contractor finished that morning; DEP advised the supervisor that DEP should have been notified of the ongoing work schedule. DEP spoke to the contractor on 12/21/12; he said he sent DEP the pictures of his work on the force main, and that the Club will cut and cap the abandoned pipe. DEP sent an e-mail to the manager, supervisor and engineer on 12/21/12, noting that the engineer needs to submit a certification letter and an "as built" to DEP. DEP sent another e-mail to the manager and engineer, requesting information about pending work and inspections on 12/28/12. DEP received an e-mail response from the manager on 12/28/12. DEP corresponded by email with the manager on 1/5/13; the club will decide which contractor to hire, depending on price. DEP received an e-mail from the facility manager on 2/6/13, advising that work will begin on the pump station on 2/7/13. On 2/21/13, DEP met with the new manager and the maintenance staff on 2/21/13. DEP received an e-mail reply from the engineer on 3/1/13, who thinks a weep hole should be installed. DEP sent an e-mail to the engineer and club staff on 3/1/13, with the "as built" draw down for the pump station and questioned the installation of a weep hole in the new piping.

Name: Lanesville House-NOV, (Log #1996-SC-0348)
Location: Hunter
Type of Use: Commercial
Discovery Date: 1996

Type of Violation: Failed SSTS
Status: Ongoing

Overview and Action

DEP received a letter from DOH on 4/6/05 regarding their site visit of 3/31/05. On 5/6/05, DEP issued a letter to the applicant with regards to the 1990 approval, and the need for an engineer to design the SSTS for the 40-room B&B, restaurant and bar. DEP performed a site visit on 1/6/10; the pipe that carries sewage across the watercourse was intact and is still being held in place by several ropes tied to trees along the stream bank. On 4/28/11, DEP drove by the site to inspect the waste pipe that runs through the creek. It is intact and tied to several trees with rope. The pipe should be sleeved and anchored in a more permanent manner. DEP performed a site visit on 11/8/12; Septic Failure was not observed. DEP noticed over the past three months that several trailers are being brought on site; the trailers appear to be vacant.

Project Name: NYS Route 23A (2005-SC-0236)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1489 (for two residential structures); direct discharge from pipe to wetlands. A new SSTS will be built for the two residential structures; vacant non-NCRA trailer to be decommissioned.
Discovery Date: 5/3/1999
Status: Complete

Overview and Action:

DEP performed a site visit on 10/12/12; septic failure was observed; septic was visibly entering a watercourse/wetland and surfacing of sewage on ground. DEP met with the engineer to observe additional soils testing to locate a replacement absorption field. DEP received a call on 10/19/12 from the engineer, who was conducting percolation tests. He will email the complete soils results to DEP. DEP received an e-mail from the engineer on 10/26/12 with a preliminary SSTS replacement design. DEP called the engineer on 11/14/12 regarding the absorption system design. We discussed the possibility of a shallow trench and a raised bed, both of which will fit in the footprint. DEP received an e-mail from the design engineer on 12/19/12, with a draft design of the replacement SSTS. DEP sent an e-mail to the engineer on 12/21/12 with comments on the draft plans. DEP received revised plans from the engineer on 2/19/13. DEP received an Application for a conventional individual SSTS on 2/20/13. DEP called the design engineer on 2/22/13 regarding the recently submitted plans, which encroach on the 100 foot mandatory setback to the existing well. He will re-submit with a peat filter design. DEP issued a NOCA on 3/5/13. DEP issued a comment letter on 3/5/13 to the applicant and engineer. DEP sent an e-mail to the design engineer on 3/25/13, asking if the revised plans are being worked on.

Project Name: 258 County Route 16 (Log #2008-SC-0026)
Town: Hunter
Type of Use: Residence
Type of Violation: Failed SSTS
Discovery Date: 1/15/08
Status:

Overview and Action:

DEP called the new owner and discussed the project on 5/10/12. For now, the owner stated there

is no failure and this property is only used on weekends. DEP asked for permission to enter the property and inspect on a regular schedule and the owner readily agreed. Owner does not want to take action at this point, but was made aware that next step is to hire an engineer to do soils testing. Pending results of this test, if a design is not feasible to replace the septic system, an application requesting to connect to Tannersville WWTP collections system would need to be submitted to DEP Engineering for review. The owner was reminded to keep in touch with CWC regarding possible funding for the project, whether it connects or is completely replaced. DEP performed a site visit on 6/13 and 8/9/12; no septic failure was evident. DEP performed site visits on 1/4/13 and 3/13/13; septic failure was not observed.

Project Name: County Route 16 (1999-SC-1246)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1324 - CWC
Discovery Date: 12/31/1998
Status: Approved

Overview and Action:

DEP received an email on 10/28/10 stating that this project is on the CWC's 11/2/10 Septic Committee Meeting Agenda. The owner is appealing last month's decision that considered her to be "new construction" due to property being vacant for quite some time and disqualifying her from the program. DEP received an internal email from WLCP on 1/19/11 stating that the owner's appeal was denied. A meeting was held with the project applicant on 2/7/12. The owner has no plans of creating habitable space on this property, but may wish to have a courtesy toilet in the garage he is building on the site. DEP performed a site visit on 1/4/13; septic failure was not observed.

Project Name: 4102 CR 16 (1997-SC-0512)
Town: Hunter
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS – Replacement of existing 2-Bedroom House
Discovery Date:
Status:

Overview and Action:

DEP sent internal email on 4/25/12 to make sure project was known. House collapsed during foundation renovations and existing septic was dug up during the process. Town CEO and DEP on same page and are requiring engineer to submit plans for new SSTS approval. DEP initiated an Enforcement Action on 7/13/12 to make sure project shows up in monthly reports. Waiting for owner to hire engineer to design replacement SSTS. DEP inspector will conduct site visits and document in engineering database. DEP performed a site visit on 7/23/12; the house is being demolished after foundation work caused house to collapse. During the excavation, the septic disposal area was dug up. The owner needs to contact an engineer to design a new system. DEP performed site visits on 1/4/13 and 2/14/13; septic failure was not observed; this site remains inactive. DEP spoke with the Hunter CEO regarding the destruction of part of the septic field and the need for a new septic design before the issuance of a CO.

Town: Hurley
Basin: Ashokan
Project Name: Lf Essex House Corp, (Log #2013-AS-0014)
Project Description: Land clearing and grading without proper approvals; possible SWPPP failure
Project Type: Stormwater (SP)
Status: New/Closed

DEP issued a letter to the owner on 1/7/13 regarding the need for DEP, DEC and possible ACOE approvals for the disturbance in excess of 2 acres on the property. Also submitted an incident report to DEC. DEP issued a letter to the homeowner on 1/17/13 stating that after the 1/15/13 site inspection, the site was found in stable condition with no erosion issues and that there will be no further action at this time. DEP has resolved the Enforcement Action on 1/17/13.

Town: Hurley
Basin: Ashokan
Project Name: Windschuh, Marga & Arno, (Log #2003-AS-0817)
Project Description: The project involves the repair of the sewage system serving a building with 5 efficiencies. The site is very limited for space, thus a raised bed with a dosing chamber was utilized to make the most of the limited area.
Project Type: Intermediate Repair (CR)
Status: Closed

DEP issued a NOV to the owner on 5/10/11. DEP received a phone message on 5/16/11 from the property owner's daughter that she received the NOV. DEP spoke to the owner's daughter on 5/17/11 regarding the NOV. DEP will meet with her on site on 5/23/11 and she will contact the design engineer for the plans, approval letter and "as built." A meeting was held with the project applicant, his daughter and DEP on 5/23/11 to discuss the possible reasons for the failure. DEP called the owner's daughter on 6/15/11. The water meter has been purchased and the engineer has sent the plans and "as built" to her. She will copy and forward to DEP and schedule a site inspection. On 7/5/11, DEP did a routine inspection of the absorption field. The rivulets on the taper were dry and there was no smell of sewage. DEP performed a site visit on 8/2/11, the grass has been cut and the channel that the sewage flows is evident. The roadside ditch smells slightly of sewage, but no sewage was observed on the ground. On 8/18/11, DEP did a site inspection; no sewage was observed on the ground. DEP performed a site visit on 9/2/11; there was no evidence of a surface discharge or that any investigation has been conducted into the reason the absorption field is failing. DEP received an e-mail reply, saying that he had issues with flooding. DEP sent an e-mail to the owner's daughter asking for the water meter readings. DEP performed a site visit on 10/12/11; septic failure was not observed. There was no evidence of sewage on the ground, but the areas of lush vegetation remain. DEP performed a site visit on 1/19/12; septic failure was observed. Effluent had surfaced and migrated down the taper of the absorption field in three spots, and had frozen. DEP met with the engineer, who said that he will be calling the owner and DEP to schedule a site visit to hand excavate the d-box area to determine the problem with the SSTS. DEP called the engineer to request a site visit. DEP performed a site visit on 2/2/12; septic failure was not observed. There was no discharge on the field, but an area adjacent to the d-box appears to have had a surface discharge recently. That area is at the top of the rivulet caused by previous discharges that DEP has witnessed. Also, the ground above the trenches was very soft and wet. DEP sent the owner's daughter an email on 2/3/12, requesting

cooperation for the NOV resolution. DEP performed a site visit on 2/3/12; septic failure was not observed. There was no discharge observed, but the field was soft and the areas of previous discharges looked damp. DEP performed a site visit on 2/15/12; DEP had a scheduled appointment with the engineer and a contractor to expose the SSTS components in an effort to find the cause of the failure but the engineer called and will attempt to reschedule. DEP sent an e-mail to the owner's daughter requesting water meter readings and requested another site visit. DEP performed a site visit on 2/21/12; septic failure was not observed. There are soft wet spots on the field but no sewage surfacing or migrating down the taper of the field. DEP performed a site visit on 2/27/12; septic failure was not observed. DEP met the engineer on site to look for possible causes of the absorption field failure. Problems were found with the distribution box. A follow up site visit to expose the d-box and lower lateral will be scheduled. On 4/2/12, DEP performed a routine inspection of the absorption field. No sewage was observed on the ground, but the grass is lush in several places where sewage has been observed in the past. Site Visit type: Investigation. DEP called the engineer on 4/13/12 regarding the need for a site visit to determine the cause of the SSTS failure. He said he has a contractor that will be able to meet at the site next week. DEP called the engineer on 4/26/12 regarding the need for a site visit. DEP called the engineer on 5/14/12 regarding scheduling a site visit to determine the cause of absorption field failure. DEP received a call on 5/18/12 from the engineer, who is still trying to schedule a site visit. DEP spoke to the engineer about doing the investigation of the SSTS. The engineer doesn't think he will get paid for the work and the owner is reluctant to have anyone look at the SSTS. DEP sent an e-mail to the owner's daughter on 5/31/12, requesting the water readings and some help with scheduling a site visit. DEP received an e-mail from the engineer on 6/20/12. He performed some percolation tests in the fill of the SSTS that passed. He will schedule a time to do more investigation in the near future. On 7/18/12, DEP performed a routine inspection of the absorption field. The owner is working on mowing and trimming the vegetation and has filled in the rivulet where the surface discharge had been noted in the past. The field was dry. On 7/26/12, DEP stopped at the site; there was no discharge. On 8/8/12, DEP performed an inspection of the absorption field; no sewage discharge was observed. DEP called the engineer on 10/2/12; the SSTS has not been failing and owner is still not very cooperative. DEP performed a site visit on 11/14/12; although the vegetation is greener in the areas on the absorption field where the failure has been observed, no sewage or odor was detected. On 11/28/12, DEP performed a quick inspection of the SSTS; the field was snow covered. The snow has been disturbed around the distribution box, but there was no sign of sewage on the top of the ground. On 12/7/12, DEP did an inspection of the absorption field; no discharge was observed. The violation was closed on 1/3/13 due to three seasonal inspections and no sign of failure. DEP has resolved the Enforcement Action on 1/3/13. On 2/21/13, DEP performed a visual inspection of the SSTS from the road in the morning and observed no discharge. During a visual inspection from the road in the afternoon, DEP observed a sewage discharge from the distribution box migrating down the front slope of the absorption field. DEP performed a site visit on 3/5/13; septic failure was not observed. DEP performed a site visit on 3/25/13; septic failure was observed; absorption field, surfacing of sewage on ground. The distribution box and areas directly downslope towards the road and the driveway showed signs of a consistent sewage discharge; the grass and soils had eroded and were stained and smelled of sewage. DEP re-initiated an Enforcement Action on 3/26/13.

Project Name: Route 23C (Log #2006-SC-0464)
Town: Jewett
Type of Use: Camp
Type of Violation: Failed SPPP; watercourse determination
Discovery Date: 6/11/07
Status: No Application

Overview and Action:

DEP sent all 2011 field reports via email to the camp director on 8/25/11. DEP also requested the seasons meter readings. DEP sent a follow up e-mail to DOH on 10/21/11 regarding fall inspections. DEP issued a letter to the Camp Director on 4/24/12 with a summarization of the most recent observations regarding the operational status of the SSTS of the Camp. DEP received an e-mail on 5/01/12 with the new President's information. On 5/11/12, DEP received a hand delivered letter from Boy Scouts of America (BSA) in response to DEP's letter of 4/24/12. DEP received an e-mail from the Camp Director on 5/11/12 with the pump out receipts from 2011 attached. DEP sent an e-mail to DOH on 5/31/12 requesting assistance in investigating the SSTS. DEP sent an e-mail on 6/5/12 to the camp director regarding available dates for DEP site inspections this summer and also requested the camp and other events schedule for the year. On 6/14/12, DEP inspected pipe replacement work from below the eastern siphon to the northeast D-box. Apparently recent pipe video work revealed holes in the pipe. DEP requested a copy of the pipe video. On 6/21/12, DEP performed a scheduled pre-season inspection of the SSTS. A previously unnoticed, sewer smelling discharge was observed from the ranger's cabin. It is suspected to be laundry waste. On 6/28/12, DEP accompanied DOH on a partial inspection of the SSTS. Laundry discharge from ranger's cabin was fixed. No new or active problems noted. On DEP performed a scheduled inspection of the SSTS. No new problems were observed. DEP sent an e-mail to BSA Director on 7/25/12 requesting pump out receipts. DEP received an e-mail from the Camp Director, with the 2011 pump out receipts attached, on 7/25/12. ON 7/31/12, DEP performed a scheduled inspection of the SSTS; it was not obviously failing, but faint sewage odors were noted around the absorption field and curtain drain. On 8/7/12, DEP made a scheduled site visit. Sewage was observed in the ditch at the eastern discharge end of the curtain drain, as well as on the ground above two laterals in the absorption field. DEP called DOH on 8/7/12 regarding the day's field visit. DOH and DEP will re-inspect the absorption field. On 8/8/12 DEP performed a site visit; septic failure was observed at the absorption field and surfacing of sewage on ground. DEP met DOH onsite to inspect the absorption field and curtain drain. Sewage was observed surfacing to the ground and the curtain drain discharge below the pipe had sewage in it. DEP sent an e-mail to DOH on 8/10/12 including DEP's field report and pictures from the 8/8/12 site visit. DEP issued a NOV to the owner on 11/15/12. DEP received a voicemail on 11/27/12 from the BSA president responding to the NOV. BSA is preparing a response to the NOV. DEP received a letter responding to the NOV on 12/5/12. DEP called and left a message for the camp director on 12/14/12 regarding their 12/4/12 letter. DEP called the camp director on 12/19/12 regarding the NOV. The camp director does not agree that the SSTS is in failure and requested information on an appeal process. DEP issued a comment letter to the engineer on 12/27/12 regarding the NOV and responded to their letter of 12/5/12. A meeting was held with the engineer on 1/2/13; site history and status were discussed. Some correspondence and pictures were emailed to the engineer following the meeting. DEP received a call on 1/2/13 from an engineer asking about the work that is needed at the site. A meeting was held with BSA representatives, their engineers, Assemblyman Lopez and DEP on 3/15/13. BSA engineers will

submit a maintenance plan for Camp Tri-mount's SSTS. Assemblyman Lopez will be copied on all correspondence going forward.

Project Type: Stormwater (SP)

Status:

The violation was resolved and the case was closed on 10/6/09 with DEP Closure letter dated 10/6/09. DEP completed construction inspections on 10/6/09.

Project Name: 384 Colgate Road (2001-SC-0858)

Town: Jewett

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS #1506 previous owner; Frederick King
RE.2 - failing SSTS - CWC - cracked septic tank leaking on unstable bank

Discovery Date:

Status: Closed

Overview and Action:

DEP initiated an Enforcement Action on 6/24/11. This project is funded under CWC septic repair program. On 6/24/11, DEP received CWC's notice of failure. DEP issued a letter to the owner on 6/29/11 providing guidance for remediation. DEP received an email chain on 7/13/11 regarding stream program erosion issue and discussions on coordination between regulatory and funding parties. DEP received calls from CWC and the engineer on 7/22/11 regarding the possibility of purchasing the property for septic siting. DEP exchanged internal email on 12/19/11. Stream restoration of East Kill reach near this property is scheduled to start mid July 2012. DEP sent an e-mail to the engineer on 12/19/11 for a status update. DEP sent an e-mail to the engineer on 1/3/12 regarding possible adjustments to neighboring conservation easement based on internal DEP discussions with Natural Resource Management Section and with CWC. DEP received an e-mail from the engineer on 1/25/12, stating that neighbor is willing to allow modification to his existing conservation easement to allow for septic replacement for subject property owner. DEP issued internal emails to determine next step in process. DEP called the engineer on 3/29/12 requesting a status update. The owner is currently considering a possible FEMA buyout program; the engineer will contact DEP in about one month with any updates. DEP received a call from the owner on 3/30/12 regarding the status of the project. The owner will look into vacant property possibility two lots up from her and will check with CWC first to see what they may be able to commit financially. The owner already had land acquisition's phone number, and may call them with some questions related to conservation easement swap possibility. DEP sent e-mail to LAP on 3/30/12 regarding anticipated owner's contact. DEP received an Application for a conventional individual SSTS on 8/8/12. DEP issued a NOCA on 8/14/12. DEP issued an Approval Determination letter on 8/21/12. This project is on the CWC Septic Committee meeting agenda scheduled for 11/6/12. DEP exchanged emails with the owner on 11/14/12, regarding CWC Board of Director's bid approval, and the 15 day right of rejection period. DEP met with the contractor and applicant on the site for a pre-construction meeting on 12/6/12. A representative from the engineering firm was also present. DEP sent internal email summarizing the meeting onsite on 12/6/12. DEP received notice on 12/6/12 that construction will begin. DEP completed construction inspections on 12/21/12. DEP received the engineer's certification letter from the engineer on 1/3/13. DEP issued a letter of Construction Compliance on 1/24/13. DEP has resolved the Enforcement Action on 2/14/13.

Project Name: 3793 CR 42 (2008-SC-2335)
Town: Lexington
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - CWC hardship-Managed Repair
Discovery Date:

Status:

Overview and Action:

DEP sent an e-mail to CWC on 8/8/12, requesting current status report, including when last managed pump out took place. CWC called DEP back, stating that they haven't had contact with owner since 2009, so no pump outs have been taking place. CWC stated they will pump out if requested by owner. This project is located in a managed repair area. DEP performed a site visit on 2/26/13; septic failure was not observed; the site is snow covered. It appears that the owner has a wood pile in the alleged septic area therefore; DEP was unable to determine if septic is failing to surface.

Town: Olive
Basin: Ashokan
Project Name: Catskill Modular Homes, (Log #2006-AS-1143)
Project Description: Replacement of a failed SSTS
Project Type: Intermediate SSTS (IS)
Status: New

On 11/28/11 DEP received CWC's notice of failure. DEP corresponded with the engineer regarding the lapse in time between DEP noting the failure and a design submission. DEP initiated an Enforcement Action on 2/7/12. On 3/2/12 DEP issued a reminder letter to the owner due to the lack of activity. DEP received an Application for a SSTS on 3/19/12 from the engineer. DEP issued a NOCA on 4/9/12. DEP issued a comment letter on 4/9/12 to the engineer. DEP received a letter and revised plans from the engineer on 4/13/12 to DEP's letter of 4/9/12. DEP called the engineer on 5/10/12 regarding some issues with the revised plans. The engineer wants DEP to put the concerns in writing. DEP received revised plans from the engineer on 5/29/12. DEP called the manufacturer of the treatment tank/pump chamber proposed by the engineer on 6/15/12 to get information on available storage capacity. The representative will email me an explanation on 6/18/12. DEP sent an e-mail to the design engineer on 6/19/12, regarding the storage in the pump chamber and what is needed in a revised design. DEP sent an e-mail to the design engineer about the items missing on the revised plans dated 5/24/12 on 6/20/12. On 7/11/12, DEP performed a routine inspection of the SSTS; there was no surface failure noted. The pump chamber alarm was tested successfully. DEP received revised plans from the engineer on 7/17/12. On 7/19/12, DEP met with an engineer to investigate the SSTS. DEP received an e-mail from the engineer with some suggestions for the SSTS on 7/20/12. DEP issued an Approval Determination letter on 7/23/12. DEP called the owner and left a message at his office on 8/30/12, inquiring about the schedule for the replacement SSTS installation. DEP received a return phone call on 9/4/12 from the owner, who said the engineer submitted bids to CWC, and that the CWC has requested additional bids for the SSTS construction. DEP corresponded by email with CWC on 10/24/12; the contractor's quote was approved by CWC. On 11/14/12, DEP met with the contractor and engineer on the site for a pre-construction meeting; the absorption field was staked out. On 12/3/12, DEP stopped to see if any progress has

been made toward bringing fill to the site; there has been no work since the pre-construction meeting on 11/14/12.

Town: Olive
Basin: Ashokan
Project Name: Onteora Mountain House, (Log #2010-AS-1070)
Project Description: Alteration/Modification of an existing SSTS
Project Type: Intermediate Repair (CR)
Status:

DEP received an e-mail from UCHD with flow documentation for the facility on 1/24/12. DEP received an e-mail from UCHD on 2/13/12 that directs the engineer to upgrade the SSTS. DEP sent and received an e-mail to and from DOH commenting on the requirements for the SSTS and asking for continuing flow data on 4/10/12. DEP received a return message from the engineer on 5/9/12 regarding the status of the proposal. Engineer is on hold waiting for the applicant's attorney to go over the work. On 7/24/12, DEP inspected the absorption field; no sign of failure noted. DEP received an e-mail from DOH on 8/2/12 with the November 2011 water log. DEP received an e-mail from DOH on 9/11/12, with the water meter readings from the facility for July 2012. DEP received the water meter readings from DOH on 9/19/12. DEP sent an e-mail to the engineer on 9/21/12. The email included excerpts from the Boiceville Sewer Plans showing the collection system in the vicinity of the Onteora Mountain House. During a phone call, DEP advised the engineer that the Town must explore extending the sewer to Onteora Mountain House before the City considers allowing a lateral across City lands. DEP called the engineer on 10/2/12; two dates were provided that could accommodate a meeting with counsel. The engineer also confirmed that the owner was going to have discussions with the Town regarding a possible sewer extension up Piney Point Road. DEP received the water meter readings on 10/16/12. DEP sent flow records to DEC on 10/22/12. DEP received an e-mail from DOH on 11/14/12 with the water and occupancy log. On 11/15/12, DEP met with DOH, the owner, his engineer and his attorney. DOH wants to move forward with a schedule of compliance. DEP inspected the absorption field after the meeting and observed a surface sewage discharge. DEP spoke to the engineer on 11/19/12, who said the owner had the septic tank pumped. DEP inspected the site on 11/21/12; the absorption field is still spongy on top and no ponded sewage remains. The septic tank was unearthed and appears to have been recently pumped out. DEP called the Town of Olive CEO on 11/23/12 and left a voice message requesting any building permit applications and/or building permits granted to the owner since DEP's last request. DEP called the manager on 11/23/12 to ask how the NOV should be addressed and to request that the pump out receipts be faxed to DEP. DEP also advised that the sewage must not continue to surface. On 11/26/12, DEP received a return phone call from the Town CEO. He said he will not issue a building permit for the sunroom addition and replacement bedroom until DEP reviews the final building plans. He would like to be copied on DOH and DEP paperwork. DEP called the engineer on 11/28/12 and advised that the lateral through city property option was not an option. Soils will be scheduled after CWC has a chance to review the project for eligibility. DEP received an e-mail from the facility manager on 11/29/12 with the proposed building renovation plans. DEP sent an e-mail to the Town of Olive planning/building department on 11/29/ and 11/30/12, requesting to FOIL the site plan and building records. DEP received an e-mail from the manager on 11/30/12 with the current building layout and proposed demolition plan. DEP inspected the absorption field on 11/30/12; no ponded sewage was observed, but the absorption field was

observed to be spongy. On 12/3/12, DEP performed a follow up inspection of the SSTS. The covers for the septic tank were too deep to lift by hand; the absorption field is still failing in the same area as seen on 11/16/12. Construction has begun on the addition for the second floor. DEP sent an e-mail to the manager on 12/3/12, advising him that sewage was seen surfacing on the absorption field and requested that the septic tank be pumped and that the receipts be forwarded to DEP. On 12/7/12, DEP and DOH met with operator to discuss building plans, previous renovations/additions, and new septic system plans. DEP received an e-mail from DOH on 12/14/12 stating that they no longer meet the threshold of a temporary residence and will not be permitted through DOH. DEP issued a NOV to the owner on 12/27/12. DEP sent an e-mail to the manager/owner on 12/31/12 regarding the need for clarification of the renovation time line. DEP received an e-mail reply to the NOV on 1/2/13. The owner will send DEP a letter outlining the renovations and has agreed to meet to discuss. DEP received an e-mail from the owner on 1/4/13, with a letter explaining the time lines of the renovation and the number of bedrooms that will be in use. DEP received the pump out receipts and water meter readings on site on 1/9/13. On 1/9/13, DEP performed a scheduled site visit and met briefly with the owner. This project is funded under CWC septic repair program. On 1/16/13 DEP received CWC's notice of failure. DEP received a letter from DOH to the representative on 1/16/13 stating that after their 12/7/21 site visit, a temporary permit is not required from them and that there was no evidence of sewage on the ground and that the facility is in conformance with the requirements of the DOH. On 1/17/13, DEP met the design engineer on site to look for suitable areas for a new SSTS and to witness soils testing. DEP sent an e-mail to the design engineer on 1/18/13 regarding the use of the fill in the existing failed absorption field. On 1/22/13, DEP met on site with the engineer to witness soils testing for the reserve area. The hand excavations done in the failed absorption field have not been backfilled and sewage is ponded in the trench. DEP received an e-mail from the owner on 2/1/13, with the January water meter and room log. On 3/5/13, DEP performed a routine inspection of the absorption field. Sewage was pooling, surfacing and had overflowed from a trench that the engineer had dug during an investigation. DEP sent an e-mail to the owner on 3/6/13, advising him to pump the tank, as sewage was seen surfacing on 3/5/13. DEP also advised that the hand excavated holes dug in January by the engineer needed to be filled in. DEP received the Water System Operation Report and Water Meter Reading from DOH on 3/11/13. DEP sent an e-mail to the owner and engineer on 3/12/13 asking about the high water usage on several days in February, the pump out receipts and the open areas of the absorption field. DEP spoke to the owner on 3/12/13 regarding the pump outs. He sent the receipts to CWC and will also forward to DEP. DEP received the water meter readings again on 3/13/13 with additional information. DEP called the design engineer on 3/25/13 to ask if the hand dug holes in the failed absorption field had been filled in.

Town: Olive
Basin: Ashokan
Project Name: Zeines, Victor, (Log #2007-AS-0005)
Project Description: SSTS Replacement for dental office
Project Type: Intermediate Repair (CR)
Status:

DEP issued a letter to the owner on 3/9/12 stating that construction has not yet commenced for the individual SSTS for the residence. DEP received a call from the property owner on 3/22/12 in response to a message that DEP left for him on 3/8/12; he will be starting construction on the

residential SSTS in July 2012. DEP called the owner on 6/7/12 and left a message with the receptionist for a return call regarding the schedule to install the individual SSTS for the house. DEP received a return phone call on 6/7/12 from the owner, who plans to install the SSTS in July 2012. DEP called the owner on 7/30/12 regarding the July scheduled installation of the SSTS for the house. DEP left a message on the office answering machine, requesting an update. DEP received a return phone call on 7/30/12 from the owner, who said a loan is being sought and the SSTS install will occur in August 2012. DEP called the owner to inquire on the SSTS installation. He said he needs to find a contractor that will wait for the CWC money. DEP sent him a contractor's list. DEP received a call on 12/21/12 from the Town of Olive CEO. The dental office burned down and the owner has received approval from the Town to convert the vacant three bedroom house into a dental office. DEP advised the CEO that the owner needs DEP approval. DEP called the property owner on 12/21/12 regarding the use of the existing SSTS to service the vacant house. DEP emailed the owner a pre-application form and requested a letter of intent. DEP received an e-mail response from the owner on 12/25/12, stating that he intends to use the three bedroom house as his new dental office and that he will submit the pre-application form. DEP replied to the owner via an e-mail on 12/28/12, asking for a more detailed description of the proposed use of the brick building, with a reminder that DEP review and approval are needed prior to using the dental office SSTS. DEP corresponded by email with the manager on 12/28/12, regarding the stream and force main work. On 12/28/12, DEP performed a quick visual inspection of the dental office SSTS; the field was covered with snow. DEP is concerned that heavy equipment such as fire trucks and responder's vehicles may have damaged the absorption field when responding to the dental building fire. DEP received a letter of intent from the owner on 1/9/13. DEP received an updated letter of intent from the owner on 1/11/13, clarifying that he will not rebuild or reuse the burned dental office building. DEP received a phone message on 2/4/13 and on 2/13/13 from the contractor, who is going to demolish the burnt building and install the new waste pipe. DEP returned the call and advised him the new connection to the existing SSTS must be proposed by the engineer and approved by DEP prior to installation. DEP sent an e-mail to the owner on 2/13/13, outlining the need for an engineer prior to any SSTS work. On 2/20/13, DEP performed a site visit in response to a phone call from the contractor. The house is undergoing a total renovation and the contractor doesn't expect to be done for a few months. The owner has not yet contacted an engineer. DEP received a phone call on 3/1/13 from the demolition contractor. He said he was planning to expose the tank and shoot grades to determine if the pipe from the proposed office would reach the tank with proper pitch. DEP returned the call to the contractor and asked him to let DEP know the results, and that DEP could meet him on site on 3/5/13. DEP called the contractor on 3/5/13; The Contractor said he installed a new pipe on 3/1/13 with proper pitch and two 45 degree elbows from the existing pipe to the proposed dental office. DEP reminded him the connection needed to be approved prior to installation and asked him to meet there. On 3/5/13, DEP performed a site visit in response to a contractor installing the waste line from the proposed dental office to the existing dental SSTS. DEP sent the comment letter issued on 3/7/13 via email to the owner, the Olive CEO, the design engineer and UCDOH on 3/7/13. DEP issued a letter to the owner/applicant on 3/7/13 regarding the connection/proposed dental office to the existing dental SSTS. DEP received a phone call on 3/7/13 from the owner, acknowledging that the both he and the contractor realized a mistake was made installing the new waste line. The owner will wait for the original engineer to return to work on the project.

Project Name: 27 Traver Hollow Road (1998-AS-0485)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1768
Discovery Date: 4/9/03
Status: Closed

Overview and Action:

DEP exchanged emails with the owner on 1/13/12; plans are expected to be submitted by mid February, 2012. DEP called the engineer on 2/15/12 and left message to call back regarding status of the plans. This project is on the CWC Septic Committee meeting agenda scheduled for 3/6/12. DEP called engineer for update on project on 3/19/12 and left a message. DEP received an Application for a conventional individual SSTS on 4/6/12. DEP issued an Approval Determination letter on 4/9/12. DEP called CWC and received call back with update on status of project on 7/16/12. DEP received a revised design from the engineer on 8/6/12. DEP issued a Modified Approval Determination letter on 8/10/12 to the engineer along with the approved plans. DEP received an e-mail from CWC on 9/5/12, stating that they are waiting for construction quote to be submitted. DEP called CWC for update on 10/17/12. CWC stated that three quotes received were all above \$30,000, and they are meeting with a representative and design engineer to discuss. DEP called CWC on 11/15/12 for update on the project status; there was no change since last communication. CWC reported that they would talk to engineer today about bid prices. This project is on the CWC Septic Committee meeting agenda scheduled for 12/4/12. DEP received notice on 12/10/12 that construction will begin. DEP completed construction inspections on 12/19/12. DEP received As-Built plans/engineer's certification letter from the engineer on 1/2/13. DEP issued a letter of Construction Compliance on 1/3/13. The violation was resolved and the case was closed on 1/17/13 with a DEP closure letter dated 1/17/13.

Project Name: 1 Crosswell Manor (Log#1997-AS-0221)
Town: Olive
Type of Use: Residence
Type of Violation: Repair/Replacement of tank. 8/9/05 Failed SSTS
Discovery Date: 8/9/05
Status: No Application

Overview and Action:

Site Visit type: Investigation. Date: 1/19/12; septic failure was observed. DEP performed a site visit and observed sewage migrating from the upper lawn area to the upper roadside ditch. There was no odor or evidence of sewage in the lower driveway or lower ditch. Site Visit type: Investigation. Date: 2/2/12; septic failure was observed. DEP observed sewage surfacing near the edge of the upper lawn and migrating into the upper ditch. When the leaves and twigs were removed from the sidewall of the ditch, the discharge became steady, and solids were observed in the soils. The lower ditch and yard area also smelled of sewage. Site Visit type: Investigation. Date: 2/3/12; septic failure was observed. DEP observed sewage surfacing in two spots, one at the top of the upper ditch and the other at the bottom of the upper ditch. DEP also spoke to a tenant that rents one of the two upstairs apartments. Site Visit type: Investigation. Date: 2/3/12; septic failure was observed. DEP performed a site inspection to look at the SSTS that was replaced with CWC funding. Sewage was observed discharging into the upper ditch in

two places. Site Visit type: Investigation. Date: 2/21/12; septic failure was observed. DEP performed a site visit and observed sewage discharging into the upper ditch from a pipe that daylighted from the upper lawn area. Sewage was also observed leaking into the upper ditch through the soil close to the uphill side of the lower driveway culvert. Sewage was migrating into the lower ditch through the lower driveway culvert and into the Route 28 roadside ditch. Site Visit type: Investigation. Date: 3/14/12; septic failure was observed. Sewage was actively discharging from the pipe at the edge of the upper lawn and migrating through the upper ditch and into the lower ditch as well. The odor was unmistakable. DEP received a letter from DOH to the owner on 10/2/2012 stating that after their inspections, DOH requests no further actions as the repair was satisfactory. DEP issued a letter to the applicant on 10/12/12 regarding the current status of the NOV. DEP performed a site visit on 10/25/12; septic failure was not observed. DEP performed a site visit on 11/21/12; septic failure was not observed. The upper apartment's door was propped open suggesting that the apartment is occupied. DEP inspected the site on 11/30/12; no evidence of the SSTS failing was observed. On 1/9/13, DEP performed an inspection of the upper ditch and the lower driveway. Although the areas were covered with leaves and snow, no sewage odor or failure was observed. On 2/20/13, DEP performed a visual inspection of the property from the road; no sewage was observed on the lawn area or in the ditch. On 3/25/13, DEP drove by the property and saw laundry (clothes) hanging on the line near the door to the lower apartment. Two cars were in the upper driveway. DEP performed a site inspection on 3/27/10; no evidence of an SSTS failure was observed.

Project Name: 159 Upper Boiceville Road (2004-AS-0783)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1847
Discovery Date: 5/24/2004
Status: Approved

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. A soil/site evaluation was performed on 6/4/04. A design approval was issued on 10/4/04. DEP performed a site visit on 3/21/11; septic failure not observed; the house vacant with no sign of failure. Site Visit type: Follow up. Date: 10/21/11; septic failure not observed. Property Status: Currently uninhabited. DEP issued a letter to the estate on 11/1/11 regarding the NCRA discontinued use. Site Visit type: Follow up. Date: 11/7/11; septic failure not observed. Pictures were taken of the structure, vacancy notice posting and septic tank area. Site Visit type: Follow up. Date: 12/19/11; septic failure not observed. Property Status: Currently uninhabited, Posted for sale. DEP performed a site visit on 7/23/12; septic failure was not observed. DEP sent an e-mail to the potential buyer on 10/12/12 regarding questions about the property. DEP performed a site visit on 1/31/13; septic failure was not observed; the property is vacant.

Project Name: NYS Route 28 (2005-AS-0207)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1667 - CWC
Discovery Date: 8/13/02

Status:

Overview and Action:

DEP received a call on 12/21/11 from the attorney regarding NCRA status. DEP explained that the NCRA status has lapsed. The attorney noted that the will was being contested and that the estate also owns property across the street and may consider selling to the city again. DEP found the property to be abandoned/vacant on 2/21/12 and a for sale sign was posted. DEP performed a follow up site visit on 6/28/12; septic failure was not observed. Property Status: Currently inhabited, Posted for sale. On 7/23/12 DEP performed a site visit; septic failure was not observed. Meters were pulled from the structures. Inspections scheduled through end of 2014. DEP performed a site visit on 2/7/13; septic failure was not observed. The property is still vacant and there are no power meters on the house.

Project Name: 3338 NYS Route 28 (Log#2007-AS-0954)

Town: Olive

Type of Use: Residence

Type of Violation: Failed SSTS - CWC

Discovery Date:

Status: Approved

Overview and Action:

On 6/15/12, the owner invited DEP to the site and had several complaints about work that was done and approved, including an "illegal" pipe installed last year by contractor which she believes is connected to septic system piping, ponding water at low end of swale, inadequate rock removal so she cannot mow and maintain the field, and stated that a tree was buried in the berm material. DEP received a call from the owner on 7/11/12, stating that contractor showed up onsite with a rake to clean up the ground surface. The owner was upset that the contractor just showed up with equipment and asked for DEP to call back. DEP called the owner back on 7/12/12. Owner said she told contractor to leave (previous day) because he didn't let her know he was coming. Owner wants to be contacted in advance and is concerned that the contractor just wanted to dress up the surface and not deal with her other concerns (swale drainage, tree in berm, and possible illegal pipe connection last year. DEP discussed the alleged illegal pipe installation with the engineer/contractor on 7/13/12. He explained that drain was installed to remove ponded groundwater behind the distribution box. DEP received a call from the owner on 7/16/12, requesting call back to discuss plans to get issues corrected. DEP called engineer on 7/19/12 and left message to call back and discuss owner's and DEP's concerns. DEP called owner and informed her that a meeting on site was trying to be scheduled, and that the mysterious drain pipe will need to be uncovered, and the distribution box as well, to determine system status. Also, DEP scheduled a dye test for 7/23/12. DEP received a call back from engineer on 7/20/12. He stated that the owner will never be happy, and that he thinks he's done there. When asked, he explained that in June 2011 there was a wet spot between pump station and field, which once excavated, showed no signs of sewage. At that point he assumed it to be groundwater and put in a drain (trench and stone) to alleviate this from happening in same area. He stated location was not in field, but about halfway from pump station to field. DEP informed engineer that dye test was being conducted. On 7/23/12, DEP met the owner for a dye test. Dye was introduced to the pump chamber and dose witnessed in uncovered distribution box. All seemed to function property. Minor adjustments to speed levelers made. Owner ran pump manually from control panel inside house. DEP was given permission by homeowner to inspect over the next week

(without further notice) for any dye recovery on site or in stream. On 7/23/12, the site was inspected for any evidence of dye surfacing, which was introduced to pump chamber and laterals a few hours prior; no dye was found. DEP will continue to monitor. On 7/26/12, DEP met with the owner, walked the site, and found no surfacing dye. The owner will continue to look for evidence of dye and will inform DEP if observed. DEP called the engineer on 8/9/12, and requested engineer to document June 2011 work done in writing and submit to DEP. Engineer asked for DEP to send him written request. DEP contacted the owner and reiterated that the only issue DEP is currently following up on is the alleged illegal pipe installation; all other site conditions the owner will have to take up directly with engineer. DEP sent an e-mail to the engineer requesting information on work done in June 2011, on 8/9/12. DEP received a phone call from owner on 8/22/12, wanting to know the status of DEP's communications with engineer. DEP stated that we have reached out to engineer recently and are waiting for his response, and cannot act and informant to owner, and that DEP is acting impartially to the alleged illegal pipe installation. The owner asked for FOIL request paperwork, which DEP will mail to her. DEP called the owner back on 8/23/12 with FOIL request contact information. DEP emailed the owner the FOIL forms on 8/23/12. DEP sent the engineer the same email from the previous month, requesting a response, on 9/14/12. DEP issued a letter to the engineer on 9/19/12 regarding the previous requests for information and again requested a response. DEP received the requested information from the engineer on 10/3/12.

Project Name: 4 Longyear Road (2000-AS-1200)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS-CWC; RE.2 is 2012 failure
Discovery Date:
Status: Closed

Overview and Action:

DEP received an email from DEP Police on 9/24/12, indicating that there was a surface SSTS failure. DEP initiated an Enforcement Action on 9/24/12. DEP called CWC to check on project status in their records on 9/26/12. CWC will check records and get back to DEP. DEP also sent CWC email on same day with project identification information. DEP received a call from the owner on 10/3/12, as DEP left business card with owner's grandson earlier in the day. SDEP performed a site visit on 10/5/12; septic failure observed; failure description: Migrating off property, surfacing of sewage on ground and the pump was turned off. Discharge continues due to head pressure from septic tanks at higher elevation. Distribution box was never buried and still exposed to surface, but not getting flow now with pump chamber off. System built 30' onto neighbor's property, and needs to be resolved. DEP recommended that the owner gets septic tanks pumped, and invite DEP to be present. DEP called engineer on 10/5/12 to discuss his recollection of this project. He remembered that the homeowner misrepresented his property line and that system may have been built partially on neighbor's property or in right-of-way. The firm that did this design is no longer in business. DEP called CWC on 10/5/12 to see if they had a chance to review the file history. They have not, but will look into this soon and get back to DEP. DEP performed a site visit on 10/24/12; septic failure was not observed. The pump control panel has been reinstalled on the house wall. From the front porch location, discharge to surface from pump chamber appeared to have stopped. DEP called the owner on 10/30/12 regarding actions taken to correct failure. Owner stated that the pump chamber control panel had blown a

fuse, which was replaced, and the panel was reinstalled on the house exterior wall. DEP recommended that the septic tanks get pumped out, and that DEP is called to witness, and gave owner CWC's number to inquire about pump out financial assistance. DEP informed owner that three inspections will be conducted to verify no more surface failure. Owner asked what was going to happen because the system was put in on neighbor's property. DEP stated that the owner should put his concerns in writing. DEP performed a site visit on 11/2/12; septic failure was not observed. DEP performed a site visit on 12/31/12; septic failure was not observed. The ground was snow covered and there were no signs of a failure. DEP called the owner on 1/18/13 to confirm he has not had any further SSTS problems. Owner said everything has been working fine since the pump station and septic tank was pumped out. DEP reminded owner that he should get tanks inspected within 4 years to make sure pump chamber does not take on solids again. DEP has resolved the Enforcement Action on 1/18/13.

Project Name: 9 Briarcliff Drive (2005-AS-0591)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS
2012 - Failing SSTS - CWC - overfull tank
Discovery Date:
Status: Closed

Overview and Action:

DEP initiated an Enforcement Action on 7/17/12. This project is funded under CWC septic repair program. On 7/17/12 DEP received CWC's notice of failure. DEP issued a letter to the owner on 7/19/12 providing guidance for remediation. A soil/site evaluation was performed on 8/8/12. DEP received an Application for a conventional individual SSTS on 8/27/12. DEP issued a NOCA on 8/29/12. DEP issued an Approval Determination letter on 9/5/12. DEP received notice on 9/20/12 that construction will begin. DEP received As-Built plans, along with engineer's certification letter from the engineer on 9/26/12. DEP issued a letter of Construction Compliance on 10/1/12. DEP completed construction inspections on 9/26/12. DEP has resolved the Enforcement Action on 10/25/12.

Town: Prattsville
Basin: Schoharie
Project Name: Greene-Del Sanitation and Recycling (Log #2008-SC-0239)
Project Description: Operate construction and demolition debris facility.
Project Type: Stormwater (SP)
Status:

DEP received DEC's amendment to Permit on 10/26/11. DEP performed a site visit on 11/3/11; there were no deficiencies, there was a discharge and the site was occupied. DEP sent an e-mail to DEC on 11/10/11 with photos taken from the last site visit. DEP performed site visits on 11/30/11 and 1/25/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent and received e-mails to and from the engineer on 3/23/12 regarding the 3/22/12 site visit. DEP performed a site visit on 3/29/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 3/30/12 with the meeting minutes and site inspection report. DEP received the SWPPP inspection report with photos from the engineer on 4/5/12. DEP received an e-mail from the engineer on 4/5/12 with

the excess stockpile locations. DEP performed a site visit on 4/18/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 4/20/12 regarding the locations of the stockpiles. DEP sent an e-mail to the engineer on 4/24/12 stating that DEP is OK with the two locations for stockpiling. DEP performed a site visit on 5/18/12; there were no deficiencies, there was no discharge and the site was occupied. A joint site visit was performed on 6/21/12 with DEC. DEC is going to look into the multi-sector permit requirements. Also the requirements listed in their consent order regarding covered roll-offs. DEP performed site visits on 7/26, 8/23 and 9/6/12; there were no deficiencies, there was no discharge and the site was occupied. DEP called the engineer on 9/7/12 regarding the foundation drain around the building's addition. The perimeter drain was supposed to be daylight toward the east side of the property. The contractor has connected to the stormwater system and now the water will be entering the stormwater treatment system. The system has plenty of capacity to accept this additional flow. DEP performed a site visit on 10/23, 11/20, 12/20/12, 2/6, 3/21 and 3/29/13, there were no deficiencies, there was no discharge and the site was occupied.

Project Name: 37 Albert Slater Road (2006-SC-0779)
Town: Prattsville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS; previous owner Naomi Rosenberg
Discovery Date: 6/26/06
Status: No Application

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. Site Visit type: Enforcement. Date: 10/28/10. Septic Failure: Not observed. No change since last inspection. DEP performed a site visit on 4/20/11; there are no signs that anyone has been at this residence. The house is vacant and in poor condition. The furniture has been removed and some windows are boarded. DEP performed a site visit on 9/12/11; the house has been abandoned. DEP called the phone number on file from the 2007 pre-application, which was a wrong number per woman who answered phone. On 10/3/11, DEP issued a reminder letter to the applicant/owner due to the lack of activity, and to establish contact with owner, since contact by phone was unsuccessful. DEP received a call from the homeowner on 10/14/11 in response to recent DEP letter. The owner said that he was deceived by the previous owner and that the house is used about once per year, and the septic tank is used as holding tank (no outlet) because the d-box was found to be full of solids. The owner inspects the tank but it has not needed to be pumped out yet. DEP gave the owner CWC's number to contact for eligibility, and DEP's LAP number at the request of owner, whom he spoke with a few years back. DEP will contact the owner in early November 2011 to check on his progress. DEP performed a site visit on 2/6/13; septic failure was not observed. The house appears to be abandoned as there is no furniture and is in disrepair. DEP called the owner on 2/20/13 to discuss the status of the holding tank operation. The property is used for about 1 week a year. The owner was encouraged to re-contact CWC and engineer to get project moving. The owner stated he hasn't had to pump out the tank because they barely use the property. DEP sent an email to the owner on 2/21/13 outlining actions to take, including contacting CWC, engineer, etc. DEP also informed the owner that an NOV would be issued if significant progress was not made by April 2013.

Name: County Route 2 (Log #2000-SC-0836) I.D. #: 1154
Location: Prattsville
Type of Use: Residence
Discovery Date: 6/3/99
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP issued a warning letter to the owner on 2/15/12 regarding the NOV; the owner is required to submit SSTS plans by 3/15/12 or the project will be referred to DEP Corp. Counsel. DEP received a call from the owner on 2/22/12 in response to recent DEP letter. He stated that his lawyer gave the engineer a due date of 3/1/12 to provide a detailed breakdown of the outstanding bill, which will then be negotiated. The owner understands that the project will be referred to DEP counsel if plans are not received by mid March, 2012. The owner will call in one week with update, but did also mention that the SSTS plans are done, but the engineer will not release them until further payment is received. DEP called the owner on 3/19/12, who did not have an update. DEP received a call from the owner on 3/28/12 stating that engineer is not providing him with a detailed bill, so he will not pay the bill and the engineer will not submit plans until payment is received. The owner called back later same day and said that engineer is going to try to work with him and will be reviewing the project and calling him back this afternoon or tomorrow. On 3/28/12 the violation was forwarded to DEP Legal for follow-up on enforcement action. DEP received a call from the new engineer (same firm) on 3/28/12, stating that they will get this project in motion and that the previous owner of the engineering firm will not be working on this project. Site Visit type: Enforcement. Date: 3/30/12; septic failure not observed; no visible discharge at this time; the area of the failure has dried up. DEP's Assistant Counsel issued a letter to the homeowner on 4/24/12 regarding the need to submit plans within thirty days to remediate the SSTS's NOV. DEP sent an email to the engineer on 6/28/12 regarding status of plan submission. DEP received an email from the engineer on 7/9/12 stating that they have no new updates. DEP called the owner on 7/25/12 due to failure to respond to DEP Counsel's letter. Owner stated he needs clarification from engineer regarding billing. Owner said he will call the engineer and the call DEP back with result and plan. DEP performed a site visit on 8/15/12; the area of failure has dried up. DEP called the owner and left a message for return call with status of plan submission on 8/21 and 8/23/12. DEP received a call from the owner on 9/13/12, stating that he had been in Canada and couldn't return calls. He stated he will be obtaining legal representation because he cannot put the money up front to be reimbursed by CWC for engineering and construction of replacement SSTS. Engineer has given him a bill but won't submit plans until paid. DEP received a call from the owner on 9/19/12 stating that he is hiring a lawyer to try and get CWC to pay for the SSTS project, but not as reimbursement, and also for other damages incurred. DEP called the owner on 10/2/12 and informed him of recent discussion with CWC, which revealed that they will pay for engineering and construction as they do with regular program participants. The owner was told he needs to find a way to get plans submitted to DEP, and was asked to call CWC if he has any further funding questions. DEP received a call on 10/3/12 from owner stating that he is meeting with engineer, accompanied by his lawyer, to get finances straightened out and project moving forward. DEP called the owner on 10/17/12 for a status update. The owner had a meeting with the engineer, but it did not go well. DEP called the owner on 11/15/12 for an update. The owner stated that he and the engineer have come to agreement on half payment up front. The owner was asked and expects to be able to have plans

submitted in December or early January, and ready for construction in spring 2013. DEP performed a site visit on 12/7/12; septic failure was observed; surfacing of sewage on ground. The absorption area is still surfacing but not leaving the property. DEP left a message on 1/11/13 for the owner to return call with information on when plans will be submitted. The owner returned call and stated that he plans on making payment to engineer in early March, and plans should be submitted by mid-March. DEP performed a site visit on 2/26/13; septic failure was not observed. DEP called the owner on 3/27/13 and left a message for a return call with the status of plans to be submitted.

Town: Shandaken
Basin: Ashokan
Project Name: Degree Ulster 2, LLC (Loretta Charles), (Log #2011-AS-0014)
Project Description: Formerly Loretta Charles Restaurant; has lost NCRA status
Project Type: Intermediate Repair (CR)
Status:

DEP received an Application for a SSTS on 12/22/11 from the engineer. DEP issued the NOCA and Approval Determination letters on 2/23/12. This project is on the CWC Septic Committee meeting agenda scheduled for 3/6/12. DEP received a call on 3/21/12 from the contractor, who is starting the SSTS on 3/26/12; DEP scheduled the pre-construction meeting with the contractor, the engineer and DEP. DEP met with the contractor and design engineer on the site for a pre-construction meeting on 3/26/12; the new septic tank was set in four pieces and needs to be sealed prior to backfill. DEP performed a construction inspection on 3/27/12; DEP and the engineer inspected the grease trap installation. DEP performed a site visit on 4/2/12; the contractor has half the Presby units in, the depth is greater toward the road. DEP asked the contractor to grout the d-box ports and to cover with additional fabric the openings left at the seams of the Presby units. DEP discussed impervious issues with proprietor; he understands he can't pave or add impervious surface within 100 feet of watercourse without DEP approval. DEP performed a site visit on 4/3/12; the engineer took elevation shots at the top of the installed Presby units and all are within one inch of level; the pipes at the d-box need to be bedded prior to backfill. The contractor to discuss additional risers with CWC as both DEP and the engineer did not require risers on all access covers, but they are needed due to blacktop. DEP performed a site visit on 4/5/12; the owner has hired a paving company to grade the item 4 and install just the binder for now. DEP agreed we could sign off on the construction as the binder is impervious, and the blacktop can be installed when the ground settles. DEP performed a site visit on 4/13/12; risers had been installed on all ports. The binder has been installed and is slightly uneven at tank access ports; existing grease trap to be pumped and properly abandoned. DEP received As-Built plans and engineer's certification letter from the engineer on 4/16/12. DEP issued a letter of Construction Compliance letter on 4/18/12. This project is on the CWC Septic Committee meeting agenda scheduled for June 5, 2012. DEP sent an e-mail to the engineer and to the UCDOH on 6/8/12, inquiring about the installation of the required water meter and meter readings. DEP called and left a message with an employee on 6/15/12 regarding the water meter readings. DEP received a return call on 6/22/12 from the owner. He has been recording the water meter readings daily for the last two months and will fax them to DEP. DEP received an e-mail from the owner on 7/3/12 with the daily water usage. On 8/24/12, DEP met the owner on site for a scheduled inspection of the water meter. He has plans to install an outside patio for seating, and says he has approval from DEC and is 140 feet from the watercourse. Present for Inspection:

Owner. Property Status: Currently inhabited. DEP took the water meter readings on 8/24/12. DEP issued a letter to the owner on 9/24/12 stating that he is in violation of his Approved SSTS for seating greater than 40 seats; serving breakfast and water meter readings not recorded daily. DEP received a phone call on 10/5/12 from the owner, to confirm that an email was received that dismisses the issues that DEP noted in the recent letter. DEP corresponded by e-mail with the owner on 11/1/12; he will begin sending daily water meter readings on a weekly basis. On 11/21/12, DEP stopped at the site to look at the water meter and to talk to the owner about the lack of water readings. DEP spoke to the chef, who said the original water meter was removed and a new one has not yet been installed. The chef said he will email the readings to DEP when the owner tells him to. DEP received a phone call on 11/29/12 from DOH who performed a site visit on 11/29/12 and found no water meter installed. DEP corresponded by e-mail on 12/3/12 with the restaurant owner; he said the new water meter is to be installed on 12/4/12, so DEP requested an appointment to inspect. DEP received an e-mail from the owner on 12/3/12; he said the new water meter will be installed on 12/6/12. On 12/7/12, DEP and DOH performed an inspection to see the new water meter installed. DEP replied by e-mail to the owner of the restaurant on 12/20/12; he called and emailed DEP several times recently and wants to discuss seating at the business. A meeting was held with the property owner and DOH on site on 1/23/13. During the meeting, DEP received the 12/12 Water System Operating report from DOH. On 1/23/13, DEP met DOH and the owner at the site to look at the water meter and to determine if it is working and being read correctly. DEP replied to an e-mail from the owner on 2/5/13 explaining that the water meter readings were never received. DEP initiated an Enforcement Action on 3/1/13, due to failure to follow VA and SSTS approvals. DEP received an e-mail from DOH on 3/22/13; a new date for a hearing has been set for 4/4/13. DEP issued a NOV to the owner on 3/22/13. DEP received an e-mail from the owner on 3/26/13, confirming that he received the NOV.

Project Type: Variance (VA)
Status:

DEP received an e-mail from the applicant's attorney on 2/9/12 confirming the extension of time to 2/28/12 to accept the terms of the 1/13/12 letter and Approval; DEP's Assistant Counsel confirmed the extension. DEP received a Modified Approval Determination letter dated 2/13/12 to the owner signed by the First Deputy Commissioner as changes have been made to reflect the current property owner. DEP received the executed Variance Approval from the applicant on 2/17/12. DEP issued a letter to the owner on 9/24/12 stating that he is in violation of his Approved SSTS for seating greater than 40 seats; serving breakfast and water meter readings not recorded daily. DEP performed a site visit on 12/7/12; the new water meter was installed and read 379 gallons. A variance is sought for under Section 18-38(3) & (4) - limiting distance of the WRR. DEP issued a NOV to the owner on 3/22/13. DEP initiated an Enforcement Action on 3/22/13.

Name: Zen Mountain Monastery (Log #2000-AS-0152)
Location: Shandaken
Type of Use: Commercial
Discovery Date: 2/16/00
Type of Violation: Failed SSTS
Status:

Overview and Action:

DEP received the February water meter readings on 3/15/12. DEP received an e-mail from the design engineer on 3/28/12, advising that the contractor will start the tank and piping for the SSTS next week. DEP corresponded by e-mail with the design engineer concerning water testing of the septic tank on 4/11/12. On 4/12/12, DEP performed a site inspection; the contractor has excavated for the 4000 gallon septic tank and the #2 stone is in. On 4/13/12, the tank was set and approved by DEP. On 4/16/12, the risers are on and the tank was filled with water to within a few inches of the top of the highest riser. The tank leaks at the mid-seam and profusely at the riser seams. DEP performed a site visit on 4/17/12; the tank seam is no longer leaking and the risers are leaking less (at 9 a.m.) Measurement taken is 9" below top of highest riser. The engineer checked the water level at 1 p.m. and it was the same. At 3 p.m., all seams had stopped leaking and the water test was successful. DEP performed a site visit on 4/18/12; the contractor was installing pipe from the new tank to the dosing chamber. DEP performed a site visit on 4/19/12; the contractor to use Item 4 instead of sand for bedding under driveway. The elevation on top of the culvert is 4 feet below the top of the sleeve. DEP received an e-mail from the engineer on 4/20/12. He observed the successful air pressure test on a portion of the piping installed by the contractor. On 4/20/12, DEP accompanied the engineer in witnessing the contractor perform low pressure sewer testing; both tests passed. The contractor began backfilling the sewer pipe. DEP received the April 12 water meter readings on 5/18/12. On 5/25/12, DEP inspected the risers that were installed on the existing tanks by the monastery. DEP received the water meter readings on 6/30/12. DEP received an e-mail from one of the managers on 6/30/12 with the May 2012 water meter readings. On 7/18/12, DEP performed a follow up inspection on the new waste lines and new and existing tanks. Heavy construction equipment has been driving over the new building sewer, so the facility manager agreed to pressure test the piping again prior to DEP construction approval. DEP received the water meter readings for July 2012 on 8/14/12. DEP performed a site visit on 11/8/12; the SSTS has been completed and the disturbed areas have been seeded and are now vegetated. DEP received a phone call on 11/13/12 from the engineer regarding the final SSTS inspection that was held with DOH. DEP sent an e-mail to the manager on 11/14/12, requesting a discussion about inspecting the new pipe from the building to the tank. DEP is concerned about the integrity of the pipe due to heavy construction equipment in the area after the pipe inspection. DEP received As-Built plans/engineer's certification letter from the engineer on 2/1/13. DEP sent an e-mail to the operator on 2/21/13, requesting that the water meter readings be sent to DEP. DEP has not received water meter readings since July 2012, and the new building has since been put on line. DEP received an e-mail from the new facility manager on 3/12/13 stating that the water readings were being taken on a monthly basis. DEP received the water meter readings on 3/14/13. DEP received an e-mail from the work supervisor on 3/21/13 and the water usage reports from July 2012 through February 2013. DEP called the work supervisor on 3/21/13 regarding the daily water meter readings; he takes the readings for DOH monthly reports and will send DEP the same going forward.

Project Type: SEQRA (SQ)

Status:

DEP received Lead Agency Neg Dec dated 4/13/11 from the Shandaken Planning Board.

Project Type: Stormwater (SP)

Status:

DEP issued a Modified Approval Determination letter on 12/20/11 to the engineer along with the approved plans. DEP performed site visits on 12/22/11, 1/9 and 1/23/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 2/7/12 regarding the last site visit. DEP received an e-mail from the representative asking DEP if they would like a copy of a wetlands assessment for the upper field on 2/13/12; DEP responded yes. DEP received a copy of the Wetlands Assessment on 2/16/12. DEP performed a site visit on 3/15/12; there were no deficiencies, there was no discharge and the site was occupied. DEP issued meeting minutes on 4/3/12 regarding the day's site visit. DEP corresponded by e-mail with the design engineer concerning water testing of the septic tank on 4/11/12. On 4/12/12, DEP performed an inspection. The contractor has excavated for the 4000 gallon septic tank, and the #2 stone is in. On 4/13/12, the tank was set and approved by DEP. DEP received the construction inspection sheet from the engineer on 4/13/12. DEP performed a site visit on 4/16/12; the risers are on and the tank was filled with water to within a few inches of the top of the highest riser. The tank leaks at the mid-seam and profusely at the riser seams. DEP performed a site visit on 4/17/12; the tank seam is no longer leaking and the risers are leaking less (at 9 a.m.) Measurement taken is 9" below top of highest riser. The engineer checked the water level at 1 p.m. and it was the same. At 3 p.m., all seams had stopped leaking and water test successful. DEP performed a site visit on Date: 4/18/12; the contractor was installing pipe from new tank to dosing chamber. DEP performed a site visit on 4/19/12; the contractor to use item 4 instead of sand for bedding under driveway; air testing to be done on Friday. The elevation of top of culvert is 4 feet below the top of the sleeve and the entire length of new pipe to be checked again after air test. DEP received an e-mail from the engineer on 4/20/12. He observed the successful air pressure test on a portion of the piping installed by the contractor. On 4/20/12, DEP accompanied the engineer in witnessing the contractor perform low pressure sewer testing. Both tests passed. Contractor began backfilling sewer pipe. DEP performed a site visit on 4/23/12; there were no deficiencies, there was no discharge and the site was occupied. DEP called the contractor on 5/14/12 regarding the site visit conducted on 5/9/12 and that all the open areas on the site should be temporarily stabilized with the oncoming rain event. DEP received the 4/12 water meter readings on 5/18/12. On 5/25/12, DEP inspected risers that were installed on the existing tanks by the monastery. DEP performed a site visit on 6/11/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received the water meter readings on 6/30/12. DEP performed a site visit on 7/17/12; there were no deficiencies, there was no discharge and the site was occupied. On 7/18/12, DEP performed a follow up inspection on the new waste lines and new and existing tanks; heavy construction equipment has been driving over the new building sewer so the facility manager agreed to pressure test the piping again prior to DEP construction approval. DEP performed site visits on 7/19 and 7/25/12; there were no deficiencies, there was no discharge and the site was occupied. DEP called the engineer on 7/25/12 regarding the heavy rains forecasted for the next day. DEP received the water meter readings on 8/14/12. DEP performed a site visit on 8/14 and 9/12/12; there were no deficiencies, there was no discharge and the site was occupied. DEP received the SWPPP Inspection report from the engineer on 10/2/12. DEP performed a site visit on 10/15/12; there were no deficiencies, there was no discharge and the site was vacant. DEP called the engineer on 10/17/12 regarding the few outstanding items that need to be address and discussed plantings and as-builts. DEP performed a site visit on 11/27/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 11/30/12

regarding the filing of the Notice of Termination (NOT). The engineer is also waiting for the deed change regarding the stormwater maintenance operations. DEP sent and received e-mails to and from the engineer on 12/20/12 regarding the filing on the NOT, the draft review of the deed covenant and the operation of the stormwater treatment facility. DEP sent an e-mail to the engineer on 1/7/13 accepting the deed covenant. DEP performed site visit on 1/11, 1/29 and 1/31/13; there were no deficiencies, there was no discharge and the site was occupied. DEP received As-Built plans/engineer's certification letter from the engineer on 2/1/13. DEP received a copy of the NOT issued to DEC from the engineer on 3/21/13.

Project Name: South Street (2005-AS-0217)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1894-Managed Repair (Seepage Pit) Phoenicia NIP
Discovery Date: 10/8/04
Status: Closed

Overview and Action:

DEP received a request for a pre-application meeting from the engineer/applicant on 9/11/12. A soil/site evaluation was performed on 9/11/12. DEP received an Application for a conventional individual SSTS on 9/12/12. This project is located in a managed repair area. CWC recently notified the property owner that since the Phoenicia WWTP project is not moving forward, they will no longer be managed repairs, but instead, are now eligible for full repairs, and should move forward with that process. DEP issued a NOCA on 9/26/12. DEP received revised CWC report on 10/10/12. DEP issued an Approval Determination letter on 10/16/12. DEP received notice on 11/5/12 that construction will begin on 11/5/12. DEP completed construction inspections on 11/9/12. DEP received As-Built plans, along with engineer's certification letter from the engineer on 11/13/12. DEP issued a letter of Construction Compliance on 11/15/12. The violation was resolved and the case was closed on 11/15/12 with a DEP closure letter dated 12/26/12.

Town: Shandaken
Basin: Ashokan
Project Name: Shandaken Highway Garage (Log #2007-AS-0935)
Project Description: Failed SPPP
Project Type: Stormwater (SP)
Status:

DEP sent an e-mail to the engineer on 7/26/11 with a request on the status of the design. DEP received an e-mail from the engineer on 8/4/11 cancelling the meeting for 8/5/11 and requested re-scheduling. DEP sent an e-mail to the engineer on 2/9/12 requesting a meeting to go over the SWPPP. DEP received an e-mail from the engineer on 2/16/12 stating that he has set up a meeting with the Town Supervisor and will be contacting DEP for another meeting. DEP sent an e-mail to the engineer on 5/17/12 requesting the status of the SWPPP and a meeting date. DEP called the engineer on 10/2/12; the design plans to be ready shortly. DEP received pump out receipts on 11/8/12. DEP called the engineer on 11/26/12; he hopes to complete the revised design this winter and shoot for a spring installation. DEP received the pump out receipt for 1/9/13 in an e-mail on 1/11/13. DEP received an Application for an SSTS on 3/20/13 from the engineer.

Town: Shandaken
Basin: Ashokan
Project Name: Shandaken Town Hall, (Log #2010-AS-0115)
Project Description: Replacement SSTS
Project Type: Intermediate Repair (CR)

Status:

DEP issued a letter to the Town Supervisor on 10/14/11 extending the SSTS construction deadline due to extenuating circumstances created by Tropical Storm Irene. DEP received the pump out receipts from the Town Supervisor on 2/2/12 for pump outs dating from 6/11 to 1/12. On 2/3/12, DEP stopped at the site because the alarm for the holding tank was blinking. The Supervisor was there and the SSTS was discussed. DEP received the pump out receipt on 2/17/12. DEP received an e-mail from the Town on 4/4/12, with the recent pump out receipts. DEP received a call from an engineer on 5/4/12. The town supervisor wants to explore Presby units instead of trenches so that the parking area will not be impacted. DEP called the Town Supervisor on 8/13/12 for both pump out receipts and an update on the re-design of the SSTS. DEP received a phone call on 8/14/12 from the Town Supervisor, who said an engineer is working on re-designing the SSTS from a conventional absorption trench to a Presby design. DEP received an e-mail from the Town Supervisor with pump out receipts on 8/15/12. DEP called the engineer on 8/27/12; he hopes to have plans done this week. DEP called the engineer on 10/2/12; the design plans to be ready shortly. DEP received pump out receipts on 11/8/12. DEP called the engineer on 11/26/12; he hopes to complete the revised design this winter and shoot for a spring installation. DEP received the pump out receipt for 1/9/13 in an e-mail on 1/11/13. DEP received an Application for an SSTS on 3/20/13 from the engineer.

Project Name: 223 Plank Road (2009-AS-0306)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS-Managed Repair-Phoenicia
Discovery Date:
Status: No Application

Overview and Action:

DEP performed a site visit on 10/5/10 and 2/3/11; septic failure not observed. DEP performed site visits on 4/6 and 8/19/11 for septic failure; none was observed. DEP will continue to monitor. Site Visit type: Enforcement. Date: 12/21/11; septic failure not observed. Property Status: Currently inhabited. DEP performed site visits on 4/19 and 8/16/12; septic failure was not observed. This project is located in a managed repair area. CWC recently notified the property owner that since the Phoenicia WWTP project is not moving forward, they will no longer be managed repairs, but instead, are now eligible for full repairs, and should move forward with that process. DEP issued a letter to the owner on 11/1/12 providing guidance for remediation. DEP received a call from the owner on 11/9/12, in response to DEP's recent letter. The owner stated that the house was more than 50% damaged from hurricane Irene in 2011, and they are not living there. He said that there is no plumbing inside the house that would work. The NCRA timeframes were discussed with owner, who is unsure if they will sell the property or donate it. DEP performed a site visit on 12/5/12; septic failure was not observed.

Project Name: Main Street (2005-AS-0216)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1895 - CWC- Managed Repair Area for Phoenicia NIP
WWTP - (liquor store with rentals)
Discovery Date: 10/8/04
Status: No Application

Overview and Action:

On 4/28/11, DEP did a routine inspection of the managed repair; the site looked good, no sewage problems were observed. On 7/5/11, DEP did a routine inspection of the SSTS; no problems were observed. DEP performed a routine follow up inspection; no problems were observed. On 4/17/12, DEP performed a follow up inspection of the site. The rear of the property has been re-graded with a flood berm at the creek's edge, and the parking area has been re-graded and new stone installed. There was no sign of sewage or work on the area around the cesspool. This project is located in a managed repair area. CWC recently notified the property owner that since the Phoenicia WWTP project is not moving forward, they will no longer be managed repairs, but instead, are now eligible for full repairs, and should move forward with that process. On 11/8/12, DEP performed a routine follow up inspection of the site; there was no sign of failure. DEP called the owner on 11/23/12 for a status update. The owner will call his engineer to initiate the repair process. A soil/site evaluation was performed on 12/7/12. On 2/20/13, DEP performed a visual inspection of the yard/driveway area where the managed repair had been done several years ago; no sewage was observed on the ground.

Town: Tannersville
Basin: Schoharie
Project Name: Horowitz, Miriam Viola, (Log #2012-SC-0572)
Project Description: Sewer lateral repair
Project Type: Sewer Connection (CN)
Status: Closed

DEP received a phone call on 9/4/12 from DEP Police regarding a sewage discharge. DEP performed a site visit on 9/4/12 and septic failure was observed as it was visibly entering watercourse/wetland, surfacing of sewage on ground. DEP-REP was contacted by DEP Police, and asked to stop at a site with a direct sewage discharge to the ground. The discharge to the ground was from a house in the Village of Tannersville, where all structures have historically been connected to the Tannersville Waste Water Treatment Plant. On 9/5/12, DEP met with the owner's representative, the contractor and the DEP Police for a dye test. The meeting was arranged on 9/4/12 by the DEP Police. Dye was introduced into three of four toilets in the house and was recovered in the discharge from the green pipe in the back yard within a few minutes of flushing the toilets. DEP called the Operator on 9/5/12 from Tannersville WWTP regarding location of the sanitary sewer lateral connection. DEP performed a site investigation on 9/5/12 and met with the owner's representative, contractor and DEP Police to discuss sewer discharge event to the surface of the ground. DEP received a call on 9/6/12 from the applicant's representative regarding information on the application to connect and step by step instructions. DEP received the building permit for the work from the Village clerk on 9/7/12. DEP called DEP Chief of Operations on 9/7/12 regarding the use of a pipe camera for investigative work on the sewer problem. DEP performed a follow-up investigation on 9/11/12 and met with the

Tannersville WWTP staff to discuss the sewer main and lateral TV camera video work. DEP received a call on 9/12/12 from the applicant's representative regarding the application to connect. DEP received a call on 9/12/12 from the owner's representative regarding scheduling repair work and contractor information. DEP received an Application for a sewer connection on 9/12/12 from the engineer. DEP performed a site inspection on 9/20/12 and met with the owner's representative, contractor and DEP Operations staff to discuss the required sanitary sewer work activity. DEP performed a site inspection on 9/21/12 and met with the contractor to discuss and oversee sanitary sewer work activity. On 9/27/12, DEP stopped at the site; the area where the lateral installation occurred is graded but not seeded or mulched. DEP issued a NOV to the owner on 10/5/12. DEP received a call on 11/28/12 from the Village of Tannersville court clerk; the trial date is scheduled for 12/12/12. DEP received an e-mail from the engineer on 12/20/12 regarding the as-built drawing. The violation was resolved and the case was closed on 1/22/13 internally due to no receipt of "as-builts". DEP received a call on 2/4/13 from the owners' realtor regarding a map of the sewer for a new building or addition.

Town: Tannersville
Basin: Schoharie
Project Name: Penson, Shannon, (Log #2011-SC-0597)
Project Description: Failing SWPPP; Site Stabilization Plan; due to existing encroachments into onsite wetland areas, all site work activities shall be suspended.
Project Type: Stormwater (SP)

Status:

DEP received a call on 2/8/12 from the engineer. The engineer has performed deep tests and vegetative analysis to determine where the original wetlands boundary is. After ACOE has determined what the measures are required at the site (mitigation, remove the pond etc.) will the engineer be able to put together a SWPPP for DEP. Based on what the ACOE says, the site configuration may change and thus the delay in the SWPPP. DEP received a letter from the engineer on 3/5/12 advising of the progress made to date and the re-evaluation of the historic wetlands delineation and their proposed schedule for moving forward. DEP sent an e-mail to the engineer on 3/20/12 regarding their meeting with the new contractor. DEP sent an e-mail to the engineer on 4/25/12 stating that none of the stabilization around the house has been performed and that stormwater concerns need to be addressed as soon as possible. DEP received an e-mail from the engineer on 4/30/12 in response to DEP's e-mail of 4/25/12. DEP performed a site visit on 5/18/12; there were no deficiencies, there was no discharge and the site was occupied. DEP received the Forensic Wetlands Evaluation report from the engineer on 6/4/12. DEP performed a site visit on 6/26/12; there were no deficiencies, there was no discharge and the site was occupied. DEP received ACOE's response to the forensic wetlands report on 7/13/12. DEP sent an e-mail to the engineer on 7/25/12 stating that the wetland remediation plans must be incorporated into the SWPPP for approval. DEP performed a site visit on 8/28/12; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call on 9/27/12 from the engineer regarding a site meeting scheduled for 10/17 at 11 am. A meeting was held with the project applicant, project engineer, DEC and ACOE on 10/17/12. DEP received a copy of the 10/17/12 meeting minutes from the engineer on 10/24/12. DEP sent an e-mail to DEC on 11/29/12 with the meeting minutes of 10/17/12. DEP performed site visits on 12/19/12 and 2/25/13; there were no deficiencies, there was no discharge and the site was vacant.

Town: Tannersville (V)
Basin: Schoharie
Project Name: Nihill, Edward (Log #2006-SC-0740)
Project Description: Failed SSTS
Project Type: Intermediate Repair (CR)
Status: Closed

DEP Engineering obtained a copy of the Village of Tannersville application to connect to the Tannersville WWTP. It was signed by the CEO and forwarded to DEP Operations in 1/08. The application is for the four bedroom single unit that is currently in violation. The original plans submitted showed the connection of two additional units, on the same parcel, that are under construction and lacking an approval to connect. DEP called the owner to advise that another application needs to be filed. DEP performed a site visit on 4/23/08 with the owner, and again stressed the need for the design to be resubmitted to engineering for approval so the connection can be made. The owner is working on renovating the two townhouses; the site was vacant. DEP performed a site visit on 5/12/08; there was not a discharge; no one is occupying the apartment. The owner is doing some maintenance on the building in anticipation of renting it. DEP reminded the owner to schedule an appointment with his engineer to meet DEP Engineering and Operations at site to discuss connection. Applicant cancelled the July meeting. The compliance meeting is rescheduled for 9/4/08. DEP performed site visits on 8/28 and 9/4/08. DEP met with the engineer on site on 9/4/08 regarding the need to get plans approved and the buildings connected. DEP performed a site visit on 9/16/08; there was no discharge. The owner is renovating the units and DEP advised owner and contractors not to use the facilities. DEP received the proposed design from the engineer on 9/30/08. On 11/8/12, DEP performed a site inspection; there was no sign of a sewage discharge on the ground near the septic tank. DEP issued a Design Approval Expiration letter on 11/23/12. The violation was closed due to vacant and no use on 2/26/13.

Project Type: City Sewer Connection (CCS)
Status: Closed

DEP received a call on 4/12/11 from the owner, who said he has been trying to contact his engineer to have him finish the application so it can be approved. DEP spoke to the new engineer in charge at DOT. He said he has been contacted by the applicant's engineer and still needs deep cut and stabilization details. He also said an "occupancy and use" permit is required. DEP received the easement from the surveyor on 10/5/11 that the owners filed the Village Planning Board approved subdivision plat with easements. DEP is awaiting plans to be added to the filed plat for review and approval. On 12/6/11, DEP stopped at the site; the residence served by the partially removed SSTS still appears to be unoccupied and there is no discharge above the septic tank. On 2/2/12, DEP stopped at the site to check for occupancy and a discharge. The area above the septic tank was dry and there was no apparent activity in the apartment that was served by the SSTS in violation. DEP has resolved the Enforcement Action on 11/22/11; closed due to no activity.

Town: Windham
Basin: Schoharie
Project Name: Jaeger, Scott, (Log #2011-SC-0697)
Project Description: New SSTS DEC NOV

Project Type: Stormwater (SP)

Status:

DEP issued an Incident referral form to DEC on 5/15/12. DEC issued a NOV on 6/11/12. DEP initiated an Enforcement Action on 6/21/12. DEP issued a NOV to the owner on 6/21/12. A meeting was held with the project applicant and engineer on 7/13/12. A meeting was held with the project applicant on 8/10/12 to discuss the SWPPP design and the reimbursement program. A meeting was held with the project applicant and engineer on 8/21/12. DEP exchanged e-mails to and from the engineer on 9/17/12 regarding the berms. DEP received an e-mail from the engineer on 10/9/12 regarding the enhanced filter strips. DEP received an Application for a SWPPP on 11/6/12 from the engineer. DEP issued a NOICA to the engineer on 11/20/12 requesting revisions to the plans. DEP received a response to the NOICA from the engineer on 11/26/12 with revised plans. DEP sent an e-mail to the engineer on 11/29/12 regarding missing an executed deed restriction or some other legally binding measures to ensure the remaining lots are protected from disturbance. DEP issued the NOCA and Approval Determination letters on 12/28/12. DEP received notice on 1/2/13 that construction will continue. DEP performed a site visit on 2/25/13; there were no deficiencies, there was no discharge and the site was occupied.

Town: Windham

Basin: Schoharie

Project Name: Lani Nursery, (Log #2010-SC-1063)

Project Description: Construction of a 30 X 54 Morton Building

Project Type: Crossing, Piping, Diversion (CPD)

Status:

DEP received an Application for a SWPPP on 12/3/10 from the engineer. DEP sent an e-mail to the engineer on 12/07/10 with comments on the plans. DEP received revised plans from the engineer on 12/15/10. DEP issued a NOCA on 12/22/10. DEP issued an Approval Determination letter on 12/22/10. DEP received the work and building permits from the engineer on 12/22/10. DEP issued a letter to the applicant on 12/28/10 stating that DEP has no issues with the disposal and treatment of wastewater. DEP issued a letter of Construction Compliance letter on 4/28/11. DEP initiated an Enforcement Action on 7/10/12. DEC issued a NOV on 7/10/12. DEP received a letter from the owner to DEC responding to the NOV on 8/14/12. DEP sent the site disturbance map to DEC on 11/29/12. DEP sent an email to DEC on 11/30/12 regarding the actual timeline of disturbances with attached photos. DEP sent an e-mail to DEC on 12/18/12; the owner is doing more clearing on the site. DEP received an e-mail from DEC on 1/7/13; they're writing up a referral to send to DEP Legal. DEP received an e-mail from DEC on 1/30/13 stating that the referral has been sent to legal. DEP received DEC's Order on Consent from DEC on 2/27/13. A meeting was held with the project applicant and DEC on 2/27/13. DEC has issued a consent order and schedule of compliance. DEP Legal sent an e-mail to DEC Legal on 3/5/13 regarding their schedule of compliance mentioned in the order and development of the SWPPP. DEC Legal responded that they will be hiring an attorney and engineer.

Town: Windham

Basin: Schoharie

Project Name: Mato, Gerardo & Silvia (Log #2007-SC-0463)

Project Description: New SSTS; failed SPPP

Project Type: Stormwater (SP)

Status: Approved

DEP placed a call to the contractor on 12/20/11 to let him know to notify DEP 24 hours prior to return to the site, so that we can resume site inspections. DEP received an e-mail from the engineer on 12/21/11 regarding what needs to be done on the site. DEP performed site visits on 12/28/11 and 1/11/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 1/18/12 regarding winter shutdown and a 30 day notice and site stabilized properly. DEP performed a site visit on 1/19/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter from the engineer on 1/23/12 regarding winter shut down and that inspection frequency will be reduced to every 30 days. DEP performed site visits on 4/18, 5/21, and 6/6/12; there were no deficiencies, there was no discharge and the site was vacant. DEP called the contractor on 6/12/12 regarding the project startup. DEP performed site visits on 6/14 and 7/19/12; there were no deficiencies, there was no discharge and the site was vacant. DEP issued a letter to the applicant on 7/24/12 regarding the latest site visit and it appears that the work has not been completed on the controls for treating the storm water runoff and therefore, is not in compliance. DEP received call on 8/6/12 from the owner regarding the DEP letter dated 7/24/12 requesting a meeting. DEP called the owner and CWC on 8/8/12 to schedule and site meeting for 8/9/12. A meeting was held with the project applicant on 8/9/12; items discussed included creating the upland bench within the stormwater pond, re-grading the forebay's side slopes, and top soiling, other items: the outlet stabilization along the outlet structure, and re-grading the field to remove the ruts. We also discuss doing the planting in the spring (May 2013) to give the plantings the best chance for survival. DEP received call on 8/14/12 from the engineer regarding proposed garage construction (not part of the SWPPP). DEP sent an e-mail to the engineer on 8/17/12 responding to the proposed garage. DEP performed a site visit on 9/24/12; there were no deficiencies, there was no discharge and the site was vacant. DEP called the applicant and left a message on 10/3/12 regarding the progress on the stormwater pond. DEP called CWC on 10/3/12 to inform them that DEP will not provide a partial construction sign off letter. DEP received a call on 10/5/12 from the applicant regarding the construction schedule and that a contractor has been hired; work on the stormwater pond grading has not started due to bad weather. DEP performed a site visit on 10/17/12; there were deficiencies, there was no discharge and the site was occupied. DEP received a call on 10/23/12 from the engineer regarding verification that the pond elevations are incorrect. DEP called CWC on 10/23/12 regarding incorrect grading of the stormwater pond. DEP called the contractor on 10/24/12 regarding incorrect grading of the stormwater pond; fixing the problem this year will depend on the weather. DEP performed site visits on 11/30/12 1/24 and 2/19/13; there were no deficiencies, there was no discharge and the site was vacant.

Town: Windham

Basin: Schoharie

Project Name: Windham Willows Senior Apts., (Log #2004-SC-0915)

Project: Proposal to construct a 9,000 square foot, single story, wood frame structure, housing twelve-one bedroom apartment units

Project Type: Intermediate SSTS (IS-2)

Status:

DEP received a letter and a set of plans from the engineer on 1/18/12 regarding connection to the town sewer system. On 1/20/12, DEP observed a surface discharge on the lower portion of the

southern field. DEP notified the building manager that pump outs must begin again to prevent an ongoing discharge. DEP sent an e-mail to the building supervisor requesting pump outs, water meter readings and receipts. DEP received a reply e-mail from the building manager, attempting to dispute the effluent observation by DEP on 1/20/12. DEP sent a reply an e-mail to the building manager requiring monitoring of the absorption field and pumping out when needed to avoid another surface discharge. DEP received an e-mail from the building manager, agreeing to pump but wary of the money that will be spent. On 1/25/12, DEP inspected the site; the discharge is frozen but still visible. The septic tank and pump chamber appear to have been cleaned, as the liquid level in the chamber was low and there was nothing entering the chamber from the septic tank. On 2/2/12, DEP did a follow up inspection of the SSTS. DEP received an e-mail on 2/3/12 from the building manager that the tanks had been pumped on 1/26/12. DEP responded on 2/3/12 that the tanks may need to be pumped again. On 2/8/12, DEP performed an inspection of the SSTS. The absorption field was dry and frozen and there was effluent from the tank entering the pump chamber. On 2/14/12, DEP did a routine inspection of the SSTS. The alarm on the pump chamber was tested and functional, the pump chamber was in use and the absorption field showed no signs of failure. On 3/6/12, DEP performed a weekly inspection of the SSTS. The tank alarm functioned when tested, wastewater was entering the pump chamber from the septic tank and no sewage was observed on the absorption field. DEP sent an e-mail to the housing director, asking for the status of the application to connect to the Windham WWTP on 3/29/12. On 10/19/12, DEP met with the manager and the engineer's field representative; it was observed that after two consecutive doses, the absorption field showed no sewage on the ground. The engineer will draft a proposal for future SSTS operations at reduced flows. DEP received a letter from the engineer on 11/5/12 regarding the system and there being no signs of failure and provided the water usage data sheet. DEP sent an e-mail to the engineer on 12/3/12, agreeing with the proposal noted in a letter from the engineer on 11/2/12. DEP received an e-mail from the manager on 12/20/12; the facility will receive funding from New York State for the connection to the Windham WWTP. DEP responded, and inquired about the time line and if any work has been done to the SSTS per engineer's letter to DEP received on 11/5/12. On 1/11/13, DEP performed a routine inspection of the SSTS. The septic tank has been pumped recently. The absorption field showed no signs of failure. DEP sent an e-mail to the facility manager on 2/20/13, requesting that he keep in touch concerning the installation of the washing machines. On 2/21/13, DEP performed a routine inspection of the SSTS; no failure was observed. The washing machine appears to be in use. DEP received a reply e-mail from the manager on 3/1/13. The washer and dryer have been put back into use, but are limited to one load per week per tenant. He expects to connect to the Windham collection system this spring.

Project Name: 120 & 124 Mitchell Hollow Road (Log#2007-SC-0303)
Town: Windham
Type of Use: Residence
Type of Violation: Failed SSTS;
Discovery Date:
Status: No Application

Overview and Action:

DEP received the pump out receipt on 10/25/11. Site Visit type: Follow up. Date: 11/9/11; septic failure not observed. DEP received the pump out receipts on 11/23/11. Site Visit type: Follow up. Date: 12/9/11; septic failure not observed; there was no sewage discharge from the wall or

driveway. DEP called the design engineer regarding the plans submitted to connect to the Windham WWTP collection system. DEP has a few comments about inconsistencies in the plans, but DEP does not issue an approval and none of the issues are serious. DEP received the pump out receipts on 12/27/11. Site Visit type: Enforcement. Date: 1/25/12; septic failure not observed. DEP inspected the site and did not observe a discharge. DEP received the pump out receipts on 1/27/12. On 9/28 and 10/5/12 DEP performed a quick inspection of the site; vegetation has been established and a laborer is reconstructing the stone wall in front. DEP called the owner's attorney on 11/23/12 regarding the paperwork needed to close the NOV and comply with the stipulation. The attorney will call the Town engineer and ask for the "as built" and construction notes. DEP sent an email to the Town's engineer on 11/23/12, requesting the final sign off for installation of the lateral and connection to the Town collection system. DEP Legal sent an e-mail to the owner's attorney on 2/26/13, requesting the "as built" for the connection to the Windham collection system. DEP called Windham on 3/25/13 to inquire on paperwork for the sewage connection. The Town has not received the certification from the owner or the "as built" from the engineer.

Project Name: 4806 Route 23 (Log#2008-SC-1111)
Town: Windham
Type of Use: Residence
Type of Violation: Failed SSTS - Surfacing - CWC
Discovery Date:
Status: Ongoing

Overview and Action:

DEP received a call from the engineer on 9/7/12 and discussed the project history. DEP performed a site visit on 9/12/12; septic failure was observed. In the lowest corner of SSTS, surface of ground was spongy. Dug in between Elgen trenches to an elevation below the trench and the ground was not saturated. Dug laterally and once sand from alongside Elgen units was breached, wastewater gushed out and filled the hole to within 2" of the top of the Elgen unit. DEP called the engineer on 9/25/12 for status update. The engineer has not yet made contact with material testing laboratory to discuss testing Elgin sand currently in place. DEP called around and found contact information for a soil testing company out of Albany, NY, and forwarded information to engineer via email on 9/25/12. DEP sent an email to the engineer on 10/18/12 requesting results of soil analysis. DEP sent the engineer an email for status update on 11/2/12. DEP received a call from the owner's son-in-law on 11/21/12, who is acting as the owner's representative. He stated that the system is currently failing, and that engineer has not returned numerous phone calls. DEP will contact the engineer and inspect site. DEP performed a site visit on 11/21/12; septic failure was observed. Failure Description: Absorption field and surfacing of sewage on ground. DEP sent the engineer an email on 11/21/12, requesting update on sand analysis. DEP performed a site visit on 11/30/12; septic failure was observed. Failure Description: Absorption field and surfacing of sewage on the ground. Sewage is surfacing but not leaving the site. The owner has not had any luck contacting the engineer. DEP sent an e-mail to the engineer on 12/14/12, requesting information and forward movement on correcting this active failure. DEP performed a site visit on 1/31/13; septic failure was observed. Failure Description: Surfacing of sewage on ground. DEP spoke with the owner; the engineer will not return his phone calls but the contractor has agreed to help with the repair. DEP sent the engineer an email on 2/1/13 requesting information on how to remedy the failure. If a plan is not received

by 2/4/13, a NOV will be issued. The engineer responded and stated plans will be sent today via email. DEP received an email from the engineer on 2/4/13 stating that plans should be received by tomorrow. DEP received proposed remediation plans electronically. DEP sent engineer an email on 3/12/13 and again on 3/21/13, requesting information on sand testing, which was supposed to be done prior to proposing a design solution. DEP received a call from the engineer on 3/22/13 in response to email from DEP. The engineer said he will have sand tested and results back within one week. DEP received a call from the engineer on 3/26/13, who stated that three different testing companies will not test the Elgen sand because it has been contaminated with sewage. DEP asked the engineer to contact Elgen and find out where they would bring it, and to keep DEP updated. DEP performed a site visit on 3/29/13; septic failure was not observed.

Project Name: 165 Mill St (2012-SC-0251)

Town: Windham

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS - NOV

Discovery Date:

Status:

Overview and Action:

DEP received an e-mail from DEP Police on 4/27/12, informing of septic discharge to roadside ditch. DEP performed a site visit on 5/3/12; septic failure was observed. DEP found a 4inch pipe that had been discharging in the roadside ditch and some solids were still visible. DEP issued a NOV to the owner on 5/3/12, which was returned as undeliverable address on 5/17/12. NOV resent to confirmed current address of owner on 5/17/12. DEP sent internal email requesting contact information of owner on 5/17/12. DEP received a call from the owner on 5/17/12, in response to the 5/3/12 NOV. The NOV that was mailed went to a prior address, and the owner was actually responding to NOV placed on vehicle at the property. The owner agreed to allow DEP inspector to perform inspections whether site is occupied or not. Owner was informed that he must have the tank pumped out by a licensed hauler to prevent surface discharge of sewage. Owner stated that a 30 foot section of drain pipe from house to street was removed. The owner stated he will call engineer to get process moving for recertification of plans. He also stated that the existing structure is what was previously referred to as the barn and it had a well, sink, toilet, and related plumbing in 2007 when he purchased it. Shortly after purchasing it he installed a 300 gallon tank and installed it outside the cabin. He then stated that in September 2011, to resolve some flooding issues, they installed the drain pipe leading to the roadside ditch, for which the NOV was issued. DEP performed a site visit on 5/17/12; the discharge pipe was no longer visible. New landscaping had been placed in the immediate area. DEP spoke to the town of Windham Assessor; He said that the parcel is listed as vacant with improvements. A NOV cover letter was left at the site. DEP had internal meeting on 5/18/12 between Land Management, DEP Counsel, DEP Police, and Wastewater Programs to discuss the project and enforcement path. DEP performed a site visit on 5/24/12; septic failure was not observed. No visible effluent and the pipe was no longer visible and there was no sign of the tank being pumped. DEP received a copy of the town's violation notice for illegal septic and building construction on 6/11/12, asking all illegal activities to cease. DEP sent an e-mail to the owner on 6/26/12, requesting pump out receipts and status of engineer recertifying plans. Owner said during phone call prior to email that he has an appointment with engineer. DEP received a request for a pre-application meeting from the engineer/applicant on 7/9/12. DEP sent a reminder email to the owner on 7/17/12

requesting acknowledgement of receipt follow-up on 6/26/12 email issues. A soil/site evaluation was performed on 7/27/12. On 7/30/12, DEP conducted soil testing with the engineer and verified that the soils for the original design. The soils will no longer support a shallow trench system. DEP spoke to the town of Windham Building Inspector. He has not gone any further with enforcement action. DEP sent e-mail to the owner on 8/23/12 requesting copies of pump out receipts. DEP Counsel's assistance may be necessary if response is not received. DEP communicated via email with DEP Police on 8/24/12, regarding status of project, and asked police to keep an eye out for potential tank overflowing when they visit the site. Police agreed to keep watchful eye and also stated they will ask owner for pump out information in court. DEP received an e-mail from owner/owner's representative on 8/27/12, stating that tank was pumped three weeks prior and that they are pushing the engineer to get plans submitted. DEP emailed him back requesting receipts on 8/30/12. DEP called the engineer and left message on 9/14/12 requesting plan submission status. DEP also emailed owner again requesting pump out receipts. DEP performed a site visit on 9/14/12; the tank was exposed but not running over. DEP received a copy of the pump out receipt on 9/18/12 for pump out in July, 2012. DEP received a return phone call from the engineer on 9/19/12, stating that the owner wants to build a septic next year, after the new house is constructed, because someone is currently using the cabin/renovated barn. DEP stated that they need to show immediate progress or further enforcement action will be taken and a long term pump and haul will not be acceptable. The engineer will contact owner and get back to DEP with intentions. DEP called the engineer on 9/25/12 for an update. The engineer stated that the owner gave him the go ahead to design a system for an existing 1 bedroom residence and that he may submit modifications to this plan in the future when the owner builds a new 2 bedroom house on the property. A meeting was held with the Building Inspector on 9/28/12. DEP informed him of the owners' intent to continue using the renovated barn. He said he had a conversation with the engineer and would continue to have the owner move toward compliance. No CO will be given until DEP and the town is satisfied. DEP called the engineer on 10/17/12 for status of plan submission. DEP sent email to engineer on 10/25/12, stating that plans must be submitted by November 5th to avoid involvement of DEP Counsel. DEP received an e-mail from engineer on 11/4/12, including the completed plans, and stated hardcopies being priority mailed for review and approval. DEP received an Application for a conventional individual SSTS on 11/7/12. DEP performed a site visit on 12/13/12; septic failure was observed. Failure Description: Surcharge septic tank, cesspool and drywell. DEP met on site with the owner's representative to discuss the plan. Due to the small size of the lot, well location and lack of soil, it was determined the plan would not work. While on site we found the temporary 300 gallon tank was overflowing. He was going to make arrangements to have it pumped out and agreed to have a 1000 gallon tank installed. DEP sent an e-mail to engineer on 12/18/12, stating DEP's concerns about current design submittal. DEP sent owner's representative an email on 12/18/12, requesting pump-out receipt assuming that the tank was pumped out. Also inquired when new septic tank will be installed. DEP received an email on 12/21/12 from the owner's representative, stating that the tank was pumped out on 12/13/12 and that a new tank was going to be installed in next few weeks. DEP received an email from the engineer on 1/8/13, stating that he will contact DEP inspector to do soils in wooded area, weather permitting. DEP sent owner's representative an email on 1/9/13 requesting pump out receipt for 12/13/12 and for date when new 1,000 gallon concrete tank will be installed. Engineer responded that tank should be installed in next few weeks. DEP sent the owner an email on 1/11/13, requesting receipt for 12/13/12 pump out. DEP performed a site visit on 1/14/13; septic failure

was observed. Failure Description: Surcharge septic tank, cesspool and drywell; the tank was overflowing. DEP spoke to the pump out contractor; he has been hired to install a 1000 gallon tank. DEP received the 12/13/12 pump out receipt on 1/15/13. DEP exchanged emails with the owner on 1/15/13, and new septic tank is expected to be installed next week. On 2/19/DEP received an e-mail engineer stating that soils testing is being planned for next week, weather permitting. DEP received an email from owner on 2/20/13 stating that he doesn't understand why this project is being considered new construction and must meet current code. DEP issued a letter to the owner on 3/22/13 regarding the SSTS.

Project Name: Route 23 (2000-SC-0070)
Town: Windham
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #659 - CWC
Discovery Date: 11/27/2000
Status: No Application

Overview and Action:

DEP performed a site inspection on 6/21/12; sewage was observed on the ground in front of the flower beds, just downslope and south of the main house. The cottage on the property appears to be under renovation. DEP issued a Design Approval Expiration letter on 6/25/12. On 6/25/12, DEP issued a reminder letter to the owner due to the lack of activity. DEP received a call from the owner on 7/11/12 regarding recent DEP letter about current failure of SSTS. Owner said toilet was malfunctioning and running continuous while he was out of town for a week; the problem with toilet has been fixed. Owner said failure has subsided since, and DEP is welcome to inspect anytime. Owner said his bridge has to be fixed before an SSTS can be built. He hopes bridge can be worked on by end of this month. DEP encouraged owner to touch base with CWC and engineer regarding funding and re-certification of plans. DEP performed a site visit on 8/2/12; septic failure was not observed and there was no visible discharge. DEP performed a site visit on 12/14/12; septic failure was not observed. There was no visible discharge and the ground was frozen. DEP performed a site visit on 2/28/13; septic failure was not observed. The area of concern was snow covered. DEP called the owner on 3/18/13, and gave him contact information for CWC and recommended that he also call his engineer, as re-certification will be needed.

Project Name: 62 Ostrander Road (Log #2008-AS-2333)
Town: Woodstock
Type of Use: Residence
Type of Violation: Failed SSTS
Discovery Date:
Status: Closed

Overview and Action:

DEP issued a letter to CWC on 12/3/08 confirming the DEP has observed the septic tank installation. DEP sent email to CWC to on 1/25/11 to find out if Septic Remediation project was legitimate or should be closed out due to erroneous creation or confusion with Septic Tank Replacement project. DEP received email from CWC on 1/25/11 stating their records indicate site only needed a septic tank replacement. DEP has resolved the Enforcement Action on 4/18/12. The violation was resolved and the case was closed on 11/20/12 internally.

3.2.2. Delaware District

Town: Andes
Basin: Pepacton
Project Name: Strzeletski, Sebastian, (Log #2009-PE-0805)
Project Description: Likely to fail SSTS - CWC - backing up into house; DEC NOV
Project Type: Stormwater (SP)
Status: Closed

DEP initiated an Enforcement Action on 6/17/11. DEC issued a NOV to the owner on 6/17/11. DEP received the stabilization and planting plan from DEC on 8/17/11. DEP received an e-mail from DEC on 8/17/11 stating that the project is exempt from the regulations due to it's an agricultural project. DEP sent an e-mail to DEC asking if they were going to rescind the NOV on 9/21/11. DEC replied that they were not planning on rescinding, but pending with a final inspection. DEP performed a site visit on 9/26/11; there were no deficiencies, there was no discharge, the site was occupied. DEP received the DEC letter issued to the owner on 10/6/11 regarding the NOV. DEP e-mailed DEC updated photos on 4/19/12. DEP performed a site visit on 6/11/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to DEC on 6/12/12 with photos of the 6/11/12 site visit. DEP performed a site visit on 6/21/12; there were no deficiencies, there was no discharge and the site was occupied. DEP has resolved the Enforcement Action on 12/10/12.

Town: Andes
Basin: Pepacton
Project Name: Desmet, Donald, (Log #2008-PE-0069)
Project Description: New SSTS; failing DEC SWPPP
Project Type: Stormwater (SP)
Status:

On 12/20/11, DEC issued a Cease and Desist Order. DEP received copies of the engineer's inspection reports from DEC on 3/1/12. DEP received a response letter from the engineer on 4/9/12 to DEC's letter of 8/17/11 with Engineer's Report last revised 2/2/12. DEP received the "Desmet Watercourse Relocation" report from DEC on 4/16/12; last revised 3/2/12. DEP issued a letter to DEC on 4/26/12 with comments on the latest submission. DEP received an e-mail from the engineer on 5/29/12 with the average volume calculations for each of the 5 proposed sediment traps. DEP received an e-mail from DEC on 11/13/12 regarding the 9/18/12 inspection and correspondence between the applicant and engineer. DEP sent DEC info on 11/29/12 regarding the 11/12/12 site visit. DEP sent an e-mail to ACOE on 12/26/12 regarding the November's site visit findings forwarded to DEC. DEP sent and received e-mails to and from ACOE on 1/7/13.

Town: Andes
Basin: Pepacton
Project Name: Cole, Harold Subdivision, (Log #2007-PE-0568)
Project Description: Proposal for an 8-lot subdivision on 78 Acres; lots ranging from 5 to 19 acres each
Project Type: Stormwater (SP)

Status:

DEP issued a letter to the applicant on 11/23/11 stating that the current NOV cannot be cleared until a revised SWPPP for the road system is submitted. DEP called the owner on 12/12/11 regarding the project status. DEP issued a letter to the engineer and applicant on 1/17/12 regarding the requirements needed for the non-subdivision alternative for this property. DEP called the owner on 5/15/12 regarding proposal to hire a new engineer to complete the SWPPP. Owner stated that he will contact his surveyor to determine if a new engineer has been hired. DEP suggested that, to avoid further delay, the engineer should have experience with SWPPP preparation in NYC watershed. DEP issued a letter to the owner on 7/2/12 regarding their intent to withdraw the subdivision application and that a revised SWPPP is still required. DEP's Assistant Counsel issued a letter to the homeowner on 1/7/13 regarding the outstanding NOV. DEP received a call on 1/11/13 from engineer; he's meeting with the owners on 1/15/13. DEP received a call on 1/23/13 from CWC; they had questions regarding the owner eligibility for reimbursement. DEP received a letter from the Town of Andes Planning Board on 2/19/13; they have accepted the request by the owners to withdraw their proposed subdivision application. DEP issued a letter to the owner on 2/19/13 stating that DEP received the Town of Andes letter of acceptance to withdraw the subdivision, and asked that the owner refer to DEP's letter of 1/17/12 for the SWPPP components that are required for the existing developed portions of the site. A meeting was held on-site with the applicant on 2/26/13; also in attendance was the applicant's engineer and a representative from CWC. DEP received an e-mail from the engineer on 3/1/13 asking about restricting future disturbance. DEP responded that they will not be able to restrict future development.

Town: Colchester
Basin: Pepacton
Project Name: Lasofsky, Mike, (Log #2011-PE-0632)
Project Description: DEC NOV issuance
Project Type: Stormwater (SP)
Status:

DEC issued a NOV to the owner on 9/1/11. DEP initiated an Enforcement Action on 9/1/11. DEP received a DEC Consent Order on 9/14/11. A meeting was held with DEC and the owner's contractor on 10/18/11; discussed that the owner will need to hire an engineer to design an E&S plan. DEC is also going to comment that if they exceed two acres, they will need a DEP permit, also. DEP received an e-mail from DEC on 11/1/11 stating that the owner has agreed to sign the Consent Order and advised that there were still some problems at the site. DEP called the owner on 11/1/11 regarding a site meeting. DEP received a copy of the executed order from DEC on 12/20/11. A meeting was held with DEC on 1/20/12. DEC has directed the owner to coordinate with DEP on the house site and a DEP SWPPP approval if the site disturbance is going to be greater than two acres. DEP performed a site visit on 5/17/12; there were no deficiencies, there was no discharge and the site was vacant. Construction for this project is on hold as of 10/2/12 due to lack of funds. DEP performed a site visit on 10/11/12; there were no deficiencies, there was no discharge and the site was vacant.

Town: Colchester
Basin: Pepacton
Project Name: Bellmore Rod & Gun Club Gun Club, (Log #2012-PE-0615)

Project Description: Failing SSTS - direct sewage discharge from hunting club
Project Type: Intermediate Repair (CR)
Status: New

On 9/24/12, DEP met with DEP Police to look at a direct sewage discharge. Solids and toilet paper were observed on the ground directly below a four inch waste pipe from a hunting cabin in a hollowed out area below a shed adjacent to the cabin. DEP issued a NOV to the owner on 11/15/12. DEP received two phone messages on 11/19/12 from the president of the facility; he received the NOV and wants to do something about it. DEP returned the phone call to the manager on 11/20/12 and advised him to call the CWC for possible funding and/or a list of engineers and contractors and explained the process. DEP suggested portable toilets but he wants to close the cabin on 11/23/12. It is just used during hunting season, and the pipe discharge goes into the former outhouse hole in the ground. DEP received a phone call on 11/21/12 from the Town of Colchester CEO, asking what response DEP has received from the owner. DEP called the club president on 12/11/12 regarding the status. The camp was closed on 11/23/12, and he is waiting on CWC for possible funding. DEP sent an e-mail to CWC on 12/18/12 and included the NOV and pictures of the site and sewage on the ground. On 1/25/13, DEP engineering met DEP field staff supervisor and field staff to show them the access to the site and inform them of where to look for any activity and/or sewage discharge from the main cabin. DEP field staff will check the site once a month for activity. DEP reached out to CWC by email on 2/20/13. CWC cannot fund the SSTS because the gun club is a not-for-profit organization. DEP received an e-mail from a consultant on 3/5/13, inquiring about a holding tank. DEP advised him we should meet on site with the club representative to get a better idea of how many people use the facility. DEP received a reply e-mail from the consultant on 3/6/13; he will coordinate a meeting with the club and DEP when the snow melts and the site is accessible. DEP returned a call on 3/22/13 to one of the owners of the Rod & Gun Club; we discussed a holding tank, and meeting on site in the spring.

Town: Delhi (V)
Basin: Cannonsville
Project Name: Henness, Emory (Log #2008-CN-0467)
Project Description: Failed SSTS, 2 bedroom trailer
Project Type: Intermediate Repair (CR3)
Status:
Project Type: Intermediate Repair (CR 4)
Status: Closed

DEP received revised plans from the engineer on 2/7/12. DEP sent an e-mail to DEC to inquire about any outstanding issues at the site that would interfere with the SSTS installation. DEP called the Town Highway Superintendant to inquire about permits or requirements for the pipe and sleeve installation through Honest Brook Road. A copy of the plan was faxed to him as well. DEP received an e-mail from DEC on 2/13/12; the issues have all been cleared up. DEP received an e-mail from DEC on 2/13/12 concerning floor drains. DEP received an Application for the SSTS on 2/15/12 from the engineer. DEP called the design engineer on 2/15/12 and requested an application for the SSTS plans. DEP issued the NOCA and Approval Determination letters on 2/16/12. DEP received a call on 2/21/12 from the Delhi Highway Superintendant; he will fax a spec sheet to DEP and asked that DEP forward the spec sheet to the design engineer and contractor for the road crossing. DEP received the specs for the road

crossing from the Highway Department on 2/21/12. DEP received a letter from the engineer on 3/2/12 regarding concerns about some of the items listed in the Conditions of Approval letter. DEP issued a Modified Approval Determination letter on 3/16/12 to the engineer along with the approved plans. DEP issued a letter to the engineer on 3/16/12 in response to his letter of 3/2/12. DEP received revised plans from the engineer on 4/5/12. DEP issued a Modified Approval Determination letter on 4/12/12 to the engineer along with the approved plans. DEP sent an e-mail to the property owner on 6/26/12, inquiring as to when the replacement SSTS will be installed. DEP received an e-mail from the owner on 6/27/12, saying that the contractor will start the SSTS in July 2012. DEP responded and asked for a pre-construction meeting. DEP received an e-mail from the owner on 6/28/12; he will have the engineer and contractor call DEP for a pre-construction meeting. DEP received notice on 7/02/12 that construction will begin on 7/9/12. On 7/9/12, DEP performed a construction inspection of the absorption field. Twelve inches of sand had been added to one of the 30 inch deep absorption trenches; after compaction it was only 9 inches deep. A quick percolation test by the engineer gave results of about 16 minutes per inch. DEP received specifications for the road crossing permit from the contractor on 7/9/12. DEP performed a site visit on 7/10/12; the two absorption trenches had 12 inches of sand installed and compacted. A 6 inch deep percolation test was run in each trench and stabilized at about 6 minutes per inch. The engineer and DEP gave the okay to the contractor to install the laterals. DEP performed a site visit on 7/12/12; there hasn't been much progress on the SSTS. DEP performed a site visit on 7/17/12; the laterals and header pipes were checked by DEP and the d-box was water tested and speed levelers were set. The contractor was given the okay to cover everything. The pitch from the eastern road edge to the d-box was checked and will be just the minimum pitch required. On 7/18/12, DEP called the Town of Delhi Highway Superintendent to ask if the 2 feet of #2 stone cover required in the road crossing permit could be waived to allow the pipe from the tank to the d-box to have more than minimum pitch, as DEP is concerned about the pipe settling under the road. He has no problem with an 18 inch depth and he also informed the contractor. On 7/19/12, DEP arrived on site just after the blacktop had been put down for the eastern half of the road crossing. The contractor left the connection of the Schedule 40 to the Schedule 80 open for inspection, and had lifted the Schedule 80 to allow for an additional inch of pitch for that half of the pipe crossing. On 7/24/12, DEP arrived as the contractor was covering up the road crossing. He said he was able to raise the pipe another inch over the western half of the road crossing. There will be ample pitch from the tank to the road. The excavation for the tank is partially completed. DEP performed a site visit on 7/26/12; the tank will be set this afternoon at about 3; the contractor will leave it open for inspection on Friday. DEP performed a site visit on 7/27/12; the septic tank and two risers are in and approved. DEP advised the contractor that only a partial construction acceptance can be issued without the building sewer installed. Both he and the owner are fine with that, as the parcel will be sold and the new owner can decide where the plumbing should go. DEP called the engineer on 7/30/12 regarding the need to issue a partial construction acceptance if the building sewer isn't installed and requested that be mentioned in the certification letter and reflected on the "as built." DEP received a return phone call on 8/1/12. The engineer will submit an "as built" and certification letter for the SSTS prior to the building pipe being installed and request a 95% payment for the contractor. DEP received As-Built plans/engineer's certification letter from the engineer on 8/9/12. DEP sent an e-mail to the owner and CWC on 8/14/12, with the partial construction letter attached. DEP issued a letter of Partial Construction Acceptance on 8/15/12. DEP received an e-mail from the owner on 11/26/12; he is still waiting for an appraisal of the property. DEP received an e-mail

from the owner on 2/20/13; the garage property is listed with a national realtor.

Town: Hamden
Basin: Cannonsville
Project Name: Schriver, Cathy, (Log #2012-CN-0065)
Project Description: Complaint
Project Type: Other (OT)
Status: Closed

DEP initiated an Enforcement Action on 2/6/12. DEP received a call on 2/6/12 from the DEP Police regarding a septic complaint. The DEP Police did not have any records that the complainant had called previously. DEP called the complainant on 2/8/12 to log his complaint. In DeLancey, just past the bridge, what's known as the Schriver residence, there is a fifth wheel camper with additions that is being lived in. There is sewage that is being let out onto the ground. There are small children residing on the property as well and complainant is worried about the health of the children. DEP called the CEO official on 2/7/12; he reported that he was alerted to a problem with the property via social services. The problems that he was alerted to dealt primarily with the camper's heating and electrical issues. He was unaware of any septic problems. There were no building permits for the camper's additions. There is also a manufactured home on the property as well. DEP called the CEO on 2/9/12; he conducted his site visit on 2/8/12 and took photographs, which he has emailed to DEP. He has a call into the state regarding the state codes for inhabiting a camper with additions year-round. He was told by the current residents that they have resided in the camper for almost a year, but are hoping to leave in two or three weeks. The residents have run a garden hose underground from the permanent residence to the camper to provide for a water source. They have also run electric underground from the permanent residence to an electric panel which is situated on the outside of one of the additions to the camper. A furnace has been added to the camper to provide for heat in the winter months. All of the work that was done (electric, additions, heating) was done without permits from the town. There is a pipe with a definite grey-water discharge. The CEO suspects that it may be more than a grey-water discharge. He has provided a photograph of the area of discharge and the pipe. The residents told him that the toilet effluent goes to a holding tank, which they have pumped by a company in Delhi. They thought the grey-water discharge was okay. DEP called the camper residents on 2/9/12 regarding a site visit. The camper resident is willing to allow for a site visit. A site visit was performed on 2/10/12; septic failure was observed. Grey-water is being released onto the ground. The effluent from the toilet is being dumped into the camper's holding tank which they have pumped out regularly to prevent discharge to the ground. DEP performed a site visit on 2/13/12; septic failure was observed; direct discharge from the building. The owner still needs to bury temporary grey water line. DEP called the tenant on 2/14/12 and left a message regarding the status. DEP called the CEO on 2/15/12 regarding the status. Social Services were issued a report, completed by the CEO regarding his findings upon inspection of the camper and immediate area. On 2/3/12, Social Services had the children and their mother move out of the camper. At this point in time, they have moved into the mother's residence next door (the mother is currently on vacation and is due back in approximately a week). The CEO is going to push for removal of the camper, in its entirety, from the property. In addition, the mother (who is the property owner) will be mailed an NOV in regards to the camper. DEP received the town's NOV and report that was sent to Social Services on 2/15/12. DEP performed a site visit on 10/1/12; the camper has been

removed. DEP has resolved the Enforcement Action on 10/4/12.

Town: Hamden
Basin: Pepacton
Project Name: Sangricolo Property, (Log #2012-PE-0347)
Project Description: DEC NOV
Project Type: Stormwater (SP)
Status: Closed

DEP issued an incident referral form to DEC on 4/20/12 with photos. DEC issued a NOV on 6/12/12. DEP initiated an Enforcement Action on 6/12/12. DEP performed a site visit on 11/9/12; there were no deficiencies, there was no discharge and the site was vacant. DEP has resolved the Enforcement Action on 12/10/12.

Town: Kortright
Basin: Cannonsville
Project Name: Town Of Kortright Hwy Garage Storage, (Log #2012-CN-0066)
Project Description: DEC NOV for PBS and SPDES Violations
Project Type: Intermediate Repair (CR)
Status:

DEP received an e-mail from DEC on 2/8/12 informing DEP of wastewater and petroleum bulk storage violations found at the site. DEP received a call on 2/9/12 from the Town of Kortright Highway Superintendent, in response to DEP's site visit on 2/9/12. On 2/9/12, DEP performed an inspection of the premises in response to notification from DEC that a wastewater violation was noted on 2/2/12. DEP initiated an Enforcement Action on 2/9/12. DEP received DEC's draft NOV on 2/9/12 for PBS and SPDES violations. DEP received a copy of DEC's NOV on 2/10/12. DEP returned the phone call to the Highway Superintendent on 2/10/12. On 2/10/12, DEP spoke with the Highway Superintendent by telephone regarding the violation. On 2/10/12, DEP received a phone call from the Town Supervisor to discuss options for the failed SSTS. DEP spoke to the DEC ECO that performed the dye test at the highway garage. DEP called the legal contact at DEC. An order to comply will be issued to the town, but DEC would not do the SSTS review if the flow is less than 1000 gpd. A condition that DEP review and approve the SSTS will be included in the DEC order, which we will be copied on. DEP received an e-mail on 2/17/12 from the DEC ECO that performed the positive dye test on the SSTS. DEP sent an e-mail to DEC on 2/22/12 asking if DEC has issued an order to comply yet. DEP received the port a john invoice from the town clerk on 2/23/12. DEP performed a follow up inspection of the facility on 2/23/12; the shut off valve for the water to the sink and toilet in the bathroom was off. The slop sink in the shop was still in use, but the drain was directed to a five gallon bucket. There were several full buckets, which the Superintendent told me were being dumped out the front door every day. DEP received an e-mail from the Town of Kortright attorney regarding the water supply to the Highway garage on 2/24/12. DEP received a call on 2/24/12 from the Town attorney, regarding the water supply at the Highway garage. DEP received a DEC Consent Order on 2/29/12 for wastewater discharge from the bathroom and the highway garage. DEP received a letter from the Town's attorney on 3/1/12 regarding the violation. DEP Legal sent an e-mail to the Town's attorney on 3/1/12 in response to his letter to DEP staff. A phone meeting was held with the Town attorney, DEP Legal, NYC Law and REP on 3/2/12. DEP called the design engineer to remind him to schedule soils testing with DEP; he is waiting on the Town to

approve the proposal at the 3/19/12 meeting. DEP corresponded by e-mail with the design engineer concerning the SSTS replacement on 4/2/12. DEP sent an e-mail to the design engineer on 4/9/12, inquiring about soils testing. DEP received a response that the SSTS design is on hold, due to a letter from the town attorney to DEC that states a compost toilet will be installed and gray water will be disposed of offsite. DEP called the highway superintendent on 5/8/12 and asked what the plan is for the replacement of the failed cesspool. He is waiting to hear from the town, who has hired an attorney. The facility is still using a portable bathroom and collecting the wastewater from the shop sink and bringing it to the town hall at the end of each day. DEP's Assistant Counsel issued a letter to DEC on 5/9/12 asking if they ever issued a final consent order. DEP Assistant counsel issued a letter to DEC's counsel on 6/27/12 requesting an update. DEP received a copy of DEC's consent order on 6/28/12 requiring corrective work by 9/01/12 and a requirement for plan submission for the incinerator toilet. DEP called DEC on 10/2/12 regarding the consent order and any applications submitted to DEC for a replacement SSTS. DEP left a message and requested a return call. DEP called DEC on 10/2/12 to inquire on the status of the highway garage SSTS repair and the DEC consent order. DEP received an e-mail from DEC on 10/3/12, with an approval letter for a composting toilet and a letter from the town mayor dated 7/9/12. DEP called the highway superintendent on 11/27/12, and left a phone message asking if the compost toilet is installed, if the cesspool is pumped out and filled in and abandoned, and how the sink wastewater is being handled. DEP received a call on 11/27/12 from the Town Supervisor; he said an incinerator toilet has been installed, the grey water is still being collected and hauled off site, and the cesspool will be abandoned, after which he will call DEP for a final inspection. On 12/31/12, DEP performed an inspection of the incinerator toilet and slop sink. The gray water from the sinks is still being caught in 5 gallon buckets, stored in the garage in 50 gallon drums, and disposed of offsite. DEP called the Town highway superintendent on 3/25/13, and left a message with his staff to have him call DEP with a possible date to decommission the cesspool. DEP received a phone call on 3/27/13 from the Town Supervisor regarding the message DEP left for the Highway Superintendent concerning the abandonment of the cesspool.

Town: Kortright
 Basin: Cannonsville
 Project Name: McMurdy Brook, Lot #12 (Hoffman, Kenneth), (Log #2010-CN-0503)
 Project Description: Lot #12 of the proposed 15 lot subdivision
 Project Type: Stormwater (SP)
 Status: Closed

DEP received an Application for a SWPPP on 4/1/12 from the engineer. DEP issued the NOCA and Approval Determination letters on 4/13/12. DEP received an e-mail from the homeowner on 5/6/12 stating that his contractor will be starting the project in the next week or so and will contact DEP when he starts. DEP received a call on 5/29/12 from the engineer stating that the contractor would like to start work on 5/30/12. DEP met with the contractor and applicant on the site for a pre-construction meeting on 5/31/12. DEP received an e-mail from the engineer on 6/9/12 stating that the site was constructed in accordance with the plans and will submit a formal letter. DEP received As-Built plans/engineer's certification letter from the engineer on 7/2/12. DEP issued a letter of Construction Compliance letter on 7/11/12. The violation was resolved and the case was closed on 10/4/12 with DEP Closure letter dated 10/4/12.

Town: Meredith
Basin: Cannonsville
Project Name: Marino, Susan (Angels Gate Inc), (Log #2012-CN-0284)
Project Description: Failing SSTS
Project Type: Intermediate Repair (CR)

Status:

DEP received an e-mail from DEC on 5/11/12 regarding a failed SSTS at the site. On 5/11/12, DEP performed a site visit in response to a complaint received by DEC. DEP observed sewage surfacing on the ground from the raised absorption field. DEP sent an e-mail to the Town of Meredith Code Enforcement Officer (CEO) on 5/11/12, asking for history on the project. DEP called the facility owner to make an appointment to meet her on site and met on 5/14/12. DEP performed a site visit on 5/15/12; the secretary accompanied DEP around the SSTS; there were several areas where sewage was surfacing. DEP advised the secretary that the tank needs to be pumped and the field repaired. DEP received a call on 5/21/12 from the foundation's bookkeeper, who will make an appointment with a hauler. We discussed the need for an engineer and she now has several names to start calling. DEP sent a follow up email to the Town CEO on 5/22/12 and on 6/4/12, requesting information about the site's permits. On 5/30/12, DEP performed an inspection to observe the septic tank being pumped. The tank appeared to be functioning normally; it's a 1000 gallon concrete two compartment tank with a riser to grade. DEP sent an e-mail to the owner and the accountant on 6/1/12, asking if the field has been mowed and if an engineer has been found. DEP corresponded by email with the owner on 6/7/12. The grass on the absorption field still hasn't been cut and an engineer has not been retained for the violation. DEP received an e-mail request from the owner on 6/12/12. A class wants to build a shelter and she needs clarification on stormwater regulations. DEP performed a site visit on 6/13/12; DEP met with the owner; the field is still failing and partially mowed. She hasn't had a positive response from any of the four engineers that her accountant has contacted. The tank had been pumped that day. DEP received a letter from CWC on 6/16/12 stating that the Septic Rehabilitation Replacement Program does not cover non-profit organizations. DEP initiated an Enforcement Action on 6/18/12. DEP issued a NOV to the owner on 6/18/12. DEP received a request for a pre-application meeting from the applicant on 6/18/12. DEP sent an email to the property owner with the NOV attached on 6/19/12. On 6/22/12, DEP Stormwater Group representative performed a site visit. The area for the new structure doesn't trigger any stormwater issues. Additionally, there are no watercourses within at least 200 feet of the absorption field and the reserve is adjacent to the failed field. DEP sent an e-mail to the owner on 6/26/12, with the a copy of the 2000 DEP Approval and an "As Built" for a three bedroom SSTS. DEP also asked the owner for the pump out receipts and to adhere to the compliance schedule in the NOV. DEP received an e-mail from the accountant on 6/29/12. They have an engineer scheduled for 7/9/12. DEP sent an e-mail to the owner and her accountant on 6/30/12 regarding the need for the pump out and laundry receipts. DEP received pump out receipts and laundry receipts from the owner on 7/2/12. DEP called the engineer that was hired by the facility for the SSTS remediation on 7/5/12. We discussed opening up the d-box and a lateral during the site visit scheduled for 7/9/12 and some history of the facility and its SSTS. DEP sent an e-mail to the engineer on 7/5/12 with a map of the property. On 7/9/12, DEP met with an engineer to investigate the failing SSTS and look for a solution. On 7/10/12, DEP met with the engineer for percolation tests. DEP received a sketch of the existing failed SSTS from the engineer on 7/10/12. DEP received an e-mail from the engineer on 7/13/12, with the soils test results. He couldn't locate an area for the water meter

because a lot of the plumbing is hidden in walls and is not accessible. DEP received a laundry service receipt on 7/16/12 (using a laundry service to cut down on the water usage). On 7/24/12, DEP performed an inspection of the absorption field. Sewage is still surfacing from the d-box. DEP received the laundry service receipts on 7/27/12. DEP corresponded by e-mail with the owner on 8/3/12. She will install a water meter and had the tank pumped again on 8/2/12. DEP received the dry cleaning receipts for 8/3 and 8/6/12. DEP received the dry cleaning receipts for 8/8/12. On 8/8/12, DEP performed a site visit; the water meter has not been installed. Sewage is still surfacing on the field, but the discharge is confined to the area of the d-box and downslope. The rest of the absorption field is dry but spongy. DEP received a copy of the letter from the owner to CWC on 8/8/12 requesting that they re-consider their decision that the SSTS is not covered under the program. On 8/13/12, DEP issued a reminder letter to the owner that the design must be submitted for review and approval by 8/24/12 and installed and constructed within sixty (60) days of the date of the design approval. DEP sent the status update letter issued by DEP to DOH on 8/15/12. DEP e-mailed a status update letter to the owner and received a reply that the water meter is being installed that day. DEP received dry cleaning receipts on 8/27/12. DEP sent an e-mail to the owner on 8/28/12, asking if the water meter has been installed, if the tank has been pumped, and for the daily log to be sent to DEP on a weekly basis. DEP received an e-mail reply from the owner on 8/28/12. The water meter has been installed. DEP corresponded by email with the design engineer on 10/16/12; he hasn't been contacted by the owner to proceed with the SSTS design. DEP received a call on 10/23/12 from the owner. She is closing the facility and has given away most of the animals. She plans to return the site to a single family residence. DEP called the owner and left a message on 10/23/12, requesting a status update on the facility. DEP corresponded by email with the owner of the facility on 11/23/12. The hospice is now closed. DEP sent an e-mail to the owner on 12/28/12, requesting a status update, in writing, concerning the current and future or intended use of the premises. On 12/31/12, DEP intended to perform a site and SSTS inspection. The driveway, about 1/4 mile long, has not been plowed. It appears that no one has been on the site since the first snowstorm of the season, 12/20/12. DEP corresponded with the owner by email on 2/21/13; she will be away for a few weeks and will contact DEP for a site visit when she returns.

Town: Middletown
Basin: Pepacton
Project Name: Oakleys Place Inc, (Log #2012-PE-0120)
Project Description: Failing SSTS - CWC for small business
Project Type: Intermediate Repair (CR)
Status: Closed

DEP initiated an Enforcement Action on 3/8/12. This project is funded under CWC septic repair program. On 3/8/12, DEP received CWC's notice of failure. DEP received a request for a pre-application meeting from the engineer/applicant on 3/19/12. DEP received DOH Permit to operate a restaurant from DOH on 3/23/12. DEP issued a letter to the owner on 4/26/12 providing guidance for remediation. DEP called the engineer 6/26/12 for status update. Plans are expected to be submitted by the end of the week. On 7/17/12, DEP performed an inspection of the septic tank; there was no surface discharge, the tank was still covered with debris and sunken at the top. DEP reminded the owner that pump out receipts are needed within three days of the pump out. DEP received an Application for a SSTS on 8/13/12 from the engineer. DEP received the pump out receipts for March, May and July 2012 on 8/14/12. DEP corresponded by email

with DOH to coordinate the approval of the plans for the SSTS on 8/27/12. DEP issued a NOCA on 8/27/12. DEP received revised plans from the engineer on 8/28/12. DEP issued an Approval Determination letter on 8/29/12. DEP received DOH Approved plans from the engineer on 9/4/12. DEP called the engineer on 11/26/12; CWC approved the contractor's estimate. Owner said that DOH wants it done by the end of the year. DEP performed a site visit on 12/10/12; no one was on site, and no work has started on the system. On 12/10/12, DEP met with the engineer and the contractor. The restaurant will close on 12/17 and 12/18 to allow the tanks to be set. DEP agreed that if the tanks are sealed from the inside and outside the water test can be skipped. DEP performed a site visit on 12/17/12; both tanks in and sealed, working on piping. DEP received notice on 12/11/12 that construction will begin on 12/17/12. DEP performed a site visit on 12/18/12; the contractor is still working on tank risers and excavating for the absorption bed. DEP performed a site visit on 12/19/12; the bed has been excavated and the piping is being installed. DEP performed a site visit on 12/20/12; the engineer inspected and approved the piping from the building to the grease trap and septic tank this morning. The engineer and DEP checked the laterals and the d-box. DEP performed a site visit on 12/31/12; the contractor appears to be done. The site is snow covered, and the engineer said he saw the site mulched just before 12/125/12. There are orange cones in front of the absorption field. DEP received an e-mail from the contractor on 1/3/13, explaining the work completed that DEP and the engineer did not witness. DEP received As-Built plans/engineer's certification letter from the engineer on 1/4/13. On 1/4/13, DEP spoke to the owner about needing low flow fixtures prior to considering the SSTS complete. On 1/9/13, DEP stopped at the site to inspect the low flow toilet; the owner said it is supposed to be installed at the end of the week. DEP asked the owner to call with an update. On 1/24/13, DEP stopped on site to find out if the new low flush toilet had been installed. DEP received an e-mail from the design engineer on 1/30/13, with a stamped and signed "as built" as requested by DEP. DEP issued a letter of Construction Compliance letter on 1/30/13. DEP has resolved the Enforcement Action on 2/26/13. DEP issued a letter to the applicant on 2/26/13 regarding the railroad ties/barrier to be placed along the edge to prevent cars from driving onto the SSTS.

Town: Middletown
 Basin: Pepacton
 Project Name: Dry Brook Holdings LLC (Richard Gould trailer park), (Log #2010-PE-0521)
 Project Description: Application for the installation and hook up for 29 residential trailers and two non-residential buildings to the Margaretville WWTP
 Project Type: City Sewer Connection (CCS)

Status:
 DEP received a call on 1/4/12 from the Town of Middletown CEO regarding a court date of 1/9/12 to grant the applicant a 60 day extension. DEP called DEC on 1/10/12 regarding review comments of the engineer plans. DEP received a call on 2/2/12 from DEC regarding their review comments of the engineer plans. DEP called the CEO 2/7/12 regarding the new extended court date and to discuss recent contact with DEC. The applicants new court date is scheduled for 3/12/12. DEP sent and forwarded an e-mail to DEC and the CEO on 2/9/12. DEP received a call on 2/10/12 from the owner regarding a flood buy- out program. As per the owner, thirty percent of the park was destroyed and the road damage left the park vulnerable to the next storm. The owner is waiting to hear back from FEMA, but plans on closing the park. The park tenants

would get 6 months notice to move out. DEP requested written notice of this plan and advised owner to discuss this plan with the Town CEO. DEP received a call on 2/21/12 from the owner/applicant regarding a sanitary sewer blockage/backup. DEP discussed this issue with operations, DOH and the town CEO. DEP performed a follow-up site inspection on 2/22/12 and met with the owner/applicant, contractor and building inspector regarding the sanitary sewer blockage problem and repair. DEP received a call on 2/23/12 from the owner and contractor regarding the sanitary sewer blockage repair. DEP sent an e-mail to DEP Operations and the Town CEO on 2/23/12. DEP sent an e-mail to the owner on 2/24/12 regarding the existing sewer trap condition. DEP issued a letter to the applicant on 3/1/12 regarding the sanitary sewer blockage/repair problem and replacement requirement. DEP received a call on 3/06/12 from the project engineer regarding getting back on track and preparing revised plans to address DEC comments. DEP received a call on 3/9/12 from the town CEO regarding the sanitary sewer plan approval status. DEP received revised drawings from the engineer on 3/9/12. DEP received an e-mail from the owner/applicant on 3/14/12 indicating that his court date has been adjourned until 4/9/12. DEP performed a site investigation/inspection on 3/27/12 and met with the owner and contractor regarding a sanitary sewer blockage and repair. DEP received a call on 3/26/12 from the owner/applicant regarding his sanitary sewer system was clogged and disrupting multiple trailer units. . DEP issued a letter to owner/applicant on 4/3/12 regarding the sanitary sewer system blockage problem and repair. DEP sent an e-mail to the project engineer on 4/4/12. DEP received a call on 4/9/12 from the building inspector regarding a court appearance. DEP confirmed that DEC is awaiting for more sets of plans in order to issue an approval. With that information, the building inspector will recommend to that court to adjourn for 30 days in order to give the owner time to prepare repair schedule. DEP received a letter from the engineer to DEC on 4/9/12 with plans for their approval. DEP received an e-mail with letter attachment from DEC on 4/11/12 regarding sanitary sewer design plan approval. DEP sent an e-mail to the engineer on 4/11/12 regarding the approved sanitary sewer design plans. DEP sent DEC an e-mail on 4/11/12 regarding the approved sanitary sewer design plans and construction. DEP received a letter and a copy of DEC's approval and plans from the engineer on 4/19/12. DEP called the Town Code Enforcement Officer (CEO) on 5/4/12 from the Town of Middletown regarding the court status of the project. DEP sent an e-mail to the owner/applicant on 5/10/12 regarding the status of the construction schedule. DEP sent an e-mail to Town CEO requesting an update on the court action on 5/18/12. DEP received a phone message on 5/22/12 from the Town CEO. The applicant hired an attorney and got the adjournment until June 11. At that time, the court will be expecting a construction schedule that complies with DEC's construction schedule. DEP received a message on 6/27/12 from the building inspector informing DEP that the next court date is 7/30/12 and that at that time the court is expecting the owner to have an executed contract in place that satisfies DEC's construction schedule. DEP sent an e-mail to the applicant on 7/12/12 regarding the status of complying with the DEC approval letter construction start date. DEP received an e-mail from the applicant on 7/18/12 in response to DEP's 7/12/12 email. DEP received a call on 8/3/12 from the tow of Middletown CEO regarding postponement of the scheduled court date of 7/30/12 to 8/6/12. DEP called the Town of Middletown CEO on 8/29/12 regarding the next court date scheduled for 9/10/12. DEP issued a letter to the owner on 8/31/12 stating that construction has not yet commenced. DEP received a call on 9/7/12 from owner/applicant regarding the recent DEP construction/open NOV letter he received. DEP called the CEO on 9/13/12 from the Town of Middletown regarding the status of the court proceedings that involve the owner/applicant. DEP received a call on 9/27/12 from the Town of Middletown

CEO regarding the status of the court schedule and position. DEP received a call on 10/31/12 from the Town of Middletown CEO regarding a sewer blockage problem in the Park with a contractor on site excavating without proper notification. DEP performed a site investigation on 10/31/12 and met with the CEO and the owners' representatives regarding the sewer blockage and repair attempts without proper notification. DEP performed a site inspection on 11/1/12 and met with the owner and his representatives who were working on the excavation and repair to the sanitary sewer lateral. DEP performed a site inspection on 11/2/12 and met with the owners' representatives who were performing the sanitary sewer repair work within the Park. DEP called the CEO on 11/26/12. The appeal will go to county court; if rejected and the verdict stands, the case will stay with the local court and fines to be levied against the property. DEP received an e-mail from the applicant on 11/30/12 regarding a proposed estimate prepared for the installation of the sanitary sewer replacement project. DEP sent an e-mail to the applicant on 12/13/12 regarding contractors that might be interested in the sewer installation work. DEP received an e-mail from the applicant on 12/26/12 regarding construction estimate submittal. DEP received a call on 1/7/13 from the owner/applicant regarding contract and CWC eligibility concerns. DEP received DEC's letter to the owner on 2/7/13 regarding his request for information for the operation of a campground. DEP received a call on 2/12/13 from a contractor regarding DEP requirements associated with the sewer installation replacement project. DEP called the CEO on 2/26/13 regarding the status of the project enforcement action. DEP sent an e-mail to the owner/applicant on 3/20/13 in response to an email regarding two trailer units affected by a sanitary blockage or freeze-up. DEP received a letter from the applicant's attorney on 3/21/13 demanding that DEP take all necessary steps to cover the full cost of the Plan or they will be forced to institute a declaratory judgment proceeding. DEP performed a site investigation on 3/21/13 regarding the sanitary sewer blockage freeze-up as reported by the applicant/owner. DEP performed a site investigation on 3/22/13 and met with the owners' representatives who were working on the sanitary sewer back-up problem. DEP performed a site investigation on 3/26/13 and met with the owner and his representatives to discuss the sewer blockage problem and repair method. DEP performed a follow-up site visit on 3/27/13 and met with the owner and his representatives who continued to work on the sanitary sewer problem repair. DEP performed a follow-up site visit on 3/28/13 and met with the owner and his representatives who continued work activity on the sewer repair problem. The site was also visited by the Town CEO and a DOH representative who identified additional health related concerns.

Project Type: Intermediate Repair (CR)

Status:

DEP received a call on 10/25/11 from the owner. He is not changing engineers and would like secure funding to rebuild portion of the park that got washed out. If not, he's not going to sewer that portion of the park. DEP performed a site visit on 12/15/11 and found that the trailer had been removed. On 1/20/12, the trailer was removed and nothing has taken its place. DEP received DEC's letter to the owner on 2/7/13 regarding his request for information for the operation of a campground.

Project Name: Bradley Road (Log #1997-NV-0772)

Town: Neversink

Type of Use: Residence

Type of Violation: Failed SSTS For 3-Bedroom - formerly Leroy Stewart

Discovery Date:

Status:

Overview and Action:

DEP issued a NOV to the owner on 10/19/09. DEP received a message from owner responding to the NOV on 11/4/2009. DEP called owner on 11/5/2009 regarding NOV. Owner stated that he hasn't had any failure since summer, when he adjusted the speed dialers in distribution box (turning off one lateral completely). Owner asked DEP to perform site visit to confirm no failure status. DEP stated that several inspections will be conducted over several seasons to confirm failure did not return. DEP will contact owner for first inspection. DEP performed a site visit on 11/16/2009. There was a discharge; the site was not stable; the site was occupied. No sign of exploring for a possible leak into lines from septic tank or house. DEP performed a site visit on 12/14/2009. There was not a discharge; the site was stable; the site was occupied. Site Visit type: Follow up. Date; 2/21/12; septic failure not observed. Property Status: Currently inhabited. DEP called the complainant on 8/23/12 regarding the failure; she has not noticed a smell at all this summer. In addition, she has also noticed that there are not nearly as many people living in the house now as when the failure was first noticed. DEP performed site visits on 1/4/13 and 3/26/13; septic failure was not observed.

Project Name: 13 Slater Road (2001-RO-0228)

Town: Neversink

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS for 4 bedroom

RE-2; Failing SSTS - CWC - field not leaching

Discovery Date:

Status: Approved

Overview and Action:

DEP initiated an Enforcement Action on 5/30/12. This project is funded under CWC septic repair program. On 5/30/12, DEP received CWC's notice of failure. DEP issued a letter to the owner on 5/31/12 providing guidance for remediation. DEP received a request for a pre-application meeting from the engineer on 7/16/12. DEP received a call on 7/17/12 from the engineer regarding the pre-app. A soil and site evaluation was performed on 7/19/12. DEP received an Application for a conventional individual SSTS on 10/1/12. DEP issued a NOCA on 10/10/12. DEP issued an Approval Determination letter on 10/16/12.

Project Name: 28 Low Road (1998-RO-0708)

Town: Neversink

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS - Tank Replacement for 2 bedroom; Replaced Metal Tank; 1000 gallon concrete tank RE-2; failing SSTS - CWC - surcharged back from outlet to the field 60%

Discovery Date:

Status: Closed

Overview and Action:

DEP initiated an Enforcement Action on 5/30/12. This project is funded under CWC septic repair program. On 5/30/12, DEP received CWC's notice of failure. DEP issued a letter to the owner on 5/31/12 providing guidance for remediation. DEP received an e-mail from CWC

6/7/12 stating that engineer found stuck toilet float which caused failure and does not think replacing system is necessary at this time. DEP performed a site visit on 1/17/13; septic failure was not observed. DEP spoke with the owner; the problem was a valve that was stuck open. The problem was corrected and he has not had a problem with the septic system since. DEP has resolved the Enforcement Action on 1/18/13.

Project Name: 684 Big Hollow Road (2000-RO-0402)
Town: Neversink
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - RE.2 - Failing SSTS - CWC - surfacing
Discovery Date:
Status:

Overview and Action:

DEP received a request for a pre-application meeting from the engineer/applicant on 5/15/12. DEP initiated an Enforcement Action on 5/15/12. This project is funded under CWC septic repair program. On 5/15/12, DEP received CWC's notice of failure. DEP issued a letter to the owner on 5/16/12 providing guidance for remediation. A soil/site evaluation was performed on 5/24/12. DEP issued a letter to the owner on 8/21/12 stating that the plans have not yet been received. DEP received a call on 2/14/13 from the engineer regarding the status of the plans. The engineer is trying to decide on an appropriate design; there have been two replacement systems on this property already and the soils are not very good. The engineer hopes to have a design in by the end of winter for spring construction.

Town: Roxbury
Basin: Pepacton
Project Name: Mcardle, Andrew & Kimberly, (Log #2012-PE-0491)
Project Description: The owner has converted the upper floor of a dairy barn to an event space for weddings and has installed a bar with a sink that discharges to the ground
Project Type: Intermediate Repair (CR)
Status:

On 8/3/12, DEP performed a site visit with the Town of Roxbury's assessor's clerk. A bar has been installed in the top floor of a renovated barn and the sink discharges directly to the ground via a 2 inch pipe. On 8/9/12, DEP met on site with the owner and discussed the present and future use of the barn. The owner wants to install a holding tank for the bar sink and possibly the bathroom trailer. DEP called the owner to advise that an NOV would be issued for the sink discharge to the ground. He said he has hired an engineer and surveyor to work on the issue. DEP received a phone call on 8/22/12 from the owner. He has been in contact with an engineer and hopes to be able to install a holding tank large enough for the current bar sink. His spring has gone dry and currently there is no water supply to the events barn. . DEP issued a NOV to the owner on 10/1/12. DEP received a phone call on 10/31/12 from the owner, who said he received the NOV and had an engineer working on an SSTS design, and that there are no more weddings this year. DEP received a call on 11/2/12 from the owner; he said he never read the NOV and is disturbed that DEP included the Inn in the NOV. DEP received an e-mail from the owner on 11/2/12, with a plan for the holding tank. DEP received an e-mail from the owner on 11/2/12, as he claims there is no basis for the house to be included in the NOV. DEP corresponded by email

on 11/2/12 with the design engineer and the owner; DEP needs more information about the site improvements and for the design submittal. DEP sent an e-mail to the engineer and owner on 11/13/12, regarding dates DEP is available to inspect the deep holes that his contractor dug. DEP called the owner on 11/13/12 regarding the email he sent on 11/2/12. We discussed the SSTS for the house/B&B, as well as the holding tank for the barn. On 11/21/12, DEP met with the owner, engineer and contractor for soils testing. A raised absorption field is required. We also discussed the house rental and its SSTS. DEP received an e-mail from the owner on 11/29/12. He is upset that the SSTS approval is for three bedrooms because he purchased a six bedroom house. DEP received an e-mail from the engineer on 12/31/12, with a report proposing flows for a new SSTS and interim holding tank for the wedding barn. DEP replied and requested a phone meeting with the owner regarding the house SSTS. DEP sent an e-mail to the owner and the engineer on 1/2/13, with comments regarding the partial plans submitted to support a temporary holding tank. DEP corresponded with the owner and engineer by e-mail on 1/7/13; the owner wants to do the barn SSTS prior to tackling the rental SSTS. DEP spoke to the engineer by phone on 1/8/12 regarding the plans, DEP's comments, and requested a grease trap be added to the plans. DEP received an e-mail from the design engineer on 1/20/13, with a revised SSTS plan. DEP received an e-mail from the engineer on 2/14/13 with revised plan calculations. On 2/20/13, DEP performed a site visit to observe the renovations taking place inside the wedding barn. The owner was there and we discussed the placement of the kitchen, bathrooms, and associated plumbing. DEP received a phone call on 2/21/13 from the owner after he received a copy of DEP's comment letter. We discussed the comments one by one, and decided that a conference call with the engineer is appropriate. DEP issued a letter to the owner and engineer on 2/22/13 with comments on the revised plans. DEP received a phone call on 2/22/13 from the property owner, who questioned many of DEP's comments to the plans. DEP explained each comment and the owner will in turn discuss with his engineer. DEP received a call from the engineer on 2/21/13, and DEP returned the call to the engineer on 2/22/13. Messages were left to discuss the comment letter issued on 2/20/13. On 2/25/13, DEP received a phone call from the engineer, and discussed the comments to his preliminary plans. DEP received a phone call on 3/6/13 from the owner, who wanted to know if DEP received revised plans from the engineer yet. DEP received an Application for a SSTS on 3/12/13 from the engineer for the barn. DEP called the design engineer on 3/21/13 and reviewed the recent plans submitted, as well as the needed revisions with him. DEP issued a letter to the owner/applicant on 3/22/13 regarding the design submissions. DEP received a letter from DOH to the engineer on 3/25/13 regarding submission requirements. On 3/27/13, DEP met with the owner, contractor and engineer to look at the site regarding the proposed plans for the full SSTS and the holding tank. DEP received a revised proposal from the engineer on 3/27/13 per DEP comments of 3/23/13. DEP issued a NOCA on 3/28/13.

Project Type: SEQRA (SQ)

Status:

On 3/26/13 SCS Coordinator determined this action to be Type II Subsection 7; therefore, no further action is required under SEQRA.

Town: Roxbury

Basin: Pepacton

Project Name: Roxbury Barn, (Log #2012-PE-0464)

Project Description: Owner is Williams, Roger Ross; the site is a mixed residential/commercial site and is owner occupied.

Project Type: Intermediate SSTS (IS)

Status:

DEP received an e-mail from the Town of Roxbury assessor regarding a change in use for the building on 7/13/12. On 7/25/12, DEP met with the clerk from the Roxbury Assessor office and the property owner and manager on site. A poly holding tank was about to be installed for the interior sealed airline toilets in the bottom floor of the barn where weddings are held. DEP received an e-mail from the Town of Roxbury assessor's clerk on 7/26/12, regarding the site visit. DEP corresponded by e-mail with the manager of the property on 7/30/12. He is currently looking for an engineer and has abandoned the poly holding tank installation. DEP received an e-mail from the assessor's clerk with the historical and updated property card on 8/1/12. On 8/3/12, DEP performed a watercourse determination. A watercourse exists on both sides of the lawn area below the barn. DEP received a call on 8/8/12 from the engineer that was hired by the owner. DEP issued a letter to the owner on 8/13/12 regarding the holding tanks and stating that there is no violation. DEP sent a copy of the status update letter DEP issued to the owner on 8/15/12. DEP received an Application for an SSTS on 3/26/13 from the engineer.

Project Name: Stone Tavern Farm (Log #2006-PE-1174)

Town: Roxbury

Type of Use: Residence

Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence.

Discovery Date: 8/31/07

Status: No Application

Overview and Action:

Project Type: Intermediate Repair (CR.3)

Status:

DEP issued a NOV to the owner on 12/29/11 for the continuous use of the barn holding tank. DEP replied to an e-mail from the applicant on 12/20/12 regarding the need for a compliant plan. DEP issued a new NOV to the owner on 1/5/12 for the original failure of 07. DEP received the letter from the Watershed Agricultural Committee on 1/9/12, denying the request for the amendment to the easement. DEP replied via email to a phone call from the applicant in which two ideas were presented 1) proceeding with the SSTS design as is except continue the hold and haul operation for a few years until something else can be worked out 2) explore the 20 acre parcel across the street. DEP Legal sent an e-mail response to the owner's emails advising him to submit revised plans. DEP has corresponded with DOH concerning the SSTS. DEP received additional correspondence from DOH on 1/17/12. The City of New York's Law Department issued a letter to the owners on 1/27/12 regarding the NOV's and stated that they are drafting a stipulation in order to bring the SSTSs into compliance. DEP received an e-mail from the owner on 1/27/12 requesting to renew his SSTS plans. DEP received an e-mail response about the barn and apartment use in the winter. NYC Law Department and the owner have been corresponding by email regarding the NOV's. DEP received an e-mail from the NYC Law Department on 2/10/12 regarding the meeting to be on 2/22/12 in order to discuss NOV resolutions. NYC Law Department issued the proposed stipulation to the owner on 02/17/12. DEP received a call on 2/21/12 from the owner's contractor, who wants to start importing fill from Davenport for the

installation of three SSTSs for the facility. DEP advised him to wait until the designs are approved, rather than store the fill on site. The contractor is concerned that the funding from the CWC will not cover the total cost of the three SSTSs that the owner now wants to install. DEP received an e-mail from one of the property owners, requesting that DEP send his current engineer the soils information for testing done on 3/26/11 and 4/25/11 by a different engineer. DEP sent an email to the owner's engineer requesting he meet DEP at the site to determine potential SSTS sites. NYC Law Department sent an e-mail to the owners confirming the enforcement meeting scheduled for 2/22/12 on 2/21/12. DEP called the Roxbury Town Clerk and sent her a fax for any additional information that a bedroom was added per building permit # 2810 for the house/B&B on SBL 155-2-6.522 on 2/22/12. DEP received an e-mail from the owner, with the soils report from 5/15/11. DEP corresponded by email with the owner regarding the property under easement where soils testing has already been done. DEP does not see the need for additional soils testing unless WAC denies the use of the encumbered properties. DEP called the engineer on 2/23/12 to try and setup soil testing based on the compliance conference. DEP received a call on 2/23/12 from the engineer, requesting on behalf of the property owner we use the locations where soils testing have been done. DEP discussed via email the option of designing the absorption field for both the house and arena on the lower arena lot, and a possible hold and haul for the barn, which is the engineer's preference. DEP sent an e-mail to the property manager reminding him to discuss the combined absorption field proposed for the B&B and Arena with WAC, as the property is under easement. DEP corresponded by e-mail on 3/2/12 with the design engineer concerning daily flows for the arena and proposed kitchen. WAC met and discussed and approved the applicant's proposal to install the SSTS for the arena and the house/B&B on the arena parcel on 3/2/12. DEP Legal sent an e-mail to the property manager with a revised draft stipulation, based on the meeting held on 2/22/12. DEP Legal received an e-mail from the Watershed Agricultural Council, confirming that the proposed SSTS location is acceptable to them on 3/7/12. DEP called the design engineer to discuss the plans. He will submit revised design based on owner's plans to install a kitchen in the Arena and equalize the flow from larger events. DEP received an e-mail from the design engineer on 3/12/12, with revised plans. DEP issued a letter to the owners on 3/16/12 with comments on the revised plans. DEP received an e-mail from the owner on 3/16/12, asking for a response to the plans his engineer submitted to DEP on 3/10/12. DEP responded and attached the comment letter. DEP received revised plans from the engineer on 3/20/12. DEP sent the e-mail from the engineer to DOH on 3/20/12. NYC Law corresponded by email regarding the reservation dates for the B&B on 3/26/12. DEP received a call on 3/27/12 from DOH stating that they will not be reviewing the project at this time. DEP issued a letter to the engineer on 3/28/12 with comments on the latest submission. On 3/28/12, DEP sent the design engineer comments on the 3/20/12 plans, and the engineer replied with revised plans on 3/29/12. DEP sent an e-mail to DEC, DOH and CWC with DEP's comments attached for the plans submitted for the project on 3/20/12. DEP sent the comment letter to the owner in an e-mail on 3/29/12. DEP sent an e-mail to the chairman of the Roxbury Planning Board, with the DEP comment letter on 3/20/12 plans, and asked if a site plan review for this project was required on 3/29/12. DEP received an e-mail reply from the owner on 3/29/12, wanting to know when he could start construction. DEP sent an e-mail to the engineer on 3/30/12, which included the design with mark-ups and comments on what changes should be made to the plans, which are approvable but need clarification. DEP called the owner on 10/22/12 to inquire about the hauling contract. The owner said he signed it and mailed it to the hauler. DEP called the hauler on 10/31/12, requesting a copy of the signed

hauling contract for the horse barn holding tank. DEP sent an email to both the owner and the hauler on 11/1/12, requesting the signed contract and pump out receipts for the barn holding tank. DEP corresponded by email with the owner on 11/28/12., and scheduled an inspection and contract signing for 12/4/12. DEP performed a site visit on 12/4/12; the barn holding tank is still in use past the 12/1/12 deadline. The alarm breaker was in the off position. The owner signed the haulers contract. The power to the arena, pump tank and pump panel had been turned off, and the pump chamber was nearly full. When the power was turned back on, the junction box caught fire when the pumps were run on manual. The electrician was called in. DEP received the hauling contract on 12/4/12. On 12/10/12, DEP performed an inspection to determine if the electrical problem had been repaired and to determine if any sewage had discharged from the pump chamber to the ground. DEP has been corresponding by email with the owner; as of 12/10/12, the electrical components of the pump panel and pump station have been repaired. On 12/12/12, DEP performed an inspection and found the pump panel and chamber floats to be working properly. DEP called the owner call on 12/28/12 regarding the holding tank that is still in use. The owner wants to continue its use until an SSTS is installed, even though the approval requires no-use from 12/1 through 4/1, and there are no plans submitted for the SSTS. He has no money to disconnect the water or plumbing for the bathrooms and kitchen in the barn. On 1/4/13, DEP performed a site visit to check the pump function for the SSTS and the alarm/holding tank at the Barn. DEP has been corresponding by email with the owner regarding the Barn holding tank, which is being used in violation of the SSTS approval. DEP called the hauler on 1/10/13 to get the remaining pump out receipts for 2012. The hauler said he pumped 2500 gallons on both 10/15 and 10/30/12. On 1/24/13, DEP performed an inspection on 1/24/13 to check on the functioning of the pump chamber and the use of the holding tank. The pumps are working and the holding tank is still in use past the 12/1/12 deadline. On 2/20/13, DEP performed a routine inspection; the holding tank is still in use, and the alarm sounded when the breaker was switched on momentarily. The junction box at the pump chamber has been replaced and the tank cover is on properly. DEP sent an e-mail to the owner on 2/22/13, advising him that the holding tank alarm was not on during an inspection on 2/20/13, and requesting pump out receipts. DEP received a reply e-mail from the owner on 2/25/13. He said the apartment hasn't been rented and the tank was checked and is half full. DEP issued a NOV to the owner on 3/29/13.

Project Type: SEQRA (SQ)

Status:

SCS received a Short EAF on 3/20/12. On 3/21/12, SCS Director determined this action to be Type II Subsection 1; therefore, no further action is required under SEQRA.

Town: Stamford (T)

Basin: Cannonsville

Project Name: The American Plum Tree, Inc. (David & Diana Dax) (Log #2008-CN-0263)

Project Description: Failed SSTS; Proposal to complete interior and exterior improvements, build a caterer's kitchens, add one bathroom and subdivide the existing parcel for their existing reception hall business

Project Type: Intermediate Repair (CR)

Status:

DEP's Assistant Counsel issued a comment letter to the homeowner on 6/3/11 regarding the

NOV. DEP called the owner on 8/23/11 and advised her to contact CWC to check eligibility. DEP called the owner on 10/19/11 and left a message requesting a call back. DEP's Bureau of Legal Affairs issued a final notice to the homeowner on 12/29/11 regarding the NOV before the matter is referred to the New York City Law Department to recommend litigation. Site Visit type: Enforcement. Date; 1/20/12; septic failure not observed. On 7/26/12, DEP performed an inspection of the SSTS; no surface failures were observed. On 11/1/12, DEP performed a drive through inspection of the SSTS and the property; three vehicles were parked in the driveway and there were farm animals grazing in the field. DEP stopped at the entrance to the house and the shop. No evidence of a sewage discharge was observed. On 3/6/13, DEP performed a routine inspection of the SSTS; no problems were observed. Three cars were parked in the driveway and the overhead door to the shop was open.

Project Type: SEQRA (SQ)

Status:

DEP received a Short EAF on 3/3/09. SCS Chief determined this action to be type II, Subsection 617.5(c)(1); therefore no further action is required under SEQRA.

Name: Phoenix House Foundation, Inc. (Log #2004-CN-0718)

Location: Stamford (V)

Type of Use: Commercial

Discovery Date: 8/9/04

Type of Violation: SSTS Failure

Status: Approved

Overview and Action:

On 1/20/12, DEP performed a site visit to assess the absorption field. Although the field was spongy in several places, no effluent surfaced until the soft ground was stepped on. DEP performed a routine inspection of the SSTS on 2/9/12; there was no sewage on the ground in the area of the large absorption field. DEP sent an e-mail to the maintenance supervisor, requesting information on the frequency of the absorption field inspections and tank pump outs on 2/17/12. DEP received the water meter readings on 2/17/12. On 2/23/12, DEP performed a routine inspection of the absorption field; no sewage was observed on the surface of the absorption field. On 3/6/12, DEP performed an inspection of the absorption field. Although the lower middle and lower western fields were spongy, no sewage was observed on the ground. DEP received an e-mail from the maintenance supervisor on 4/3/12, explaining that the water usage is low because the population is lower than usual. DEP sent an e-mail to the maintenance supervisor on 4/3/12, asking if anything at the facility has changed recently, as the water usage is lower than usual. DEP received the water meter readings on 4/3/12. On 5/11/12, DEP performed a routine inspection of the large absorption field; no breakouts were observed. DEP also met the new maintenance supervisor. He mentioned that the occupancy has been lower than usual. On 5/18/12, DEP inspected absorption field on 5/18/12; the absorption field showed no evidence of failure. DEP performed a routine site visit on 5/30/12; the large absorption field is dry and is being mowed on a regular basis. DEP received a call on 6/5/12 from the grounds supervisor, who agreed to a meeting with DEP and the new maintenance personnel. On 6/13/12, DEP met with the director to review the SSTS and discuss maintenance. The new maintenance employee was supposed to be on site but was attending a class. The large absorption field is soft in spots, but there was no sewage surfacing. DEP received the pump out receipts on 6/13 and 7/19/12. On

7/20/12, DEP performed a routine inspection of the large absorption field. The field was drier than has been observed in recent years. Population has decreased, and there has been a severe lack of rain this season. DEP sent an e-mail to the director on 7/30/12, requesting the water log for April 2012 through the present. DEP received the water meter readings on 7/31 and 9/7/12. DEP received the water meter readings on 10/11/12. On 11/1/12, DEP performed a follow up inspection of the larger SSTS; there were no signs of failure. DEP also spoke with the maintenance supervisors, who said that they will soon be going back to full capacity. DEP emphasized the need for the water meter readings and pump out receipts on a monthly basis. DEP received the pump out receipts on 11/2/12. DEP received the water meter readings on 11/2/12. DEP received the water meter readings and pump out receipts on 12/6/12. DEP received a phone call on 12/11/12 from the maintenance supervisor, who will mail the pump out receipts for November, and he will begin mailing the receipts to DEP at the end of each month. DEP received the pump out receipt on 12/13/12. DEP received the pump out receipt on 12/17/12. DEP performed a site visit on 12/31/12; the absorption field was covered with snow, and there were no signs of sewage surfacing on the ground. DEP received the water meter readings on 1/11/13. DEP received the pump out receipt on 1/24/13. DEP received the Water Systems Operation Report and the Monitoring Notice on 2/4/13. DEP received the pump out receipt on 2/19/13. DEP received the February 2013 Water Readings on 3/4/13. On 3/6/13, DEP performed a routine inspection of the SSTS; the fields were dry. DEP received the pump out receipt on 3/21/13.

Project Name: 11025 County Route 18 (Log #2009-CN-0290)
Town: Stamford (T)
Type of Use: Residence
Type of Violation: Failed SSTS-CWC Managed Repair
Discovery Date: 5/1/09
Status: No Application

Overview and Action:

DEP performed a dye test on 5/1/09; the results were positive. DEP issued a letter to CWC on 5/28/09 confirming the installation of the new septic tank and drywell. Site Visit type: Request. Date: 12/21/11; septic failure not observed. DEP observed that the back yard is fenced in and did not enter fenced area. Site Visit type: Request. Date: 3/12/12; septic failure not observed. Property Status: Currently inhabited. DEP performed a site visit on 7/10/12; septic failure was not observed. This project is located in a managed repair area. DEP performed a site visit on 12/3/12; septic failure was not observed.

Town: Walton
Basin: Cannonsville
Project Name: Strelkovski, Stanislav, (Log #2012-CN-0764)
Project Description: Complaint called in via 311
Project Type: Other (OT)
Status: New

DEP called and left a message for complainant on 11/9/12. DEP called the complainant on 11/13/12 regarding message from 311. DEP sent an e-mail to the complainant on 11/13/12 regarding 311 message. On 11/26/12, DEP stopped and knocked on door to see if anyone was home; there was no answer. Failure was not evident from walk from truck to front door. DEP performed a site visit on 11/27/12; DEP knocked on the front door but there was no answer.

DEP performed a site visit on 11/29/12; Drove by residence; the business card was removed from the door and no one was around. On 11/30/12, DEP drove by; no one seemed to be home. DEP called the complainant on 11/30/12 regarding the 311 complaint. The family has been living at this residence for approximately a year and a half. The sinks and the showers empty out into the backyard. They do not know if the toilets empty out in the same location or not. They do not utilize the upstairs toilet because it does not work. They have contacted the landlord, but nothing has been done. They are in the process of moving out of this residence. DEP called the complainant on 12/3/12 regarding scheduling the dye test; there was no answer. A message was left. DEP performed a site visit on 12/13/12; the tenant is no longer living at the residence.

Town: Walton
Basin: Cannonsville
Project Name: Marsiglio, Peter (Stony Creek Farm) (Log #2009-CN-0529)
Project Description: Failing SSTS for an existing Farm Camp
Project Type: Intermediate SSTS (IS)

Status:

DEP called the owner on 1/23/12 regarding the SSTS. The septic tank for the house has been placed into the ground but not connected to the house as of yet; the owner will continue to pump and haul from existing tank until the construction can commence in the Spring. The pathway through garage floor has been completed. DEP received an e-mail from the owner on 2/24/12 discussing the construction of the approved SSTS. On 4/19/12, DEP met with owner to discuss the installation of the approved SSTS and the current failure for the 4 bedroom farm house. On 5/2/12, DEP performed a construction inspection. On 5/4/12, DEP conducted an inspection of the SSTS leach field installation and the road crossing. DEP received a call on 5/14/12 from the owner regarding the installation of the septic line from the septic tanks to the leach field. The owner is waiting to hear back from contractor as to when he will resume work. DEP received a call on 5/21/12 from owner regarding the installation of the trench to connect the SSTS. The trench is nearly complete and DEP will be notified as to when the pipe is planned to be installed so an inspection can be conducted. On 5/29/12, DEP conducted an inspection of the 400 feet of trench and pipe with cleanouts from the septic tank near the bath house to the leach field. DEP also discussed the stream crossing which still needs to be completed. DEP called the owner on 7/27/12 regarding the bridge crossing for the SSTS. The SSTS is installed and working properly. Owner stated that he will complete the bridge crossing at the close of the Farm Tent business for the season. DEP received an e-mail from owner on 8/7/12. Owner stated that he may start the bridge crossing very soon depending on the weather and the Farm tent business. Owner will give DEP notice as to when he may start. On 11/22/12, DEP staff conducted an inspection of the bridge crossing. The bridge crossing has not been completed as per DEP plans to date. On 12/27/12 DEP issued a reminder letter to the owner due to the lack of activity. DEP received an e-mail from the owner on 1/21/13 regarding the recent letter and stated that they will be completing the bridge crossing as soon as the cold weather breaks.

Project Type: SEQRA (SQ)

Status:

SCS received Lead Agency Neg Dec dated 6/21/10 from Delaware County Planning Department.

Name: East River Road (Log #1999-CN-1022) I.D. #: 734
Location: Walton
Type of Use: Residence
Discovery Date: 5/15/98
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 5/15/98. A soil/site evaluation was performed on 3/18/99. A design approval was issued on 11/15/99. DEP received a letter and revised plans from the engineer on 8/3/09. DEP issued an Approval Determination letter on 8/5/09. DEP called and left a message on 5/24/11. DEP issued a letter to the owner on 6/29/11 stating that the plans have not yet been received. DEP issued a Design Approval Expiration letter on 8/25/11. DEP called the engineer/surveying firm on 2/13/13 regarding the expired plans. The original engineer has retired and DEP inquired as to who will be handling the projects at this juncture.

Name: Johnson Hill Road (Log #2000-CN-0066) I.D. #: 1206
Location: Walton
Type of Use: Residence
Discovery Date: 11/12/98
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 11/12/99. A soil/site evaluation was performed on 11/12/99. A design approval was issued on 2/8/00. On 6/12/07, DEP sent the owner a list of contractors who install septic systems. DEP received a letter and revised plans from the engineer on 7/31/09. DEP issued a comment letter on 8/4/09 to engineer. DEP received revised design from engineer. DEP issued an Approval Determination letter on 8/18/09. DEP called owner on 1/28/11 and left message informing him that his approval will expire in August 2011, and encouraged him to start construction as soon as weather conditions permit. Asked owner to call back with construction schedule plans and any questions he may have. DEP issued a letter to the owner on 4/13/11 stating that construction has not yet commenced. DEP issued a Design Approval Expiration letter on 8/25/11. DEP called the engineer/surveying firm on 2/13/13 regarding the expired plans. The original engineer has retired and DEP inquired as to who will be handling the projects at this juncture.

Project Name: Walton Woods Road (1999-CN-0154)
Town: Walton
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - Emergency Tank Replacement for a 3 bedroom house; 1000 gallon concrete tank for previous owners ; RE.2 - Failing SSTS - CWC - surfacing
Discovery Date:
Status: Closed
Overview and Action:

DEP initiated an Enforcement Action on 5/14/12. This project is funded under CWC septic repair program. On 5/14/12, DEP received CWC's notice of failure. DEP issued a letter to the owner on 5/15/12 providing guidance for remediation. DEP received a request for a pre-application meeting from the engineer/applicant on 6/4/12. A soil/site evaluation was performed on 6/12/12. DEP received an Application for a conventional individual SSTS on 7/2/12. DEP issued a NOCA on 7/3/12. DEP issued an Approval Determination letter on 7/6/12. DEP received notice on 10/8/12 that construction will begin on 10/8/12. DEP completed construction inspections on 10/10/12. DEP received As-Built plans, along with engineer's certification letter from the engineer on 10/19/12. DEP issued a letter of Construction Compliance on 10/19/12. DEP has resolved the Enforcement Action on 10/25/12.

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

Town: Carmel
Basin: West Branch
Project Name: Manzo, John, (Log #2011-WB-0829)
Project Description: Solid Waste NOV
Project Type: Solid Waste (SO)
Status: Closed

DEP initiated an Enforcement Action on 11/23/11. DEP issued a NOV to the owner on 11/23/11. DEP received an email from DEP Legal on 12/16/11, advising that the owner hired a design professional that will be preparing a plan for review. DEP issued a comment letter to the engineer on 12/30/11 regarding the NOV. DEP sent an e-mail to Legal/Police on 1/27/12. DEP received an e-mail responding to the NOV on 1/27/12. The applicant has been in court several times at the Town of Carmel and the Town Courts are working with DEP and the applicant to obtain a stable condition at the site. Site inspections performed on 10/25/2011; 11/16/2011; 1/4/2012; 1/13/2012; 1/25/2012; 2/8/2012; 3/5/2012; Owner continues to implement the final closure/stabilization plan as approved by the Town of Carmel Planning Board and accepted by DEP. Additionally, the owner has removed all excess fill material from adjacent NYC Lands. Site is stable. DEP conducted a cursory inspection of the property on 6/14/12; implementation of the final stabilization plan continues. DEP performed a site visit on 7/6/12; with regard to final stabilization ~ limited progress noted since previous site inspection; no discharge or threat of discharge observed. DEP performed a site visit on 7/18/12; DEP received verbal permission on 7/17 to perform inspections whether he is present or not. DEP performed a site visit on 9/17/12; no new activity concerning movement or stabilization of fill since the last site visit. DEP performed a follow-up site visit on 12/17/2012; the site was stable and there was no evidence of additional fill movement; no discharge/no risk to water quality at this time. DEP called the owner to inform him that the NOV would be closed based on stable site conditions (1/7/2013). The violation was resolved and the case was closed on 1/7/2013 with DEP Closure letter dated 1/7/2013.

Town: Carmel
Basin: West Branch
Project Name: Sullivan, Neal, (Log #2011-WB-0755)
Project Description: Failed SWPPP;
Project Type: Solid Waste (SO)

Status:

DEP initiated an Enforcement Action on 10/28/11. DEP issued a NOV to the owner on 10/28/11. DEP sent an internal status update via email on 11/9/11. DEP sent an internal update on status of NOV on 11/14/11, advising that the engineer will prepare and submit a plan/report to address interim, temporary stabilization of the fill. DEP received a letter and plans responding to the NOV on 12/07/11. DEP issued a letter to the engineer on 12/12/11 regarding the NOV, advising that the recently submitted plans are acceptable with conditions. DEP sent an e-mail to Legal/Police on 1/27/12. The applicant has been before the Town of Carmel Court several times to resolve the unstable site conditions. Site inspections performed on 10/25/2011; 11/16/2011; 1/4/2012; 1/13/2012; 1/25/2012; 2/8/2012; 3/5/2012; Owner has provided a dense, temporary cover material in advance of final closure/stabilization as approved by the Town of Carmel Planning Board and accepted by DEP. Site is stable. DEP sent an internal e-mail on 5/22/12; DEP spoke with the owner and he stated that he is eager to start the final stabilization work; however, he is waiting on the Town of Carmel to lift the stop work order and anticipates resolution this month. DEP received a phone call on 6/7/12 from the homeowner indicating that work would commence on the final stabilization plan immediately. A site inspection conducted on 6/14/12 noted that no work has been undertaken. DEP performed a site visit on 7/6/12; site stabilization work underway; netting, mulch and seed are in place on roughly 1/5th of the disturbed area. Additional silt fence will be installed below the work area. DEP performed a site visit on 7/18/12. DEP sent an internal e-mail on 8/10/12 with findings of the 8/9/12 site visit; a four-person landscaping crew was active; grading and placing topsoil on the level portions of the fill adjacent to the house. At the request of the applicant, the Town of Carmel highway crews installed a speed bump and diversion curbing to divert storm flows away from the driveway. DEP performed follow-up site visits on 10/16 and 12/19/2012.

Town: Carmel
Basin: Croton Falls
Project Name: Putnam County Landfill, (Log #2010-CF-0088)
Project Description: Capping existing landfill.
Project Type: Stormwater (SP)

Status:

A meeting was held with the project applicant on 3/9/12. DEP received the final closure plan from the engineer on 3/12/12. DEP received an Application for a SWPPP on 3/12/12 from the engineer. DEP initiated an Enforcement Action on 3/13/12. DEP performed a site visit on 3/14/12; there were deficiencies; there was no discharge and the site was occupied. DEP performed a site visit on 3/16/12; there were no deficiencies; there was no discharge and the site was occupied. DEP performed site visits on 3/21 and 3/26/12; there were deficiencies; there was no discharge and the site was occupied. DEP performed a site visit on 4/9/12; there were deficiencies, there was no discharge and the site was occupied. DEP received a letter from the engineer on 4/11/12 along with a copy of the revised erosion and sediment control plans in response to DEP's letter of 3/15/12. DEP performed site visits on 4/23 and 5/1/12; there were deficiencies, there was a discharge and the site was occupied. DEP performed site visits on 5/4 and 5/7/12; there were deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 5/10/12; there were deficiencies, there was a discharge and the site was occupied. DEP received a response to the NOICA from the engineer on 5/14/12. DEP performed site visits on 5/15 and 5/18/12; there were deficiencies, there was no discharge and the site was

occupied. DEP performed site visits on 6/5, 6/8, 6/20, 7/9 and 7/19/12; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 7/20/12; there were deficiencies, there was a discharge and the site was occupied. DEP sent an e-mail with inspection reports and photos attached to DEC Region 3 advising of water quality violations relative to Landfill closure operations. DEC issued a NOV on 7/27/12. DEP performed a site visit on 7/27/12; there were deficiencies, there was no discharge and the site was vacant. DEP issued the NOCA and Approval Determination letters on 7/27/12. DEP performed a site visit on 8/10/12; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 8/20/12; there were deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 9/5/12; there were no deficiencies, there was no discharge and the site was vacant. DEP called DEC 9/11/12 for an update on the referral to the DEC law department for the water quality violation (NOV). DEC will visit the site and based on the conditions, will decide if it will be referred. DEP performed a site visit on 9/19/12; there were no deficiencies, there was a discharge and the site was occupied. DEP performed site visits on 10/1 and 11/21/2012; there were deficiencies, there was no discharge and the site was vacant. DEP sent photo documentation and punch list of outstanding items to DEC per his request via WECC. Wetland cleanup and final stabilization work are pending. DEP performed a site visit on 3/12/2013; there were deficiencies, there was a discharge and the site was vacant.

Town: Carmel
Basin: Croton Falls
Project Name: Carmel Center Senior Housing, (Log #2004-CF-0630)
Project: Proposed Senior Housing.
Project Type: Stormwater (SP)
Status:

DEP issued a 37 page field inspection report to the Putnam County Coalition on 8/22/11. DEP performed site visits on 8/30, 9/1 and 9/28/11; there were no deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 10/17, 11/1, 11/9, 11/16, 11/30, 12/15, 12/27/11, 1/9, 2/6 and 3/19/12; there were no deficiencies; there was no discharge and the site was occupied. DEP performed site visits on 4/9, 5/8, 5/21, 6/4, 6/7, 7/18, 7/20, 8/9 and 9/12/12; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 10/12/2012; there were no deficiencies, there was no discharge and the site was occupied. DEP received an Application for a SWPPP on 10/16/2012 from the engineer with revised plans and supplemental calculations. DEP performed a site visit on 11/2/2012; there were no deficiencies, there was no discharge and the site was occupied. DEP issued comments 11/26/2012 to the engineer on the amended SWPP. DEP performed site visits on 11/27 and 12/11/2012, 1/14, 1/31, 2/12, and 3/5/2013; there were no deficiencies, there was no discharge and the site was occupied.

Project Type: SEQRA (SQ)
Status:

DEP Project Review received a copy of Town's SEQRA Evaluation Form from the engineer on 5/27/05 advising the minimum thresholds and criteria of the project fall within the outline of the GEIS and therefore no further SEQRA review is required.

3.2.4. Kensico Basin

3.3. DEP Police Actions

3.3.1. Catskill District

Name: Blue Bird Road **CS-244-12, SJS 38176**

Location: Conesville

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 10/17/12

Status: Closed

Overview and Action:

DEP Police investigated a complaint of a dumping of household refuse which did yield traceable evidence. Officer retrieved the names of two possible subjects and several addresses; two addresses in Queens and one in upstate Gilboa. Contact was made with one subject whom was informed of the dumping and admitted blame. A subsequent re-check of the dump site determined that the whole area had been cleaned up. Subject was issued Notice of Warning for Unlawful Disposal of Solid Waste and advised of the proper way to dispose of refuse in the future. DEP Police involved.

Name: Bull Hill Road **CS-038-13, SJS 40306**

Location: Conesville

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 3/27/13

Status: OPEN

Overview and Action:

DEP Police observed a small dumpsite while completing sector patrol which did yield traceable evidence. The investigation to continue in an attempt locate the subject responsible. DEP Police involved.

Name: Blue Bird Road **CS-244-12, SJS 38176**

Location: Conesville

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 10/17/12

Status: Closed

Overview and Action:

DEP Police investigated a complaint of a dumping of household refuse which did yield traceable evidence. Officer retrieved the names of two possible subjects and several addresses; two addresses in Queens and one in upstate Gilboa. Contact was made with one subject whom was informed of the dumping and admitted blame. A subsequent re-check of the dump site determined that the whole area had been cleaned up. Subject was issued Notice of Warning for Unlawful Disposal of Solid Waste and advised of the proper way to dispose of refuse in the future. DEP Police involved.

Name: Bull Hill Road **CS-038-13, SJS 40306**
Location: Conesville
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/27/13
Status: OPEN

Overview and Action:

DEP Police observed a small dumpsite while completing sector patrol which did yield traceable evidence. Investigation to continue in an attempt locate the subject responsible. DEP Police involved.

Name: Gilboa Dam Construction Site **CS-285-12, SJS 38590**
Location: Gilboa **Spill # 1210170**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 11/12/12
Status: Closed

Overview and Action:

DEP Police responded to the Gilboa Dam construction trailer regarding a spill of approximately 20 gallons of environmentally friendly hydraulic oil from a telebelt machine with a hydraulic line failure. The entire amount of oil spilled onto concrete and was fully recovered. DEC spill number obtained and Incident Report filed. DEP Police and DEC involved.

Name: State Route 30, Gate #19 **CS-308-12, SJS 38883**
Location: Gilboa
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 12/4/12
Status: Closed

Overview and Action:

DEP Police was dispatched to the Crest Gate Compressor building at the Gilboa Dam construction site for a reported spill. It was determined that approximately 2 quarts of anti-freeze had spilled from a faulty generator. Spill pads were put in place for containment and the generator was tagged and locked out until repairs could be made. DEP Police involved.

Name: Clove Road **CS-230-12, SJS 37841**
Location: Hunter
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 9/23/12
Status: Closed

Overview and Action:

DEP Police received complaint of a possible discharge of raw sewage to the Schoharie Creek from a residence. Investigation revealed that numerous pipes with backflow preventers were discharging into a drainage ditch leading to the creek. Dye testing being performed by DEP

Engineering, and site being monitored for evidence of effluent entering the creek. Dye testing being performed by DEP Engineering; dye testing results negative. Site inspections by DEP Engineering revealed site to be in compliance. DEP Police and Engineering involved. DEP Police and Engineering involved.

Name: Hunter Transfer Station, Hylan Road **CS-262-12, SJS 38390**
Location: Hunter
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/31/12
Status: Closed

Overview and Action:

DEP Police observed numerous bags of garbage deposited at the front gate of the Town of Hunter Transfer Station that did yield traceable evidence. Subject was contacted and advised that garbage cannot be left at the gate if the transfer station is closed. Subject was issued a Notice of Warning for Unlawful Disposal of Solid Waste and directed to return to the transfer station to pay for disposal of his garbage. DEP Police involved.

Name: 89 Pine Street **CA-110-13, SJS 39959**
Location: Hurley
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 3/4/13
Status: Closed

Overview and Action:

DEP Police were dispatched to the location of a spill which occurred when a subject was changing the motor oil in a personal vehicle. Upon arrival, officer observed a small puddle of motor oil on the driveway surface which was estimated to be less than one quart. Spill pads were used to absorb the oil with no impact to the water supply. DEP Police involved.

Name: 10241 State Route 23A **CS-263-12, SJS 38403**
Location: Jewett
Type of Use: Commercial
Type of Violation: Stream Disturbance
Date Discovered: 11/1/12
Status: Closed

Overview and Action:

DEP Police observed a backhoe and recent excavation work along the Schoharie Creek behind a hotel at the above location. Hotel owner working under DEC permit to repair damage caused by Hurricane Irene had been excavating along the stream behind the hotel and also removing portions of the bank downstream behind an adjacent residence. Subject was advised to cease all work until officer could review and clarify the terms of the work permit. Officer determined that subject was in violation of the conditions of the permit at site behind the hotel and also for working outside the scope of the permit by excavating the stream bed at the adjacent property. Subject was issued tickets for two (2) counts under Title 6 NYCRR Disturbance of Protected

Streams (one count for hotel site and one count for adjacent site) and two (2) counts under NYS ECL Disposal of Loose Soil on the Banks of a Trout Stream (one count for hotel site and one count for adjacent site). DEP Police and DEC involved.

Name: State Route 23A **CS-300-12, SJS 38736**
Location: Lexington
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 11/22/12
Status: Closed

Overview and Action:

DEP Police observed a dumpsite consisting of numerous large trash bags which did yield traceable evidence. When interviewed, subject stated that he did rely on other people to transport his refuse to the transfer station but one of them may have improperly disposed of it. Subject was issued Notice of Warning for Unlawful Disposal of Solid Waste and when re-checked, dump site was fully cleaned up. DEP Police involved.

Name: 4139 State Route 213 **CA-132-13, SJS 40166**
Location: Marblertown
Type of Use: Residential
Type of Violation: Dumping
Date Discovered: 3/18/13
Status: Closed

Overview and Action:

DEP Police was dispatched for a complaint of dumping on city property. Officer interviewed homeowner whom stated that the refuse had been dumped along with debris from the hurricane. He further stated his willingness to pick up as much of the dumping as he can at this time. DEP Police involved.

Name: 4315 Atwood Rd / State Route 213 **CA-172-13, SJS 40353**
Location: Marblertown
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/30/13
Status: Closed

Overview and Action:

DEP Police while patrolling the aqueduct observed the bottom half of a snowmobile on city property. Officer searched snowmobile piece for possible vehicle identification number or registration number with negative results. DEP Operations will be notified for removal. DEP Police and DEP Operations involved.

Name: 26 Upper Boiceville Road **CA-447-12, SJS 36778**
Location: Olive
Type of Use: Residential
Type of Violation: Haz Mat

Date Discovered: 7/20/12

Status: Closed

Overview and Action:

DEP Police were notified by DEP Haz Mat of a possible spill of a white, milky substance coming out of a culvert pipe in the vicinity of the Onteora High School. Officer interviewed Director of Facilities & Operations at Onteora Central School District whom stated that the substance was floor wax stripper being dumped down a drain pipe by an employee. Based on observation by DEP Haz Mat team and the amount of the substance in the stream it appeared that the dumping had been going on for some time. DEP Haz Mat and NYS DEC Spill Response to ensure full clean up. Onteora School District was issued a ticket for Contravention of Standards (NYS ECL). DEP Police, DEP Haz Mat and DEC involved.

Name: 241 Moonhaw Road

CA-524-12, SJS 37432

Location: Olive

Type of Use: Residential

Type of Violation: Stream Disturbance

Date Discovered: 8/30/12

Status: Closed

Overview and Action:

DEP Police observed large equipment at the above address and discovered a mini-excavator on the rocks alongside a stream and also where the operator had built a small dam to block the flow of water so that a full size excavator could sit on dry land. The stream bed and banks had been changed and it appeared that the operator was also building a retaining wall with large boulders at the stream's edge just below the residence. There were no permits posted in the area. Photos were taken and officer will contact DEC as well as attempt to contact property owner. It was determined that permit had been issued 7/25/11 but expired 9/30/11. Owner stated current permit valid until 9/30/12. Officer to follow up with DEC to confirm. It was determined that permit had been issued 7/25/2011 but expired 9/30/2011. Owner stated current permit valid until 9/30/2012. Follow up investigation revealed that extended site permit received and valid. DEP Police and DEC involved.

Name: 1117 Andres Gray Road

CS-234-12, SJS 37886

Location: Roxbury

Type of Use: Residential

Type of Violation: Stream Disturbance

Date Discovered: 9/27/12

Status: Closed

Overview and Action:

DEP Police investigated a possible stream violation occurring on or near NYC property. Interview with land owner determined that he did possess a valid NYS DEC permit under the general flood repair section which deals with erosion, sedimentation and turbidity controls. Excavation and stream work being done by local company revealed at least three areas where small trees had been unearthed and left deposited along the stream bank on NYC property creating a berm which is in violation of the DEC permit. Follow-up investigation will be conducted to ensure that stream banks are planted with suitable material for erosion control and the unearthed trees are removed from NYC property to alleviate any flood concern issues.

Charges are pending. Follow-up investigation revealed that remediation performed to the location and that stream banks are planted with suitable material for erosion control and the unearthed trees are removed from NYC property to alleviate any flood concern issues. Summons issued for ECL section 71-4001 – General Criminal Penalty for violation of permit provisions. NYC DEP Police and DEC involved.

3.3.2. Delaware District

Name: Shaver Hollow Rd & NYC Hwy #30A **CB-004-13, SJS 39204**
Location: Andes
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/3/13
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite on the shoulder of the road which did yield traceable evidence. A group search retrieved the names of two possible subjects with the same last name and similar address information, but the associated phone number had been disconnected. Numerous attempts to identify and interview the subjects at the address resulted in negative contact. The refuse was removed from the site and the case was subsequently closed. DEP Police involved.

Name: NYC Highway 30A **CB-383-12, SJS 37147**
Location: Colchester
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 8/11/12
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite with did yield traceable evidence. Subject contacted and although not responsible for dumping, he stated he would make some phone calls, find out what he could and then re-contact police. Site cleaned of all materials and refuse. Investigation closed. DEP Police involved.

Name: 374 Griffith Road **CB-387-12, SJS 37232**
Location: Colchester
Type of Use: Rural
Type of Violation: Sewage Discharge
Date Discovered: 8/16/12
Status: Open

Overview and Action:

DEP Police investigated a complaint involving a possible waste pipe / failed septic system located under a shed at a rod and gun club hunting cabin surrounded by NYC property. Once shed was located, officers immediately detected the odor of raw sewage and observed a four inch pipe under the shed where raw sewage was visibly present on the ground. DEP Engineering notified and site visit scheduled to assess exposed septic pipe issue and determine possible

remediation plan. Officers attempted to identify the president of the gun club through the WaLIS system, Delaware County Tax and Mapping office, Delaware County Deputy Treasurer and Colchester Township Tax Collector with negative results. The investigation is ongoing at this time, as the officer is still unable to identify the responsible party, that is, the president of the rod & gun club. Notice of Violation (septic pipe exposed) was sent Bellmoore Rod and Gun Club President. The NOV stated that the gun club was in violation of the following: Contamination from a Regulated Activity, Pathogenic Materials, Human Excreta and Holding Tanks, and Subsurface Sewage Treatment Systems, which are all violations of the NYCRR Title 10. Hunting cabin closed until repairs can be made to the system. Closed. DEP Police and DEP Engineering involved.

Name: 40 NYC Hwy #30A **CB-025-13, SJS 39474**
Location: Colchester
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 1/25/13
Status: Closed

Overview and Action:

DEP Police vehicle parked at Downsville Police Precinct parking lot leaked less than one pint of power steering fluid onto the ground. Vehicle was removed to Downsville Fleet garage and DEP employee responded to precinct parking lot with spill pads, snow shovel and broom to clean up the small amount of fluid leaked. Incident Report filed. DEP Police and DEP Operations involved.

Name: 51 West Platner Brook Rd. **CB-020-13, SJS 39395**
Location: Delhi
Type of Use: Rural
Type of Violation: Haz Mat
Date Discovered: 1/19/13
Status: Closed

Overview and Action:

DEP Police responded to the scene of a vehicle overturned in a stream to assess any possible environmental impact. Upon arrival, officer detected an odor of gasoline but there was no visible sheen on the water and inspection of several hundred yards of the stream bank downstream confirmed no liquids present. Once vehicle was removed from stream, Delhi Fire Department cleaned up debris and placed spill pads on the stream bank. Negative impact to the water supply. DEP Police and Delhi Fire Department involved.

Name: Delaware Avenue **CB-045-13, SJS 39884**
Location: Delhi
Type of Use: Municipal
Type of Violation: Sewage Discharge
Date Discovered: 2/26/13
Status: Closed

Overview and Action:

DEP Police received a complaint via BWS Incident Report that led to an investigation of a spill

containing between 1800-2400 gallons of raw sewage overflowing from a manhole cover and into the nearby storm drain which empties into the West Branch of the Delaware River in the Village of Delhi. Officer interviewed Operator of the Delhi Wastewater Treatment Plant and the Delhi Village Mayor and determined then confirmed with DEC that spill had been reported to the DEC Region IV Division of Water but did not meet the requirements for assigning a DEC Spill number. All requirements for properly reporting the incident were met by village officials. DEP Police, DEC and Village of Delhi Officials involved.

Name: 3525 State Highway 10 **CB-442-12, SJS 38099**
Location: Deposit
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 10/12/12
Status: Closed

Overview and Action:

DEP Police was advised by DEP Watershed Maintainer of a broken hydraulic line on the mower he was using at the West Delaware Release Chamber. Employee stated that approximately one gallon of hydraulic fluid spilled onto the ground. Spill pads were placed on the broken line and speedi-dri was used to clean up the fluid on the pavement. DEP Operations Supervisor notified and all fluids removed from the site. DEP Police and DEP Operations involved.

Name: 72 Hillys **CB-280-12, SJS 36028**
Location: Middletown
Type of Use: Residential
Type of Violation: Sewage Discharge
Date Discovered: 6/13/12
Status: Closed

Overview and Action:

DEP Police on ATV patrol for possible trespass near a seasonal residence observed a small, recently excavated area at the side of the home which borders the Platte Kill Stream, a classified trout stream. Further patrol of the stream bed revealed two pipes that appeared to be coming from the septic tank that were releasing effluent onto the stream bed and ultimately into the Platte Kill Stream. When interviewed, homeowner stated that the previous owner told him if the septic tank was pumped out once a year he would not have any problems. Homeowner was advised to cease discharging further matter into the septic tank and to have it pumped out immediately. Subject was issued ticket for Discharge without SPDES Permit and Depositing Noisome or Unwholesome Substance On / Near Waterway (NYS ECL). Officer also advised homeowner that DEP would contact him to assist with an approved septic plan which included installing a temporary 1000 gallon septic for use until the new system is completed. Temporary 1000 gallon septic system installed for use until the new system is completed. DEP Police involved. Closed

Name: County Route 19 **CG-690-12, SJS 37515**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping

Date Discovered: 9/4/12
Status: Closed

Overview and Action:

DEP Police checking DEP Air Shaft observed a large dumping of multiple trash bags sliding down the steep hillside above the shaft site. The bags containing a large amount of baby diapers appeared to have been dumped at different times did yield traceable evidence. Initial attempt to interview subject at residence met with negative results, however, officer observed a large amount of similar trash outside the door of residence on the deck in black trash bags with red draw strings matching those found at dump site. Investigation to continue at a later date. Location cleaned of refuse. No further incidents noted at this site. Closed. DEP Police involved.

Name: Little Hollow Road **CG-709-12, SJS 37592**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 9/8/12
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse with traceable evidence, some of which had found its way into a nearby stream. Officer interviewed subject named in evidence who denied dumping. Father of subject subsequently contacted officer at precinct and identified older son as the responsible party. Officer issued ticket for Throwing Refuse on Highways and Adjacent Lands (NYS VTL) and subject returned to dumping location to clean up the site. DEP Police involved.

Name: Paddy Lane **CG-740-12, SJS 37801**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 9/21/12
Status: Closed

Overview and Action:

DEP Police observed a large dumping of household refuse behind a fallen tree on city property which did yield traceable evidence. Follow-up interview revealed that subjects had agreed to have their neighbor (who is mentally challenged) transport to the transfer station. Interview with neighbor determined that he did not have enough coupons to take the trash to the dump so he "put the bags in the woods". Notices of Warning for Unlawful Disposal of Solid Waste were issued to both parties who were advised to transport any refuse responsibly and properly. DEP Police involved.

Name: City Road 55A **CG-111-13, SJS 40109**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/14/13
Status: OPEN

Overview and Action:

DEP Police observed a small dumpsite on city property which did yield traceable evidence. Initial attempt to locate subject for interview resulted in negative contact. Officer will make another attempt to contact and resolve case during next work shift. DEP Police involved.

Name: 610 State Route 10 **CS-007-13, SJS 39337**
Location: Stamford
Type of Use: Commercial
Type of Violation: Possible Sewage Discharge into Stream
Date Discovered: 1/14/13
Status: OPEN

Overview and Action:

DEP Police investigated an anonymous complaint of a possible stream violation. On scene at the building location which operates as a wholesale salmon smoking facility, officer observed two metal pipes protruding from an earthen embankment behind the building. There was nothing currently flowing out of the pipes however, mineral-like deposits were present inside the pipes and the grass underneath was dead. Business owner stated her belief is that the whole building discharges into the village sewer system. Officer to make contact with DEP Engineering, Village of Hobart WWTP and Village of Hobart Code Enforcement Officer in an attempt to determine the purpose of the pipes. DEP Police involved.

Name: State Route 10 **CB-055-13, SJS 40090**
Location: Walton
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/13/13
Status: Closed

Overview and Action:

DEP Police observed a dumpsite near the roadway consisting of a display cabinet and wooden moldings which did yield traceable evidence leading back to a local business. Officer patrolled to the business where interview with owner determined that the cabinet was from their business but had been discarded during prior renovations to anyone that could use them. Owner agreed to remove the items and transport to landfill. Owner received Notice of Warning under Title 6 NYCRR for Unlawful Disposal of Solid Waste. DEP Police involved.

Name: State Route 55 **CG-066-13, SJS 39760**
Location: Wawarsing
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 2/16/13,
Status: Closed

Overview and Action:

DEP Police observed a pick-up truck transporting an unsecured load of trash which was blowing out of the bed of the vehicle. Subject was stopped, advised of his violations of NYS ECL regarding Coverage of All Vehicles Transporting Solid Waste and Putting Noisome or

Unwholesome Substances On or Near Highway and issued Notices of Warning for those two sections of Environmental Conservation Law. DEP Police involved.

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

Name: 30 Stebbins Ave **CE-268-13, SJS 40001**
Location: Carmel
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/7/13
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse, tires, television and various vehicle parts in the woods and a nearby stream. Neither vehicle parts nor television had any identifiable serial numbers and appeared to have been discarded some time ago. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: Magnetic Mine Road **CE-1855-12, SJS 38925**
Location: Southeast
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 12/7/12
Status: Closed

Overview and Action:

DEP Police observed a dumping which consisted of a futon and mattress pad with no traceable evidence. DEP Operations notified for removal. DEP Police and DEP Operations involved.

3.3.4. Kensico Basin

Name: Shaft 18, West Lake Drive **CE-152-13, SJS 39647**
Location: Mt. Pleasant
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 2/6/13
Status: Closed

Overview and Action: NYC DEP Police responded to the fluoride delivery area within the Shaft 18 compound for a fluoride spill which occurred when the driver of the fluoride truck pulled the hose off the truck and fluoride spilled out onto his clothes and onto the floor. Driver refused medical attention. DEP Haz Mat responded for decontamination which was soon completed leaving the area clean and secure. Police and DEP Haz Mat involved.

4. Kensico Spill Response Program

Program Description

The New York City Department of Environmental Protection (DEP) has undertaken a spill response program to reduce the risk and potential impact of spills within the Kensico Reservoir Watershed. The Bureau of Water Supply, Division of Regulatory Compliance and Facilities Remediation Hazardous Materials Response Team communicates with NYS DEC Spill Response, Westchester County Health Department Spill Response Unit, Westchester County Hazardous Materials Response Team, as well as the DEP Police to receive immediate notification of spills within the Kensico Reservoir basin. As of November 15, 2002 New York City DEP Police Command Center is directly connected to the NYS DEC Spill Notification Hotline System and receives immediate reports for all spills and Haz-Mat incidents in Westchester County and will eventually receive reports for all the upstate NYC watershed counties.

SPILLS:

**11/13/12 – Pheasant Drive, Armonk, NY
(NYS DEC SPILL REPORT # 1208432)(NRC#1030289)**

New York State Department of Environmental Conservation (DEC) spill report stated that a transformer fell from pole during Hurricane Sandy. 30 gallons of transformer oil was released to the roadway, soil and into a nearby storm drain.

Initial action taken:

Checked maps and identified that the storm drain flows into tributaries of the Kensico reservoir. Investigated spill site, found information to be correct. Placed down soft boom on the roadway and around the storm drain to provide containment of the spill. Clean-up was conducted by a DEC contractor.

**2/6/13 – 19 Westlake Drive, Valhalla N.Y.
Kensico Fluoride**

20 gallons of Hydro-fluorosilicic acid (Fluoride) was spilled into the offloading area secondary containment and storm drain valve pit.

Initial action taken:

DEP Operations staff notified DEP Police and DEP HazMat team for response. The HazMat team conducted initial cleaning of the spill area and spill containment pad, including the fill hose and delivery truck. A Partial cleaning of the storm valve pit was conducted by HazMat staff. Final clean-up of the storm drain valve pit was completed by the Bureau's environmental cleanup contractor.

**3/25/13 – 20 Westlake Drive, Valhalla N.Y.
(NYS DEC SPILL REPORT #1216697)**

¾ of a gallon of hydraulic oil was spilled to the soil on NYC DEP property at Shaft 18DA . The spill resulted from a ruptured hydraulic hose on a DEP owned back hoe.

Initial action taken:

DEP staff contacted the BWS spills coordinator. NYS spill number was obtained and direction for clean-up was given to DEP staff. BWS field staff cleaned up the spilled material.