



NEW YORK CITY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WASTEWATER TREATMENT  
DEC Case # CO2 - 20000107-8 as modified by DEC Case # CO2-2007-0101-1

## **Combined Sewer Overflow Order on Consent**

### **Quarterly Progress Report – Second Quarter 2011**



**July 2011**



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

CSO Orders on Consent

**DEC Case # CO2-20000107-8**

**DEC Case # CO2-2007-0101-1**

**DEC Case # CO2-20090318-30**

**DEC Case # CO2-20110512-25**

QUARTERLY PROGRESS REPORT

**SECOND QUARTER 2011**

**(April 1 to June 30)**

**July30, 2011**



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## 1.0 Executive Summary

The Combined Sewer Overflow “CSO” Order on Consent, DEC Case # CO2-20070101-1 (the “Order”); was entered into by the City of New York (“City”) and the New York State Department of Environmental Conservation (“DEC”) on January 14, 2005 and modified on April 14, 2008 and on September 3, 2009. Pursuant to Section IV, Paragraph A of the Order, the City shall submit quarterly status reports to DEC (“Quarterly Reports”). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress by the New York City Department of Environmental Protection (“DEP”) in complying with the milestones set forth in the Order during the period from **April 1, 2011 to June 30, 2011.**

### **Critical Events This Quarter:**

The following critical events occurred this quarter:

- 1) DEP Certified Construction Completion of the Alley Creek CSO Facility on June 27, 2011. A copy of the certification letter is attached. The facility was certified as being operational as of March 11, 2011.**
- 2) DEP Certified Construction Completion of the Paerdegat Basin Structures and Equipment milestone on May 31, 2011. DEC acknowledged receipt of this certification letter on June 1, 2011. A copy of the certification letter is attached.**
- 3) DEP Certified Initiation of Final Design for the Jamaica Tributaries Bending Weir project on June 27, 2011. A copy of the certification letter is attached. The project is proposed in the new CSO Consent Order modification currently under negotiation between DEP and DEC.**
- 4) DEP Certified Initiation of Final Design for the Flushing Bay Divert Low-Lying Sewers and Regulator Modifications projects on June 30, 2011. A copy of the certification letter is attached. The project is proposed in the new CSO Consent Order modification currently under negotiation between DEP and DEC.**
- 5) DEP Certified Completion of Final Design for the Newtown Creek Aeration of Lower English Kills project on June 30, 2011. A copy of the certification letter is attached. The project is proposed in the new CSO Consent Order modification currently under negotiation between DEP and DEC.**
- 6) DEP Certified Initiation of Final Design for the Newtown Creek Bending Weirs / Floatables Control project on June 30, 2011. A copy of the certification letter is attached. The project is proposed in the new CSO Consent Order modification currently under negotiation between DEP and DEC.**
- 7) DEP Certified Initiation of Final Design for the Westchester Creek Modifications to CSO-29 and CSO-29A project on June 30, 2011. A copy of the certification letter is attached. The project is proposed in the new CSO Consent Order modification currently under negotiation between DEP and DEC.**

**8) On April 8, 2011, DEP responded to DEC's March 21, 2011 comments on the December 2010 Tallman Island WWTP and Sewer System Improvements Final Design. DEC approved the Final Design on April 29, 2010.**

**9) On June 8, 2011, DEC approved the flow metering methodology to be implemented at Flushing Bay CSO and requested that the WWOP be modified to include certain additional information.**

**10) On June 1, 2011, DEC provided comments on the Paerdegat Basin Environmental Dredging BODR submittal on March 19, 2011.**

**11) DEP submitted two (2) Waterbody/Watershed Facility Plan Reports. The updated Westchester Creek and Newtown Creek WWFP was submitted on June 20, 2011 as per DEC's April 29, 2011 letter.**

**Major Actions This Quarter:**

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report. As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on **May 26, 2011 at the Wards Island WWTP** to discuss issues related to the Order and to review milestones met during the last quarter.

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

**Major Actions Next Quarter:**

The following major actions are expected to occur from **July 2011 through August 2011:**

Hold the next Quarterly Progress Meeting between DEC and DEP on **August 24, 2011 at the Hunts Point WWTP.**



**Table 1 – Milestones This Quarter (April 2011 – June 2011)**

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Coney Island Creek	Avenue V Pump Station Upgrade	Apr 2011	Construction Completion	Modification Request Submitted 2/28/2011
Paerdegat Basin	Structures and Equipment	May 2011	Construction Completion	On Schedule
Jamaica Tributaries	Expansion of Wet Weather Capacity of Jamaica WWTP	Jun 2011	Final Design Completion Including CPM Analysis	Modification Request Technical acceptance 6/28/2010
Newtown Creek	Aeration Zone II	Jun 2011	Notice to Proceed to Construction	Modification Request Technical acceptance 1/7/2011
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Notice to Proceed to Construction	Modification Request Technical acceptance 8/25/2010
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Notice to Proceed to Construction	Modification Request Submitted 5/5/2010
Jamaica Bay	26 <sup>th</sup> Ward Wet Weather Expansion	Jun 2011	Notice to Proceed to Construction	Modification Request Supplement Submitted 12/30/2010

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

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	REASON FOR MODIFICATION
Coney Island Creek	Avenue V Pump Station Upgrade	Apr 2011	Construction Completion	Align Dates of Pumping Station and Force Mains
Jamaica Tributaries	Expansion of Wet Weather Capacity of Jamaica WWTP	Jun 2011	Final Design Completion Including CPM Analysis	Technically Accepted Alternative Identified
Newtown Creek	Aeration Zone II	Jun 2011	Notice to Proceed to Construction	Technically Accepted Alternative Identified
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Notice to Proceed to Construction	Technically Accepted Alternative Identified
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Notice to Proceed to Construction	Water Quality Sampling and TMDL Development
Jamaica Bay	26 <sup>th</sup> Ward Wet Weather Expansion	Jun 2011	Notice to Proceed to Construction	Cost-Effective Alternative Proposed

**Table 3 – Milestones Next Quarter**

**Table 3 has been removed pending ongoing CSO Consent Order negotiations.**

**Table 4 – Force Majeure Notifications and Outstanding Modification Requests**

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION(S)	REASON FOR ACTION(S)	MILESTONE DATE	STATUS
Alley Creek	Drainage Basin Specific LTCP	Modification Request	LTCP process to be defined	Submittal Apr 2010	Extension Request Submitted 2/25/2011
Alley Creek	CSO Retention Facility	Force Majeure And Modification Request	Sewer condition; Job action by Electrical Union	Construction Completion Dec 2009; Mod to Feb 2011 requested	<b>Construction Completion Certified 6/27/2011 Retroactive to 3/11/11</b>
Coney Island Creek	Avenue V Pumping Station	Modification Request	Project Delays	April 2011	Extension Request submitted on 2/28/2011
Newtown Creek	Aeration Zone II Sewer Modifications Storage Facility	Modification Request	Cost-Effective Alternative	Jun 2010* Jun 2009* Nov 2010*	Technical acceptance* 1/7/2011
Hutchinson River	CSO Storage Facility	Modification Request	Cost-Effective Alternative	Design Completion Jun 2010	Water quality sampling program under development
Jamaica Bay	26 <sup>th</sup> Ward Wet Weather Expansion	Modification Request	Cost-Effective Alternative	Design Completion Jun 2010	Modification Request submitted 5/5/2010; Follow-up submitted 12/30/2010

\* Dates and elements shown are existing milestones; CSO Order is expected to be modified to reflect new alternatives and dates. Dates listed are for Final Design Completion for Aeration Zone II and Sewer Modifications and Initiate Final Design for the Storage Facility.

## 2.0 Construction Contracts

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

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

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED <sup>(1)</sup>
Alley Creek	Outfall and Sewer System Improvements	Dec 2002	Dec 2006	Completed	100%	100%
	CSO Retention Facility	Dec 2006	Dec 2009 <sup>(2)</sup>	<b>Completed</b>	100%	<b>100%</b>
Outer Harbor	Regulator Improvements – Fixed Orifices	Feb 2006	Jul 2008	Completed	100%	100%
	Regulator Improvements – Automation	Nov 2007	Jun 2010 <sup>(6)</sup>	Completed	100%	100%
	Port Richmond Throttling Facility	Jun 2006	Nov 2009 as modified	Completed	100%	100%
Inner Harbor	Regulator Improvements – Fixed Orifices	Feb 2003	Apr 2006	Completed	100%	100%
	Regulator Improvements – Automation	Nov 2007	Jun 2010 <sup>(6)</sup>	Completed	100%	100%
	In-Line Storage	Aug 2007	Aug 2010	Completed	100%	100%
	Gowanus Flushing Tunnel Modernization	Feb 2010	Sep 2014	Sep 2014	<b>48%</b>	<b>30%</b>
	Gowanus Pump Station Reconstruction	Feb 2010	Sep 2014	Sep 2014	<b>48%</b>	<b>30%</b>
	Dredging of Gowanus Canal	TBD <sup>(3)</sup>	TBD <sup>(3)</sup>	TBD <sup>(3)</sup>	-	-
Paerdegat Basin	Influent Channel	Feb 1999	Feb 2002	Completed	100%	100%
	Foundations and Substructures	Jun 2002	Dec 2009	Completed	100%	100% <sup>(4)</sup>
	Structures and Equipment	Sep 2005	May 2011	<b>Completed</b>	<b>100%</b>	<b>100%</b>
	Dredging of Paerdegat Basin	3/19/2013	3/19/2015	3/19/2015	-	-
Flushing Bay	Reroute and Construct Effluent Channel	Jun 1995	Jun 1996	Completed	100%	100%
	Relocate Ball fields	Apr 1995	Aug 1995	Completed	100%	100%
	Storage Tank	Jul 1997	Aug 2001	Completed	100%	100%
	Mechanical Structures	Mar 2002	Sep 2009	Completed	100%	100%
	Tide Gates	Dec 2000	Apr 2002	Completed	100%	100%

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED <sup>(1)</sup>
	Manual Sluice Gates	Feb 2004	Jun 2005	Completed	100%	100%
	Tallman Island WWTP Conveyance Improvements	Dec 2011	Jul 2015	Jul 2015	-	-
Jamaica Tributaries	Meadowmere & Warnerville DWO Abatement	Jun 2006	Jul 2009 as modified	Completed	100%	100% <sup>(4)</sup>
	Expansion of Wet Weather Capacity of Jamaica WWTP	Jun 2012	Jun 2015	TBD <sup>(5)</sup>	-	-
	Destratification Facility	Sep 2010	Mar 2012	Mar 2012	<b>56%</b>	<b>15%</b>
	Regulator Automation	Nov 2007	Jun 2010 <sup>(6)</sup>	Completed	100%	100%
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Apr 2011	Apr 2012	<b>100%</b>	<b>66%</b>
	Avenue V Force Main	Jul 2007	Jun 2012	<b>Aug 2011</b>	<b>81%</b>	<b>90%</b>
Newtown Creek	Aeration Zone I	Dec 2005	Dec 2008	Completed	100%	100%
	Aeration Zone II	Jun 2011	Jun 2014	TBD <sup>(5)</sup>	-	-
	Relief Sewer / Regulator Modification	Jun 2010	Jun 2014	TBD <sup>(5)</sup>	19%	-
	Throttling Facility	Jun 2009	Dec 2012	Dec 2012	<b>60%</b>	90%
	CSO Storage Facility	Dec 2015	Dec 2022	TBD <sup>(5)</sup>	-	-
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Jun 2015	TBD <sup>(5)</sup>	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	TBD <sup>(5)</sup>	-	-
Bronx River	Floatables Control	Jun 2009	Jun 2012	Jun 2012	<b>69%</b>	<b>47%</b>
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Jun 2015	TBD <sup>(5)</sup>	-	-
	Future Phases	Dec 2016	Dec 2023	TBD <sup>(5)</sup>	-	-
Jamaica Bay	Spring Creek AWPCP Upgrade	Mar 2003	Apr 2007	Completed	100%	100%
	26th Ward Drainage Area Sewer Cleaning and Evaluation	Jun 2008	Jun 2010	Completed	100%	100%
	Hendrix Creek Dredging	Feb 2010	Feb 2012	<b>Oct 2011</b>	<b>71%</b>	<b>38%</b>
	26th Ward Wet Weather Expansion	Jun 2011	Dec 2015	TBD <sup>(5)</sup>	-	-
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-

## Notes:

- (1) Percentage Construction Completion is tracked based on cost incurred.
- (2) A modification to the completion date from 12/31/2009 to 11/30/2010 was submitted to DEC on 10/30/2009.
- (3) Dredging NTP 3 years from effective date of permit; completion within 5 years of EDP.
- (4) CSO Consent Order elements completed and a Certification of Construction Completion has been submitted.
- (5) Item to be replaced or enhanced through Modification Request Process.
- (6) A request for modification to the completion date from 06/30/2010 to 12/31/2010 was submitted to DEC on 04/30/2010.

## 3.0 Detailed Description of Work Performed

### 3.1 Alley Creek CSO

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

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

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

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

Phase I, Stage 2 (Contract ER-AC2) includes activation of the 5 MG CSO storage facility, upgrading the Old Douglaston Pumping Station to enhance the station's reliability to pump the captured combined sewage to the interceptor system for conveyance to the Tallman Island WWTP for treatment, rehabilitation of the CSO Outfall TI-008 structure, and restoration of a 1.51-acre area surrounding CSO Outfall TI-008 to include restoration/creation of wetlands and replacement of invasive vegetation with indigenous plantings as mitigation for the area disturbed as a result of rehabilitation of the outfall structure.

### Work Performed During This Quarter

#### *Construction*

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - Activities continued for Contract ER-AC2. The principal work included the integrated system testing of the CSO Storage Facility and final site restoration.
  - **Operation of the CSO Facility was transferred from the Contractor to the DEP operations bureau on June 2, 2011.**

- **DEP Certified Construction Completion of the Alley Creek CSO Facility on June 27, 2011. The facility was certified as being operational as of March 11, 2011.**

### **Missed/Modified Milestones**

- ◆ The DEP submitted a request to the DEC on October 30, 2009 for a modification to the existing Milestone Date of December 31, 2009 to a new proposed Milestone Date of November 30, 2010. The basis of this request, the unexpectedly deteriorated condition of the influent sewer to the Old Douglaston Pumping Station, was reported to DEC in a Force Majeure letter dated November 20, 2007 and updated on August 20, 2008, February 3, 2009, and July 1, 2010.
- ◆ DEP submitted a Notice of Force Majeure for the Alley Creek CSO Retention Facility on February 8, 2010 related to a job action by Electrical Union Local 3 from January 20 through 22, 2010. DEC responded to DEP's Force Majeure Notice on April 9, 2010, requesting additional information. DEP provided supplemental information as requested on April 30, 2010. DEP issued a letter to DEC defining items required for certification of Construction Completion along with a CPM schedule on July 1, 2010.
- ◆ Due to the flooding condition, DEP issued a letter to the DEC dated September 30, 2010 requesting that the Consent Order milestone date be extended to February 28, 2011. On October 18, 2010, DEC requested additional technical information on the September 30, 2010 modification request. DEP responded to the DEC request on November 22, 2010.
- ◆ DEC requested additional information related to the Alley Creek CSO Retention Facility Request for Modification of Milestone Date on March 1, 2011. A response was sent on March 15, 2011.

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

#### *Construction*

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **Continue work on all remaining outstanding change order and punch list work for Contract ER-AC2.**

**Table 6 – Alley Creek CSO Projects**

	<i>Phase I, Stage 1</i>	<i>Phase I, Stage 2</i>
Plan Elements:	Alley Creek Drainage Area Improvements	Alley Creek CSO Abatement Facilities
Location:	46th Avenue, 53rd Avenue, 56th Avenue, Bell Boulevard, Luke Place, 214th Street, 215th Street, 216th Street, 217th Street, Springfield Boulevard, Cloverdale Boulevard, Cross Island Parkway, Northern Boulevard and Alley Park in Bayside, Queens	Northern Boulevard and Alley Park in Bayside, Queens
Actions:	Construction of additional water mains, stormwater and combined sewers, catch basins, outfall sewer and outfall structure to effect improved drainage in areas upstream of CSO Outfall TI-008 in Bayside, Queens; construction of 5 MG CSO storage facility for CSO abatement within Alley Creek	Design and construction of modifications to the Old Douglaston Pumping Station including air treatment facilities to treat air exhausted from the CSO storage facility and the pumping station; design and construction of hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; rehabilitation of the CSO Outfall TI-008 structure; restoration of a 2.5-acres of wetland/upland area surrounding CSO Outfall TI-008. The wetland/upland restoration work has been transferred to Contract ER-AC3
Cost:	\$98,850,488	<b>\$35,629,594</b>
Status:	Construction completed.	<b>Construction Completed. Certified 6/27/2011</b>

### 3.2. Outer Harbor CSO

The Outer Harbor CSO Facility Planning area consists of the drainage areas of the Port Richmond, Oakwood Beach, Owls Head and Coney Island (separately sewered area) Wastewater Treatment Plants (WWTPs) and their associated sewers and pumping stations. The receiving waters of the study area include the New York limits of the Raritan Bay, Arthur Kill and Kill Van Kull, Upper New York Bay waters to the boundary of the Inner Harbor CSO Project, the Narrows, Gravesend Bay, Lower New York Bay, Richmond Creek and Lemon Creek. This section reports on the progress for Phase I – Regulator Improvements (Fixed Orifices) and Phase II – Throttling Facility. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project (Contract REG-026) that addresses the milestones for regulator automation under Outer Harbor, Inner Harbor, and Jamaica Tributaries.

Phase I will provide improvements to 32 regulators in the Outer Harbor study area. Phase II entails the construction of a throttling facility in the Port Richmond east interceptor, which will provide the ability to store up to 5 MG upstream of the Port Richmond WWTP. The Citywide SCADA Project will automate regulators in Outer Harbor.

#### Work Performed During This Quarter

##### *Construction*

- Regulator Automation
  - ◆ Construction complete. The Certification of Construction Completion was submitted to DEC on December 30, 2010, and DEC acknowledged receipt on January 3, 2011.
  - ◆ **DEC performed inspections of SCADA System and regulator sites on March 29 and 30, 2011.**
- Phase I Regulator Improvements
  - ◆ Construction complete. The Certification of Construction Completion was submitted to DEC and a final inspection was completed by DEC. In a letter dated June 30, 2008, DEC certified compliance with the construction completion milestone.
- Phase II Throttling Facility
  - ◆ DEP certified Construction Completion of the Port Richmond throttling facility on November 20, 2009 in compliance with the modified milestone.

#### Missed/Modified Milestones

- ◆ DEP submitted a Request for Modification and Notice of Force Majeure for the Construction Completion Milestones associated with the Regulator Improvements – Automation to DEC on April 30, 2010. The basis for this request was due to a number of factors, including delays in scheduling work by the telephone company after extreme weather, unanticipated field conditions encountered by the contractor, limited site access



to perform work, change in equipment to meet classified conditions, and the change order registration. The new date requested for the Construction Completion milestone was December 31, 2010. DEC acknowledged receipt of the Force Majeure Notice on June 21, 2010 and directed DEP to provide more information. DEP provided additional information on July 12, 2010.

**Anticipated Activities for Next Quarter**

*Construction*

- Regulator Automation
  - ◆ **Final payment and project close-out.**
- Phase II Throttling Facility
  - ◆ Project close-out.

**Table 7 – Outer Harbor CSO Projects**

	<i>Phase I</i>	<i>Phase II</i>	<i>Citywide SCADA</i>
Plan Elements:	Regulator Improvements – Fixed Orifices	Throttling Facility	Regulator Improvements – Automation
Location:	32 regulator sites throughout Brooklyn and Staten Island	Port Richmond WWTP	Regulator sites throughout Brooklyn and Staten Island
Actions:	Conversion to manually operated sluice gates, replacement of stop plank guides, manhole steps, standardization of manhole cover sizes	Installation of throttling facility and sluice gate in Port Richmond east interceptor sewer	Conversion to automated regulators
Construction Cost:	\$4,390,100	\$ 5,704,481.02	\$15,721,000*
Status:	Construction Complete	Construction Complete	Construction Complete
Other Issues:	-	DEC granted Modification Request; revised Construction Completion date November 20, 2009 was met.	Modification Request outstanding; requested Construction Completion date of December 31, 2010 was met.

\*Construction cost represents original contract amount for REG-026

### 3.3. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Wastewater Treatment Plants (WWTPs) and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. This section reports on the progress of Phase I (Regulator Improvements), Phase II (In-Line Storage), and the automation of key regulators to be accomplished under the Citywide SCADA Project. In addition, the proposed elements of the August 2008 Gowanus Canal Waterbody / Watershed Facility Plan (as amended April 2009) became enforceable under the CSO Consent Order by reference upon approval by DEC, which was granted on July 14, 2009.

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

The key components include the rehabilitation of the Gowanus Canal Flushing Tunnel, reconstruction of the Gowanus Pumping Station, floatables controls at major CSOs, and environmental dredging at the head end of Gowanus Canal. Rehabilitating the Flushing Tunnel will eliminate shutdowns during low tide and many maintenance operations with the installation of a new pumping system with redundant, interchangeable pumps. The Gowanus Pumping Station reconstruction includes major improvements to operational reliability and the replacement of the force main to convey pumped flow directly to the Columbia Street Interceptor via a new force main to be constructed within the Flushing Tunnel. CSO screens will be retrofitted to RH-034 at the upstream side of the Gowanus Pumping Station. Environmental dredging in the upper 750 feet of the Gowanus Canal to a final water depth of 3.0 feet below mean lower low water will reduce exposure of CSO sediment mounds, thereby improving aesthetic conditions.

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

#### Work Performed During This Quarter

##### *Design*

- In-line Storage
  - ◆ DEP submitted a Notice of Force Majeure in December 2007 to DEC due to unanticipated subsurface conditions and discontinuation of equipment by the specified dam manufacturer. DEP has not yet determined the impact of these events on compliance with the construction completion milestone date. An update on this Force Majeure event was submitted in a letter dated August 29, 2008.
  - ◆ **Designed a solution to a power outage issue at both sites due to transient loads.**
  - ◆ **Submitted close-out documents and operating manuals.**

- ◆ **Submitted as-built drawings in paper copy and electronic form.**
- Gowanus Canal
  - ◆ The Gowanus Canal Waterbody / Watershed Facility Plan and the Gowanus Canal Facilities Upgrade Plans and Specifications were submitted to DEC in August 2008 and approved on July 14, 2009 as amended.
- ◆ Gowanus Canal Dredging
  - ◆ **Continued work on the Work Plan for the Gowanus CSO Dredging Permit.**
  - ◆ **Submitted HASP for the Gowanus CSO Dredging Permit**
  - ◆ **Commenced Conceptual Design for Gowanus Dredging.**

### *Construction*

- Regulator Automation
  - ◆ Certification of Construction Completion for the Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation was submitted December 30, 2010. Refer to section 3.2 for details.
- Regulator Improvements
  - ◆ Work is complete on the construction of Phase I, which was broken up into two contracts: Brooklyn Regulator Improvements (32 regulators) and Manhattan Regulator Improvements (40 regulators). The certification of construction completion was submitted to DEC on January 24, 2006 and the final inspection was completed by DEC. In a letter dated March 20, 2006, DEC certified compliance with the construction completion milestone.
- In-line Storage (ILS)
  - ◆ DEP certified construction completion of ILS in August 2010.
  - ◆ **Contractor continued punch list item work, including relocation of antenna at the B-6 site and resolving PLC programming issue.**
  - ◆ **Awaiting DEC final inspection report.**
- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
  - ◆ **Construction continued during this quarter. The interim oxygen transfer system remained in operation. Work within the flushing tunnel continues which includes sediment, force main piping, and concrete removals. Work for the dissipation and interceptor chambers was completed.**
  - ◆ **The E contractor performed change order work for the temporary electrical system. There is no available work for the E, H and P contractors to perform until the Service Building starts to get erected, work will open for these contractors.**
  - ◆ **The G contractor is approximately 55% complete with the jet grouting operations at the Gowanus Pump Station.**
  - ◆ **The mini piles were installed for the Wastewater Pump Station and the auger cast piles for the service building in nearing completion.**

### Missed/Modified Milestones

- ◆ Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation are being satisfied under a single construction contract (REG-026). Refer to Section 3.2 for missed or modified milestones related to this project.

### Anticipated Activities for Next Quarter

#### *Design*

- In-Line Storage
  - ◆ Coordinate the monitoring of the dam with the Citywide SCADA project manager.

#### *Construction*

- Regulator Automation
  - ◆ Certification of Construction Completion for the Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation was submitted 12/30/10. Refer to section 3.2 for details
- In-line Storage
  - ◆ Continue operating activities.
  - ◆ Post-test evaluation of inflatable dam systems will be ongoing.
  - ◆ **Initiate fixed asset survey for both facilities.**
- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
  - ◆ Continue with the operation of the Oxygen Transfer System and the Interim Wastewater Pump System.
  - ◆ **Continue work on the clean out chamber and perform the micro tunneling between the clean out and exit chambers.**
  - ◆ **Complete the Service Building augur cast piles, including the pile caps.**
  - ◆ **Continue with the demolition of the existing force main piping in the flushing tunnel.**
  - ◆ **Complete the jet grout operation for the court yard chamber on the pump station site.**
  - ◆ **Start the construction of the Service Building.**

**Table 8 – Inner Harbor CSO Projects**

	<i>Phase I</i>	<i>Phase II</i>	<i>Citywide SCADA</i>	<i>Gowanus Canal Pumping Station and Flushing Tunnel</i>	<i>Dredging</i>
Plan Elements:	Regulator Improvements – Fixed Orifices	In-Line Storage	Regulator Improvements – Automation	Rehabilitation of Pumping Station and Flushing Tunnel	Dredging Gowanus Canal Head End
Location:	72 regulator sites in Manhattan and Brooklyn	Upstream of regulators B-6 and R-20 in Brooklyn	Regulator sites in Manhattan and Brooklyn	Gowanus Pumping Station Property, Brooklyn	Gowanus Canal
Actions:	Conversion to fixed orifices	Installation of two inflatable dams in the combined sewer systems	Conversion to automated regulators	NTP Issued	Prepare and Submit Dredging Permit Application
Construction Cost:	\$9,500,000	\$15,836,084	Note 1	\$136,437,568	TBD
Status:	Construction Complete	Construction Complete	Note 1	Under construction. 30% complete	Design Contract procurement in progress initiated 9/20/2010
Other Issues:			Note 1	Force Majeure submitted to DEC in February 2010 related to site access at Flushing Tunnel intake.	Modification Request submitted 12/15/2010 due to Superfund listing

Note 1: Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation are being satisfied under a single construction contract (REG-026). Refer to Section 3.2 for an update on the status of this project.

### 3.4. Paerdegat Basin CSO

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

Phase IA includes construction of a major portion of the influent channels and the relief weir. Phase II includes construction of the CSO tank and building foundations and dredging of the basin. Phase III entails construction of the aboveground structures including Pump Back Building, Odor Control Building, Screening Building and Collection Facilities Building; also completion of the influent channels and reconstruction of the outfalls, installation of all mechanical equipment and start-up of the CSO facility.

#### Work Performed During This Quarter

##### *Planning*

- ◆ Submitted to DEC and EFC the Paerdegat Basin Drainage Specific LTCP report in November 2005, in compliance with the milestone date in the CSO Consent Order. Transmitted a response to DEC comments and revised LTCP on June 30, 2006.
- ◆ DEC approved the Paerdegat Basin LTCP in a letter dated February 1, 2007.
- ◆ The Joint Application Permit to allow for dredging of CSO sediments at the head-end of Paerdegat Basin and to improve the navigational channel at the mouth of the basin was submitted in the 4<sup>th</sup> Quarter of 2008 in accordance with the approved LTCP. DEC Region 2 noticed the completed application in the February 17, 2010 Environmental Notice Bulletin (ENB). The public comment period closed on March 4, 2010, and DEC issued a permit on March 19, 2010. On April 9, 2010, DEC forwarded the dredging permit along with CSO Order milestone dates, and the initiation of final design milestone was incorrectly stated as June 19, 2010. DEC issued a correction letter on June 7, 2010 in which the date provided for this milestone was September 19, 2010. The U.S. Army Corps of Engineers requested additional information to assist in their review of the Joint Application Permit on October 13, 2010 which was forwarded to the Corps on October 14, 2010. **The USACE permit was issued May 10, 2011.** The final design initiation milestone was certified complete September 20, 2010.
- ◆ The updated Form 2A SPDES Application and Wet Weather Operating Plan (WWOP) were submitted to DEC on May 21, 2010. DEC provided comments on the NY-2A and WWOP on August 13, 2010, and the WWOP and NY-2A were resubmitted to DEC October 22, 2010.

*Design*

- Design of Phase I A – Influent Channels, Phase II – Foundations and Substructures, and Phase III – Structures and Equipment is 100% complete
- Paerdegat Basin Environmental Dredging
  - ◆ DEC formally established milestones for Final Design and Construction Completion on April 9, 2010 based on the date of issuance of the DEC permit (March 19, 2010).
  - ◆ The USACE permit was received on **May 10, 2011**.
  - ◆ Basis of Design Report submitted to DEC on March 19, 2011.
  - ◆ Work continues on the design of environmental dredging for Paerdegat Basin including **submittal** of the 30% design.
  - ◆ Coordination meeting was held with DEC for all upcoming CSO Dredging projects on March 10, 2011.

*Construction*

- Phase I A – Influent Channels
  - ◆ Construction completed in 2002.
- Phase II – Foundations and Substructures
  - ◆ Construction work had ceased at approximately 97% complete due to the default of the contractor on December 6, 2007 by the Department pursuant to Articles 48.1.3, 48.1.4, 48.1.9, 48.1.10, 48.1.11 and 48.1.12 of the Contract. Construction of 4B items critical to operation of the Paerdegat Basin CSO Facility was certified as 100% complete on January 5, 2010. DEC performed the post-construction inspection on March 23, 2010.
  - ◆ The surety abandoned the project on January 26, 2010, and ceased performing all punch list work. The DEP and surety negotiated a global settlement which was signed in March 2010.
  - ◆ **The surety continues with closeout documentation.**
- Phase III - Structures and Equipment
  - **Construction work continued and is 100 percent complete on all consent order related items and approximately 96 percent complete on various contract items. The CSO-5 contractors are proceeding at their own risk on over 4 million dollars-worth of unregistered change orders, which is not fully reflected in the percentage of work completed. The prime contractors completed commissioning of the process buildings and turned over the facility to the Department for operation on March 29, 2011. All consent order related items were completed, operation and certified completed on May 31, 2011.**
  - **The 5G contractor was involved in an inspection of the outfall structure to determine structural integrity and determine if repairs are required. Contractor also completed commissioning and turnover of all consent order related equipment**

**including samplers and programming; removal of all grit in the Influent Channels and Chamber A; and removal of all regulator chamber tide gates. Contractor also completed installation, testing and commissioning of the grinder in the Existing Pumping Station. Contractor also continued installation of the Avenue K Sewer pipe and removal of grit from the Influent Channels and Chamber A in advance of change order registration.**

- **The 5E contractor successfully passed inspections by the NYC DOB to operate the emergency generator permanently in a non-conditional manner. Contractor also performed troubleshooting of various pieces of equipment during commissioning to satisfy all requirements. Contractor also completed installation of ductbanks for yard lighting on the west side as well as samplers and sensors throughout the facility. Continued installation of manholes for yard lighting, sensors and security system.**
- **The 5H contractor performed troubleshooting of various pieces of equipment during commissioning to satisfy all requirements. Contractor completed installation of boiler system Veeder-Root connection and PCB abatement work in the Existing Pumping Station. Contractor also began installation of ductwork, Air-Handling Units and CRAC Unit in the Existing Pumping Station.**
- **The 5P contractor continued punch list work in the PBB, OCB, and SB, including supplying hot water heaters in the Pump Back Building.**
- DEP submitted to DEC a listing of items required for construction completion on November 5, 2010 as requested by DEC. DEC responded on January 7, 2011 requesting the submittal of the final punch list as of the date of submittal of certification of construction completion.

#### **Missed/Modified Milestones**

- ◆ DEP issued a Notice of Force Majeure on February 12, 2010 related to the January 25, 2010 Notice of Claim and Appeal issued by the 4B contract surety and the potential impact of associated delays on the Structures and Equipment contract. DEC responded to DEP's Notice on April 9, 2010 requesting additional information, which DEP provided on April 30, 2010.

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

##### *Construction*

- Phase II - Foundations and Substructures
  - ◆ The surety will complete project closeout and documentation.
- Phase III - Superstructures and Equipment
  - **Work will continue on items not required under the CSO Order including landscaping, warranty repair, and Avenue K sewer piping.**



- **The 5G contractor will complete punch list work in the Process Buildings, and construction of the Avenue K Sewer Piping. Additionally, the 5G contractor will provide technical support to BWT personnel during the initial year of operation of the process buildings. Contractor will also complete installation of the security system and begin closeout documentation as available.**
- **The 5E contractor will complete punch list work in the CFS Process Buildings. Additionally, the 5E contractor will provide technical support to BWT personnel during the initial operation of the process buildings. Contractor will also complete installation of the security system and begin closeout documentation as available.**
- **The 5H contractor will complete punch list work in the Process Buildings. The contractor will also complete installation of the Existing Pump Station CRAC Unit and ductwork; complete removal of PCB contaminated materials. Additionally, the 5H contractor will provide technical support to BWT personnel during the initial operation of the process buildings and begin closeout documentation as available.**
- **The 5P contractor will continue punch list activities and replacement of incorrect hot water heater. Contractor will also begin closeout documentation as available.**
- Environmental Dredging
  - ◆ Environmental Dredging is currently in design.

**Table 9 – Paerdegat Basin CSO Projects**

	<i>Phase IA</i>	<i>Phase II</i>	<i>Phase III</i>	<i>Dredging</i>
Construction Phase	Influent Channels	Foundations and Substructures	Structures and Equipment	Environmental Dredging
Location:	Flatlands and Ralph Avenues, Brooklyn, NY	West Shore of Paerdegat Basin	West Shore of Paerdegat Basin	Head end of Paerdegat Basin
Actions:	Construction of the influent channels to the CSO facility	Underground structural elements	Aboveground buildings and equipment	Dredge bottom sediments to finish depth of 3 ft below MLLW
Cost:	\$9,000,000	\$123,905,101	\$ 204,419,065	TBD
Status:	Construction completed.	Construction 100% complete.*	NTP issued on 9/26/05. <b>Consent Order Construction 100% complete; non-consent order construction 97% complete.</b>	DEC Permit issued 3/19/10; USACE issued <b>5/10/11</b>
Other Issues:	-	The Contractor was held in default in December 2007. Issues related to the surety and completion of outstanding work added substantial time to all schedules.  A sand bar identified as a navigational hazard delayed the dredging work related to the 4B contract. The sand bar was removed in October 2009.	<b>Construction work continued; contractors were proceeding at risk on unregistered change orders (not reflected in completion percentage); as of May 29, 2011 the contractors have chosen to await registration before proceeding.</b>	DEC established milestone dates based on issuance of DEC permit on 3/19/2010.

\*CSO Consent Order elements completed and a Certification of Construction Completion has been submitted

### 3.5. Flushing Bay CSO

#### Flushing Bay CSO Retention Facility

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

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

A written Notice of a Force Majeure Event was submitted to DEC on September 24, 2004. This event affected compliance with the Construction Completion milestone date of December 2004 for the Flushing Bay CS4-4 (Mechanical Structures) in the Order.

On September 8, 2004, rainfall at LaGuardia Airport was recorded by the National Weather Service at three inches in a three hour time period. This torrential rain event caused flooding in the basement of the Flushing Bay facility due to a breach in a temporary construction bulkhead in the influent sewer line to the facility. Water levels reached seven to eight feet above the basement floor at the CSO facility which caused damage to various mechanical, HVAC and electrical equipment.

DEC requested that DEP provide additional information in a formal report concerning the force majeure event and resultant impact upon the facility and construction status. DEP submitted such report on April 1, 2005.

DEP submitted a Construction Completion certification letter to DEC on May 31, 2007 for the CSO Retention Facility. The DEC issued a Notice of Violation (NOV) on July 15, 2008 for failure to meet the conditions of the Construction Completion Milestone for CS4-4 (V.F.4 of the CSO Consent Order). This NOV was resolved through the 2009 Modification to Order on Consent (DEC Case # CO2-20090318030).

The revised Flushing Bay Waterbody/Watershed Facility Plan Report was submitted to DEC on December 30, 2010.

#### Tallman Island Wet Weather Maximization

The 2008 Modification to Order on Consent included a date modification for the Flushing Bay CS4-4 milestone, as well as the addition of item V.J. "Tallman Island WWTP and associated sewer system are capable of delivering, accepting and treating influent at or above twice the plant's design flow during any storm event." The project was transferred from the 1999

Omnibus IV Consent Order to the CSO Consent Order and includes a new interceptor to parallel the Main Interceptor; and modifications at Regulators **10, 10A, and 13**.

## Work Performed During This Quarter

### *Design*

- Flushing Bay CSO Retention Facility
  - ◆ No activities this reporting period.
- Tallman Island Wet Weather Maximization
  - **On April 8<sup>th</sup>, 2011, BEDC prepared and submitted responses to NYSDEC Division of Water's March 21, 2011 comments on the 100% design documents.**
  - **NYC Law Review approval was granted on April 12<sup>th</sup>, 2011.**
  - **Completed an independent constructability review.**
  - **Completed 100% construction cost estimate on April 19<sup>th</sup>, 2011.**
  - **Advertised Contract TI-WW1 for bids on April 28<sup>th</sup>, 2011.**
  - **Held Pre-Bid meeting at the project site on May 12<sup>th</sup>, 2011.**
  - **Bids were received and opened on June 9<sup>th</sup>, 2011. Initiated Bid Analysis and Award Recommendation.**
  - **Began preparation of modified City Drainage Plan.**
  - **Finalized Powell's Cove Park restoration requirements during a site visit with design consultant, BEDC and NYCDPR on May 11<sup>th</sup>, 2011.**
  - **Initiated development of a Memorandum of Understanding between DEP and DPR regarding the use of DPR property (Powell's Cove Park) for the interceptor alignment.**
  - **Work on the following permits was performed:**
    - **Participated in April 8<sup>th</sup>, 2011 teleconference pre-application meeting with BEDC, BEDC PRD group, DEC, and the design consultant to discuss the Joint Permit Application for Construction (JPA), which includes the Tidal Wetlands Permit, the Long Island Well permit, the USACE Nationwide Permits, and State and Local Coastal Concurrencies.**
    - **Finalized the JPA for construction of the new interceptor and routed the application package for DEP and NYCDPR signatures.**
    - **Finalized the Jurisdictional Determination (JD) request related to the discharge of dewatered groundwater directly to Powell's Cove. Routed the JD request package for DEP signatures.**
    - **Prepared and submitted JPA to NYSDEC for work associated with the installation of a temporary chain link fence along Powell's Cove Park property line between 7<sup>th</sup> and 9<sup>th</sup> Avenues on April 15<sup>th</sup>, 2011. Received Notice**

**of Incomplete Application from NYSDEC on May 4<sup>th</sup>, 2011. Prepared response to NOIA and submitted revised application to NYSDEC on May 19<sup>th</sup>, 2011.**

- **The NYCDPR Work Permit associated with the installation of a temporary chain link fence along the Powell's Cove Park property line between 7<sup>th</sup> and 9<sup>th</sup> Avenues was granted.**
- **Application was made on June 28<sup>th</sup>, 2011, to the Public Design Commission for approval of the landscaping restoration within Powell's Cove Park.**

*Construction*

- **Flushing Bay CSO Retention Facility**
  - ◆ **The revised flow metering methodology was submitted on January 31, 2011. DEP collected data through the end of December.**
- **Tallman Island Wet Weather Maximization**
  - ◆ **Construction has not commenced.**

**Anticipated Activities for Next Quarter**

*Design*

- ◆ **Complete Bid Analysis and Award Recommendation.**
- ◆ **Prepare conformed contract documents.**
- ◆ **Continue work on project permitting as required, most notably:**
  - **The applicable NYCDPR permits;**
  - **The JPA package for construction**
  - **The JD request related to discharging dewatered groundwater from the proposed excavation;**
  - **The JPA package and NYCDPR permits for installation of a temporary chain link fence along Powell's Cove Park property line between 7<sup>th</sup> and 9<sup>th</sup> Avenues.**
  - **The NYC Public Design Commission.**
  - **The MOU between DEP and NYCDPR.**

**Table 10 – Flushing Bay CSO Projects**

Flushing Bay CSO Tank		TI Wet Weather Maximization
Plan Elements:	Flushing Bay CSO Retention Facility	Tallman Island WWTP and associated sewer system are capable of delivering, accepting and treating influent at or above twice the plant’s design flow during any storm event
Location:	Intersection of College Point Boulevard and Avery Avenue, Queens	New section of the Whitestone Interceptor from the existing Junction Chamber at the intersection of 11 <sup>th</sup> Avenue and 130 <sup>th</sup> Street to the WWTP, College Point, Queens Regulators 10, 10A and 13
Actions:	Design and construction of a 43 MG storage facility, which includes a 28 MG, underground storage tank and 15 MG in-line storage in upstream sewers. The facility collects flow from the system tributary to the TI-010 outfall.	New section of the Whitestone Interceptor from the existing Junction Chamber at the intersection of 11 <sup>th</sup> Avenue and 130 <sup>th</sup> Street to the WWTP, College Point, Queens Regulators 10, 10A and 13
Cost:	\$291,000,000	<b>\$29,785,000</b>
Status:	Construction Completion certified on 5/31/07; DEC issued NOV 7/15/2008; Consent Order Modification 9/3/09 established new Construction Completion date of September 2009. Flow metering methodology currently in validation process.	Design and construction of a new interceptor and modifications to regulators 10, 10A and 13.
Other Issues:	2009 Consent Order Modification included required corrective actions at the Flushing Bay CSO Retention Facility	100% design complete

### 3.6. Jamaica Tributaries CSO

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

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

Expansion of Wet Weather Capacity of Jamaica WWTP – An additional 50 MGD of wet weather flow will be treated at the Jamaica WWTP to reduce the CSO discharges to Bergen Basin. Recent analyses indicate that this element has limited water quality benefits. Alternative actions have been analyzed and included in the Waterbody/ Watershed plan that was submitted to DEC in June 2007. The alternate actions are collection system upgrades designed to increase total CSO volume treated without expanding capacity. The upgrades include the installation of bending weirs at three regulators: J3 and J14 in the West Interceptor, and J6 in the East Interceptor, and a new 48-inch parallel sewer to complement the existing double barrel 36-inch Belt Parkway crossing in the West Interceptor.

Destratification Facility – Installation of a permanent diffused-air bubble mixing system at Shellbank Basin. The system is designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills. This element currently has an operating pilot facility, which has produced positive water and air quality results for the past **11** summer seasons.

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

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

## Work Performed During This Quarter

### *Design*

- Expansion of Wet Weather Capacity of the Jamaica WWTP
  - ◆ DEC conditionally approved a Modification Request from DEP on June 28, 2010 that would replace all milestones related to the wet weather expansion with new milestones related to a parallel sewer and bending weirs.
- Destratification Facility
  - ◆ DEP sought approval from DEC to discharge clean, oil-free compressor condensate from two compressors directly to nearby storm sewer to eliminate the need for a sanitary sewer connection to the facility. The first correspondence to DEC regarding this was in August 2010, and DEC indicated in an October 7, 2010 email that a formal approval would be sent to DEP. The approval was received on January 25, 2011.

### *Construction*

- Meadowmere/Warnerville
  - ◆ No work during this quarter. Construction is substantially complete.
- Destratification Facility
  - ◆ **Construction I&T meetings were held on 4/13, 5/11 and 6/08.**
  - ◆ **RPZ Backflow Preventer application was approved by DEP on 5/17.**
  - ◆ The G and E contractors received continued to submit vendor approvals, shop drawings and RFIs.
  - ◆ **The G contractor (Primer Construction) completed the following work during this reporting period: installation of 8 timber foundation piles and pile caps; installation of 12” carrier pipe into basin and riprap on surrounding disturbed shoreline; installation of below-grade catch basins and storm drainage structures.**
- Regulator Automation
  - ◆ Certification of Construction Completion for the Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation was submitted 12/30/10. Refer to section 3.2 for details.

### **Missed/Modified Milestones**

- ◆ On June 28, 2010, DEC acknowledged that certain proposed sewer system modifications in the Jamaica WWTP service area are technically acceptable alternatives that can be adopted in lieu of the 50 MGD wet weather expansion of the Jamaica WWTP. DEP submitted a revised Request for Modification of project and milestones associated with the expansion of the wet weather capacity of the Jamaica WWTP to DEC on November 14, 2008. The basis of the original Request for Modification was the identification of an alternative approach that is expected to result in a greater degree of CSO reduction. The June 2007 Jamaica Bay and CSO Tributaries WWTP proposed replacing the expansion



with more cost-effective sewer modifications projected to achieve greater CSO capture. Numerous meetings between DEP and DEC technical staff occurred, during which schedule, additional alternatives, and field measurements were discussed. A final proposed modification was included in the May 5, 2010 “Omni letter” submitted by DEP that included a specific modification request for the June 30, 2010 milestone for submittal of the form 2A SPDES Application and a request to replace the remaining milestones related to the wet weather expansion with new milestones related to a parallel sewer and bending weirs. DEC conditionally approved this request June 28, 2010.

- ◆ On February 28, 2011, DEP provided clarification to the Jamaica Wet Weather Expansion Modification Request submitted under the May 5, 2010 “Omni” letter. A bending weir will be retrofit to regulator J6 but not J7 as noted in certain parts of the submittal.

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

#### *Design*

- No anticipated activities for next quarter.

#### *Construction*

- Meadowmere/Warnerville
  - ◆ Resolve remaining issue with DEP site connection work approval in order to acquire the final Certificate of Occupancy.
- Destratification Facility
  - ◆ **The G and E contractors will continue construction activities, including ongoing shop drawing and RFI submissions.**
  - ◆ **Upcoming construction activities include routing of electrical power to the site and completion of all below-grade site and civil work. G contractor to begin installation of aboveground building structure.**
- Regulator Automation
  - ◆ Certification of Construction Completion for the Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation was submitted 12/30/10. Refer to section 3.2 for details

**Table 11 – Jamaica Tributaries CSO Projects**

Plan Elements:	Meadowmere & Warnerville DWO Abatement	Expansion of Wet Weather Capacity of Jamaica WWTP	Destratification	Laurelton and Springfield Blvd. Drainage Plan	Regulator Automation
Location:	Meadowmere and Warnerville – Queens, New York	Bergen Basin	Shellbank Basin	Jamaica WWTP Drainage Area	Regulators 2,3 and 14
Actions:	Construction of a Pumping Station, Sewer Collection System, and Dual Force Main	Provide an additional 50 MGD of wet weather capacity at the Jamaica WWTP.	Conduct Demonstration Construct Permanent Facility	Develop drainage plan for storm sewer build out	Provide automated regulators
Construction Cost:	\$37,637,569	\$120 million	\$2,621,918	To be determined	Note 1
Status:	Construction 100% complete.  Construction Completion Milestone met.	Project to be replaced with a parallel sewer and bending weirs, pending August 2010 Consent Order negotiations per DEC 6/28/2010 correspondence	<b>Construction is underway.</b>	Drainage planning complete.	Note 1

Note 1: Outer Harbor, Inner Harbor, and Jamaica Tributaries milestones for Regulator Improvements – Automation are being satisfied under a single construction contract (REG-026). Refer to Section 3.2 for an update on the status of this project.

### 3.7. Coney Island Creek CSO

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

#### Work Performed During This Quarter

##### *Design*

- Avenue V Pumping Station Upgrade
  - ◆ DSDC activities continued, including shop drawing review, coordination drawing review, change order preparation, and inspection.
- New Force Mains
  - ◆ DSDC activities continued, including shop drawing review, change order preparation, and construction assistance

##### *Construction*

- Avenue V Pumping Station Upgrade
  - ◆ **The construction/installation of the following items were completed: Main Building and MER floor concrete fill, Main Building platforms (El. -1.375, +1.00, +12.92), 16" dia. pipe and check valves, 42" dia. pipe and knife gate valves, the leakage test for 30" dia. piping, MER water elimination methods, HVAC pad in MER, Main Building eye brow windows, Main Building south masonry wall demolition, scaffolding installation for terra cotta work; NPS foundation slab sump pump drain pipes; dewatering system shutdown; Wet Well sewage pumps shop witness test**
  - ◆ **Completed: installation of two Con Ed and electrical 8'x8' manholes at NPS and south side of Main Building; NPS feeder (27KV) and spare duct banks, grounding for NPS and Generator Building; parallel switchgear shop witness test; Plumbing 4"/3" dia. storm drain pipes.**
  - ◆ **The construction/installation of the following items was initiated: Wet Well sewage grinders, Main Building tile roof and terra cotta, bridge crane runway beams, conduit installation under platform (El. +12.92); NPS Building walls; Decommissioning of well #9; Main Building domestic hot/cold water system.**
  - ◆ **The construction/installation of the following items was completed: Testing of the main sewage pumps, foundation of the NPS Building, installation of the two electrical**

**manholes and water proofing of the MER Room floor. Main Building Valve Room discharge piping including check and gate valves. Installation of the new roof tiles.**

- ◆ The construction/installation of the following items was initiated: **Main Building electrical conduits and duct bank.**
  
- New Force Mains
  - ◆ **Completed: final leakage test from Pit M (Shore Parkway / Bay 40<sup>th</sup> Street Intersection) to West 11<sup>th</sup> Street for the 42 inch force main and from Pit N (Cropsey Avenue / Bay 40<sup>th</sup> Street intersection) to West 11<sup>th</sup> Street for the 48 inch force main; final connections of the 42/48 inch force mains at Pit M, Pit N and on Avenue V between Stillwell Avenue and W. 13<sup>th</sup> Street;**
  - ◆ **Completed: cleaning and TV inspection from MH 6 to 2 of SE-133 (cleaning & TV inspection 100% complete); planting of the replacement trees and seeding along the Belt Parkway; decommissioning of wells on Cropsey Avenue; restoration of curbs, sidewalks and roadway on 27<sup>th</sup> Avenue from Cropsey Avenue to Stillwell Avenue; restoration of curbs and sidewalks at Bay 16<sup>th</sup> Street / Bath Avenue intersection and Avenue V (Stillwell Avenue to West 12<sup>th</sup> Street).**
  - ◆ **Commenced: road base restoration at Bay 16<sup>th</sup> Street and Bath Avenue intersection, Pit O (on Cropsey Avenue from 26<sup>th</sup> Avenue to Bay 43<sup>rd</sup> Street) and Pit P (Cropsey Avenue and 27<sup>th</sup> Avenue intersection); restoration of curbs and sidewalks on Avenue V from West 12<sup>th</sup> Street to West 11<sup>th</sup> Street.**
  - ◆ Final Leakage Tests are **100% complete.**
  - ◆ **SE 133 has been cleaned and inspected.**

#### **Missed/Modified Milestones**

- ◆ On February 28, 2011, DEP submitted a modification request for the construction completion milestone of the Avenue V Pumping Station Upgrade to align the completion date with that of the Force Main upgrade that is June 30, 2012.

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

##### *Design*

- DSDC Activities
  - ◆ Testing of the failed main sewage pumps.
  - ◆ **Shop drawings, and testing of the engine generators.**

##### *Construction*

- Avenue V Pumping Station Upgrade
  - ◆ **Continued construction of the new Main Building electrical and HVAC work.**

- ◆ **Wet Well sewage grinders and permanent pump installation; Main Building interior discharge piping and mechanical/HVAC equipment, roof and terra cotta work; MER painting, repairs and HVAC equipment installation; switchgear, MCC, VFD and conduit installation, Main Building plumbing work.**
- ◆ **The construction of the Network Protection Building walls and roof. Con Edison equipment installation, Generator Building walls and roofing work. Interior Generator Equipment Installation.**
- New Force Mains
  - ◆ **Complete: Demolition of the bulkheads at MH 18 and 1 of SE-133.**
  - ◆ **Complete: Roadway restoration at Bay 16<sup>th</sup> Street / Bath Avenue intersection, Pit O, Pit P, Stillwell intersection and Avenue V; backfilling and restoration of pits M and N; punch list activities**

**Table 12 – Coney Island Creek CSO Projects**

	<i>Contracts</i> <i>PS-79G, H, P, E</i>	<i>Contract</i> <i>PS-79F</i>
Plan Elements:	Upgrade Avenue V Pumping Station	New Force Mains
Location:	Avenue V PS (Avenue V and West 11th Street)	42-inch to SE-133 (Shore Pkwy. Vic. Verrazano Bridge); 48-inch to vic. Reg. 9A
Actions:	Comprehensive upgrade to automate and increase station capacity to 80 MGD; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey DWF and WWF
Cost:	<b>\$77,304,816</b>	<b>\$ 114,692,767</b>
Status:	Notice to Proceed issued on 12/16/05. Construction is <b>66%</b> complete.	Notice to Proceed issued on 7/23/07. Construction is <b>90%</b> complete.

### 3.8. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area consists of the areas in Brooklyn and Queens from which wet weather runoff drains to the Newtown Creek waterbody and its branches: English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch. For this CSO planning area, the Waterbody/Watershed Facility Plan, still under review by the DEC, proposes some modifications to the consent order milestones that will ultimately achieve better CSO capture and result in improved water quality, as permitted in the Order in Section III, Paragraph A, Section 3.

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

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

Subsequent to the Newtown Creek WB/WS Facility Plan submittal of June 2007, the DEP analyzed additional alternatives to reduce CSOs to Newtown Creek and the East River, including control measures beyond those listed in the 2007 Plan. Based on these analyses and on ongoing discussions between DEP and DEC, DEP proposed to modify the mandated elements currently in the CSO Consent Order constructing a much larger relief sewer in the Newtown Creek drainage area, bending weirs at targeted regulators, and additional floatables controls at targeted regulators and outfalls. In addition, the goals of the Zone II Aeration project have been realigned towards higher dissolved oxygen levels. The projects included in the Modification Request are expected to contribute to improved water quality in a cost-effective manner.

The Modification Request was submitted by DEP to DEC in April 30, 2009. DEC granted a 60-day milestone extension to August 31, 2009 for items VIII.E.2 and VIII.F.3 on June 24, 2009, and further extended the milestone dates to October 31, 2009 on August 27, 2009. DEP responded to these, and on October 30, 2009 requested an additional extension of time for items VIII.E.2 and VIII.F.3 to February 1, 2010, at which time DEP committed to submitting reports related to the Zone I Aeration data collection and analysis. DEP resubmitted the Modification Request on March 31, 2010. The biological and water quality data reports related to Aeration Zone I were provided to DEC on February 1, 2010.

Newtown Creek was added to the US EPA Superfund National Priorities List (NPL) on September 29, 2010. According to EPA, placing Newtown Creek on the list allows the Agency

to further investigate contamination at the site and develop an approach to address the contamination.

## Work Performed During This Quarter

### *Planning*

- Off-line Storage Tank
  - ◆ No actions to report this quarter.

### *Design*

- Maximize Flow to Morgan Ave. Interceptor
  - ◆ Kent Avenue Throttling Facility design has been completed.
- Phase 1 Aeration Facility
  - Design completion was certified December 2008 and accepted February 2009. Start-up of the facility first occurred on June 25, 2009. Sampling for the Second Year Post-Operational Habitat Monitoring was performed and a report prepared.
- Phase 2 Aeration Facilities
  - The Final Design completion Contract Drawings and Specifications for the addition of a third blower to the Phase I Aeration Facilities and associated aeration system for the lower English Kills was completed in accordance with the technically accepted Modification Request item referred to as “Enhanced Aeration – Lower English Kills.”
  - Coordination is ongoing with the **NYC Department of City-Wide Administrative Services (DCAS)** to locate an aeration facility for the “Enhanced Aeration – **East Branch** and Portions of Newtown Creek” item referenced in the technically accepted Modification Request.

### *Construction*

- Phase 1 Aeration Facilities
  - Construction of the Phase 1 Aeration Facilities was complete as of December 2008.
- Kent Avenue Throttling Facility
  - ◆ DEP certified that the Notice to Proceed to Construction for the Kent Avenue Throttling Facility had occurred prior to the June 2009 milestone in a letter dated September 29, 2009. The construction is occurring under Newtown Creek WWTP contract NC-36.
  - ◆ The remaining work has not been scheduled yet but is expected to be completed before milestone date. The work is 90% complete.

## Missed/Modified Milestones

- ◆ DEP submitted a Modification Request on April 30, 2009 to eliminate certain elements and replace with more cost-effective elements that achieve similar or greater water quality benefits. A revised Modification Request was submitted on March 31, 2010.

Biological and water quality data reports related to Aeration Zone I were provided to DEC on February 1, 2010 in support of this request.

- ◆ On January 7, 2011, DEC determined that the Newtown Creek Modification Request submitted as part of the May 5, 2010 “Omni” letter and updated on December 14, 2010 was technically acceptable.

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

#### *Design*

- Maximize Flow to Morgan Ave. Interceptor
  - ◆ Continue design of the Regulator B-1 Modifications.
  - ◆ Continue design of St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer.
- Phase 1 Aeration Facility
  - ◆ Prepare for commencement of seasonal operation.
- Phase 2 Aeration Facilities
  - ◆ Complete final design of third blower installation in the Phase I Aeration Facility building for the Lower English Kills.
  - ◆ Advertise Contract CSO-NC-2 for the installation of the third blower in the existing English Kills blower building, which would serve the Lower English Kills.
  - ◆ Survey and perform environmental audits on the **DCAS** property proposed for the aeration facility that would serve the East Branch and portions of Newtown Creek.

#### *Construction*

- Phase 1 Aeration Facility
  - ◆ Bureau of Water Treatment takeover.
- Kent Avenue Throttling Facility
  - ◆ The remaining electrical work has not been scheduled yet but is expected to be completed before milestone date.



**Table 13 – Newtown Creek CSO Projects**

	<i>Maximize flow through Morgan Ave. Interceptor</i>	<i>Throttling Facility</i>	<i>Phase 1 - Aeration Facilities</i>	<i>Phase 2 - Aeration Facilities</i>	<i>Off-line Storage Tank</i>
Location:	Regulator B1 and WWTP throttling chamber	Kent Avenue Interceptor upstream from Morgan Avenue Interceptor	Head end of English Kills, south of Grand Street	Lower English Kills, Dutch Kills, East Branch and Newtown Creek	Sewers tributary to CSO outfall discharging to English Kills
Actions:	Raise overflow weir in R-B1; increase sluice gate openings to interceptor; provide relief sewer from St. Nicholas weir to R-B1	Continued Construction	Provide aeration to raise DO to a goal of 3.0 mg/l; includes landside compressor station, air header, and diffuser assembly.	Provide aeration to raise DO to a goal of 3.0 mg/l per the technically accepted Modification Request; includes landside compressor station, air header, and diffuser assembly.	Design facility including tank, pumping station, and gravity drain for treatment at the Newtown Creek WWTP.
Cost:	\$10,000,000	\$1,000,000	\$7,503,000	\$26,000,000	TBD
Status:	Throttling gate at the WWTP is 100% complete; B-1 overflow weir and relief sewer to be replaced by new elements in Modification Request	Throttling gate at Kent Avenue 90% Complete	Construction 100% complete: DEP certified 12/31/08; DEC approved 2/25/09. Operated during 2009 and 2010 summer season.	Continue design and site selection of the Aeration Systems for the Lower English Kills, Dutch Kills, East Branch and Newtown Creek under Contract NC-EK-IV.	Project to be replaced by new elements in Modification Request
Other Issues:	Technical Acceptance of Modification Request received January 7, 2011.	Remaining work not scheduled but expected to be completed by milestone date.	Water quality and habitat monitoring data reports submitted to DEC	Technical acceptance of Modification Request received January 7, 2011.	Technical acceptance of Modification Request received January 7, 2011.

### 3.9. Westchester Creek CSO

The Westchester Creek CSO Facilities Planning area consists of the drainage area of CSO Outfall HP-014, which discharges at the head end of the Creek. Westchester Creek receives discharges from five CSO outfalls; however, discharges from CSO Outfall HP-014 were determined to be the primary cause of water quality degradation in the Creek. CSO Outfall HP-014 serves a drainage area of approximately 2,321 acres within the Hunts Point WWTP service area in the Borough of the Bronx. For this CSO planning area, the June 2007 Waterbody / Watershed Facility Plan DEC reviewed and provided comment in January 2010 analyzes cost effective CSO control measures for this waterbody and proposes modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

The current Westchester Creek CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan recommendations, will be constructed in two phases with Phase I consisting of the facilities to divert the combined sewage to the CSO storage tank, as well as rehabilitation of an existing tide gate chamber, and Phase II consisting of the CSO storage tank. This section reports on the progress of Phases I and II of the Westchester Creek CSO Abatement Facilities Plan.

Phase I includes construction of the diversion chamber in Eastchester Road, construction of the 2 MG CSO supply/storage conduit along Waters Place between the diversion chamber and the 10 MG CSO storage tank, and rehabilitation of the existing tide gate chamber located at CSO Outfall HP-014. Phase II includes construction of the 10 MG CSO storage tank in the southwest section of the BPC Campus, including an operations building to house operational units, and installation of the required fencing at the site.

#### Work Performed During This Quarter

##### *Design*

- Phase I – Influent Sewers
  - ◆ The DEP submitted the revised Westchester Creek Waterbody/Watershed Facility Plan Report in November 2010 that recommended replacing this element in Appendix A of the Order.
- Phase II – CSO Storage Facility
  - ◆ The DEP submitted the revised Westchester Creek Waterbody/Watershed Facility Plan Report in November 2010 that recommended replacing this element in Appendix A of the Order.

##### *Construction*

- ◆ Construction has not yet been initiated.

#### Missed/Modified Milestones

- ◆ The May 5, 2010 modification request submitted by DEP included a specific request to defer the June 30, 2010 milestone for completion of design for the Westchester Creek

Phase I Influent Sewers to September 2010. The June 2007 Westchester Creek WWFP proposed replacing the facility with weir modifications at the head end of Westchester Creek and floatables control at Pugsley Creek. DEC provided comments on this WWFP on January 20, 2010, raising an issue regarding the additional CSO flow that would be discharged to the tidal mud flats at Pugsley Creek. Discussions between DEP and DEC technical staff during the first and second quarters of 2010 indicated that a new parallel sewer from regulator structure CSO-24 to a downstream location in the existing collection system could relocate CSO away from the head end of Pugsley Creek, and DEP requested that the milestone be modified to September 2010 to allow time to complete analyses associated with this sewer concept. DEP also committed to submitting a subsequent modification request along with a detailed justification 60 days prior (i.e., July 31, 2010). DEC Responded to this request on June 28, 2010, stating that it would exercise enforcement discretion. On August 25, 2010 DEC determined that the proposed cost-effective sewer improvements were technically acceptable alternatives to the 12 MG CSO storage facility in the CSO Consent Order.

#### Anticipated Activities for Next Quarter

- Phase I – Influent Sewers
  - ◆ DEP submitted a Modification Request for completion of final design of the Phase I Influent Sewers on July 30, 2010.

**Table 14 – Westchester Creek CSO Project**

Plan Elements:	Westchester Creek CSO Supply/Storage Conduit, CSO Storage Tank and Little League Amenities
Location:	Bronx Psychiatric Center Campus, and along Eastchester Road and Waters Place in the Bronx
Actions:	Design and construction of an underground CSO storage tank with a capacity of 12 MG (including the storage capacity within the supply/storage conduit) to provide abatement at CSO Outfall HP-014 on Westchester Creek; design and construction of an operations building;
Cost:	Under Revision
Status:	On August 25, 2010 DEC determined that certain cost-effective sewer improvements proposed by DEP were technically acceptable alternatives to the 12 MG CSO storage facility.
Other Issues:	

### 3.10. Bronx River CSO

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

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

#### Work Performed During This Quarter

##### *Design*

- ◆ Design completion was certified in May 2009.

##### *Construction*

- ◆ Construction commenced on January 15, 2010.
- ◆ **At the Bronx Park Avenue site (CSO-27A)**
  - **Con Ed completed relocation of overhead electrical lines**
  - **Completed installation of MPT signs.**
  - **Prepared for start of construction at the site**
- ◆ **At the Bronx Zoo site (CSO-27),**
  - **Commenced installation of mechanical bar screens.**
- ◆ **At the Soundview Park site (CSO-13/HP-009),**
  - **Completed installation of the new regulator chamber walls**
  - **Commenced forming expanded regulator roof.**
  - **Commenced installation of roof structural steel.**
- ◆ **At the West Farms Road site (CSO-28/HP-004),**
  - **Completed installation of chamber No.2.**
  - **Installation of culvert pipes along West Farm Road continues.**
  - **Dewatering continues.**

**Missed/Modified Milestones**

- ◆ There are no missed milestones.

**Anticipated Activities for Next Quarter**

- *Planning*
  - ◆ No activities to report.
- *Construction*
  - ◆ **At the Bronx Park Avenue site (CSO-27A): relocate an 8” water main; install sheeting and shoring for the regulator expansion.**
  - ◆ **At the Soundview Park site (CSO-13/HP-009): complete new chamber roof; install netting equipment.**
  - ◆ **At the Bronx Zoo site (CSO-27): complete installation of bar screens.**
  - ◆ **At the West Farms Road site (CSO-28/HP-004): continue installation of culvert pipes along West Farm Road**

**Table 15 – Bronx River CSO Project**

Plan Elements:	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
Location:	New conduit (West Farms Road) upstream of CSO Outfall HP-004, Regulator 27 (Bronx Park Avenue) and Regulator 27A (Bronx Zoo) upstream of CSO Outfall HP-007, and Regulator 13 (Soundview Park) upstream of CSO Outfall HP-009
Actions:	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
Cost:	Current Cost \$26,757,522
Status:	<b>Construction is 47% complete.</b>
Other Issues:	

### 3.11. Hutchinson River CSO

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

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

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

DEC issued a letter to DEP date May 22, 2009 that prompted a series of discussions on the proposed Hutchinson River Waterbody/Watershed Facility Plan, and on July 31, 2009, DEP submitted a proposed sampling plan for the Hutchinson River that DEC approved. Sampling occurred during August and October 2009, and was presented to DEC on October 1 and December 10, 2009.

Based on conversations with DEC, the DEP retracted the existing WWFP to better identify causes of impairment based on a more robust sampling program and to further evaluate cost effective alternatives consistent with the EPA CSO Policy. DEC provided comments to the June 2007 WWFP on May 22, 2009, in response to which DEP agreed to conduct water quality sampling. On January 4, 2010 DEC directed DEP to submit a letter outlining its strategy and timeline for submitting an approvable WWFP subsequent to that sampling effort. A conference call was convened by DEP and DEC on January 29, 2010, and on February 1, 2010 DEP responded. On February 19, 2010, DEC acknowledged the February 1 DEP letter and reaffirmed its direction for DEP to submit a water quality sampling plan and scoping document. DEP submitted the water quality sampling plan to DEC on May 24, 2010 that was rejected by DEC on July 2, 2010.

## Work Performed During This Quarter

### *Design*

- Phase I – 4 MG CSO Storage Tank
  - ◆ DEP received comments from the DEC on the June 2007 Hutchinson River Waterbody/Watershed Facility Plan which includes modifications to the elements included in Appendix A of the Order on May 22, 2009. Alternative CSO abatement technologies are under consideration.
- Phase II – 3 MG CSO Storage Tank
  - ◆ DEP received comments from the DEC on the June 2007 Hutchinson River Waterbody/Watershed Facility Plan which includes modifications to the elements included in Appendix A of the Order on May 22, 2009. Alternative CSO abatement technologies are under consideration.

### *Construction*

- ◆ Construction has not yet been initiated.

## Missed/Modified Milestones

- ◆ On May 5, 2010 DEP requested a modification of the June 30, 2010 milestone for completion of final design for a CSO storage facility for the Hutchinson River, as well as all other outstanding Hutchinson River CSO milestones (XI.A.2 through XI.E). The influence of Westchester County water quality has been the subject of discussions between DEC and DEP technical staff, and DEP requested that a waste load allocation analysis be performed that can be used as a basis to finalize the LTCP for the Hutchinson River. In addition, DEP proposed eliminating the requirement to submit a WWFP and proceed directly to the development of an LTCP as suggested by DEC. DEC Responded to these requests on June 28, 2010, stating that it would exercise enforcement discretion.
- ◆ DEP submitted a revised sampling plan on October 15, 2010, as well as an updated modification request on the same date. DEC commented on the revised sampling plan on November 19, 2010, and DEP responded to these comments on December 20, 2010.
- ◆ DEC sent additional comments on the proposed Hutchinson River sampling plan on March 25, 2011.

## Anticipated Activities for Next Quarter

- ◆ Respond to DEC comments sent on March 25, 2011 on the proposed water quality sampling plan.
- ◆ Based on delays in Westchester County's confirmation of participation **and funding issues**, the water quality sampling plan will commence either in **the fall of 2011 or spring of 2012**.

**Table 16 – Hutchinson River CSO Project**

Hutchinson River CSO Storage Facilities	
Plan Elements:	Hutchinson River CSO Storage Facilities
Location:	City-owned property at southern end of Conner Street adjacent to Hutchinson River; privately-owned property along Hutchinson Avenue adjacent to Hutchinson River
Actions:	Design and construction of a 4 MG CSO storage tank and a 3 MG CSO storage tank to provide abatement at CSO Outfalls HP-023 and HP-024, respectively; rehabilitation of existing CSO Outfalls HP-023 and HP-024
Cost:	Under Revision
Status:	Alternatives under consideration
Other Issues:	Water quality sampling plan under negotiation, and may require coordination with Westchester County.



### 3.12. Jamaica Bay CSO

The Jamaica Bay CSO Abatement Facility Plan addresses CSOs in the 26<sup>th</sup> Ward WWTP drainage area, specifically the CSO discharges to Fresh Creek, Hendrix St. Canal and Spring Creek, as well as other tributary waters with CSO discharges to Jamaica Bay. The phased plan for the 26th Ward tributaries includes: Phase I includes cleaning of sewers in the 26<sup>th</sup> Ward drainage area and interim dredging of the head-end of Hendrix St Canal. Subsequent phases include development of waterbody/watershed plans for the 26th Ward tributaries under the Citywide Long Term Control Plan for CSO and expansion of the wet weather capacity of the 26<sup>th</sup> Ward WWTP by 50 MGD.

In addition to the facility plan recommendations, the existing Spring Creek Auxiliary WWTP has been upgraded. The project was developed under another program, but was subsequently listed as a recommended project in the Jamaica Bay CSO Abatement Facility Plan. The Spring Creek AWPCP is a CSO facility that receives flow from the Autumn Avenue Regulator in Brooklyn and the 157th Avenue Regulator in Queens. The flow is conveyed to the plant through six barrels and is distributed to six basins. If stored flow reaches an elevation of 1.0, the 24 effluent sluice gates at the effluent end of each of the basins open, allowing flow to be discharged to Spring Creek.

The key components of the Spring Creek AWPCP upgrade include lowering the roof and providing enhanced HVAC and odor control systems, improved chemical systems, and new basin wash down systems.

In order to resolve remaining outstanding requirements of the omnibus Order on Consent dated June 18, 1999 (#R2-0045-93-05, the "Omni IV Order"), DEP and DEC agreed to include the Rockaway Omni IV Order in the 2008 modification to the 2005 CSO Consent. This requires the design of flow upgrades and construction of all necessary facilities to ensure that the Rockaway WWTP and associated sewer system is capable of delivering, accepting, and treating influent at or above twice the plant's design flow during any storm event.

#### Work Performed During This Quarter

##### *Design*

- Expansion of 26th Ward WWTP Capacity
  - ◆ DEP has requested modification of the milestone for final design completion to December 2010 to allow more time to develop alternative wet weather and sewer optimization strategies.
  - ◆ DEP made a presentation related to this modification during the September 2010 CSO Technical Meeting.
  - ◆ On October 1, 2010 DEC issued a Notice of Violation on the milestone for the 26<sup>th</sup> Ward Wet Weather Expansion, Final Design, Submit Form 2A SPDES Application. DEP responded to the NOV on October 8, 2010.

- ◆ On December 30, 2010 DEP submitted a feasibility plan for the wet weather expansion in accordance with the commitment made in the May 5, 2010 “Omni” modification request letter. DEP proposed replacing the wet weather expansion with a combination of high level sewer separation and green infrastructure. A technical memo was provided evaluating these alternatives.

### *Construction*

- Spring Creek AWPCP Upgrade
  - ◆ The certification of construction completion was sent to DEC in April 2007 in satisfaction with the milestone.
- 26<sup>th</sup> Ward Drainage Area Sewer Cleaning and Evaluation
  - ◆ DEP Certified Construction Completion of the 26<sup>th</sup> Ward Drainage Area Sewer Cleaning on May 17, 2010. A Final Inspection meeting was held with DEC personnel on June 28, 2010. A follow-up inspection occurred on October 5, 2010, and DEC accepted the Certificate of Construction Completion on December 13, 2010.
- Hendrix Street Canal Dredging
- **The contractor completed dredging within Acceptance Area Nos.1 and 2 and is currently completing dredging within Acceptance Area No.3.**
- **The contractor performed placement of the sand cap as part of the pilot demonstration on May 3, 2011. Based upon a review of cores of the sand cap collected following sand cap placement, it was determined that the method used by the contractor to construct the sand cap did not result in a cap achieving the requirements included within the Contract Documents. A meeting was held with the Contractor on June 16, 2011 to review the results of the sand cap cores at which time the Contractor agreed to revise the sand placement method. A subsequent sand cap pilot demonstration has been scheduled for early July 2011.**

### **Missed/Modified Milestones**

- Dredging
  - ◆ The Notice to Proceed to Construction milestone was modified to February 2010 and the Construction Completion milestone to February 2012 for the Hendrix Street Canal Interim Dredging Project.
- Expansion of 26th Ward WWTP Capacity
  - ◆ On May 5, 2010 DEP request a modification of the Wet Weather Expansion (XII.F) and associated milestones, deferring the next milestone (final design completion, June 30, 2010) until December 2010. Regulatory, constructability, and cost issues may render the expansion infeasible. DEP requested the deferral to provide more time to develop alternative wet weather and sewer optimization strategies and to complete designs associated with portions of the wet weather expansion that have other operational benefits. DEP also committed to submitting an updated modification request along with a

detailed justification 60 days prior to the requested milestone extension date – October 31, 2010. DEP submitted a feasibility plan for the wet weather expansion in accordance with this commitment on December 30, 2010.

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

- Dredging
  - **Continue removal of CSO sediments via hydraulic dredging, performance of sand cap pilot demonstration, and placement of clean sand cap within completed dredged Acceptance Areas.**
- Expansion of 26<sup>th</sup> Ward WWTP Capacity
  - ◆ Continue to develop an alternate, cost-effective strategy for increasing wet weather capture at 26<sup>th</sup> Ward.

**Table 17 – Jamaica Bay CSO Projects**

Plan Elements:	Dredging	26 <sup>th</sup> Ward Drainage Area Sewer Cleaning and Evaluation	Expansion of 26 <sup>th</sup> Ward WWTP Capacity	Spring Creek Upgrade	Rockaway WWTP Conveyance Improvements
Location:	Phase I- Interim Dredging of Hendrix Street Canal	Phase I-Portions of sewers in Williams, Hegeman and Flatlands Avenues	Phase IV- 26 <sup>th</sup> Ward WWTP, Brooklyn	Spring Creek, Brooklyn	Rockaway WWTP, Queens
Actions:	Removal of CSO sediment mounds from the head end of the Hendrix Street Canal	Contractor initiated work August 2008	Increase wet weather capacity by 50 MGD	Upgrade of existing CSO facility	Improve collection system and WWTP capacity to achieve 2DDWF
Project Cost:	\$13.2 million	\$3.88 million		\$87 million	TBD
Status:	Construction 18% complete	100% Complete	Alternative approaches under evaluation	100% complete	Construction Completion in December 2017
Other Issues:	Notice to Proceed to Construction and Construction Complete Milestones dates have been modified by the DEC to Feb 2010 and Feb 2012, respectively.	-	Feasibility Plan submitted to DEP 12/30/10	-	Construction Completion in December 2017

### **3.13. Citywide Comprehensive Floatables Plan**

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

- ◆ The floatables monitoring program completed its transition from a pilot phase to a full scale program as of February 2008. In the First Quarter of 2011, floatables-monitoring activities have continued as part of the following ongoing programs:
  - Harbor Water Quality Survey: DEP continued floatables monitoring incorporated into existing cruise schedules at roughly 50 sites.
  - Public Participation: The public participation component is conducted by the New York City Beach Floatables Survey Program (Survey Program), a volunteer group that has been performing counts of beach floatables during the warm-weather season for several years. During this quarter, the public participation coordinator identified and contacted potential volunteers for monitoring assignments at roughly 50 sites for the upcoming warm-weather season.
  - Long Term Control Plan post construction compliance monitoring (PCM): Floatables monitoring is conducted as part of the PCM for the LTCP facilities that are on line (i.e., Flushing Bay and Spring Creek CSO retention facilities). DEP summarizes collected floatables information for these facilities in monthly reports that are provided to the State.
  - Environmental Benefit Shoreline Cleanup Program –This program was undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations (the Nitrogen Consent Judgment). No activities occurred related to this warm-weather program during the First Quarter of 2011.
- ◆ The CY2010 Floatables Monitoring Program Progress Report was completed during the first quarter of 2010 and submitted to the NYSDEC on April 1, 2011.

#### **Missed/Modified Milestones**

- ◆ There are no missed milestones.

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

- ◆ Continue floatables-monitoring program activities, including monitoring at all active Harbor Water Quality Survey sites.
- ◆ Recruitment of volunteers and ongoing planning for the continuing public-participation element of the Floatables Monitoring program for the 2010 bathing season.

### 3.14. Environmental Benefits Projects

These projects were undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations. The 2008 Modification to the CSO Consent Order requires not less than four million dollars (\$4,000,000) worth of DEP-funded Environmental Benefit Projects (EBPs) designed to abate CSOs and/or address wet weather water quality impacts of CSOs and to benefit the waters in and around New York City. The 2008 Order further stipulates that the Quarterly Reports required by Section IV of the 2005 CSO Order shall include a report on the status of these EBPs and funds expended on the EBPs during the prior quarter, including a detailed EBP status and cost accounting of all funds expended, and general estimates of the costs expected to be incurred during the following quarter.

DEP submitted an approvable CSO EBP Plan to DEC in March 2008 that included the implementation of a suite of stormwater management techniques for the Bronx, Flushing, and Gowanus watersheds. The status of these programs is summarized below. The March 2008 EBP Plan was approved April 28, 2008.

#### Work Performed During This Quarter

A single Monitoring Plan for each of the green infrastructure sites installed under this EBP, those under the Nitrogen EBP (Jamaica Bay) and other non EBP green infrastructure sites installed by DEP has been developed and finalized. Throughout the development of this plan, DEC has had input and approved the final version on March 31, 2011. **After the completion of the calibration of the monitoring equipment, implementation of this monitoring plan at most locations began in late spring 2011 with the remaining locations having equipment installed in early summer 2011.**

#### *Bronx River*

- ◆ **Contract with Drexel University is now complete and was signed on March 11, 2011. Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Field investigations to collect topography, soil and bedrock information is expected to begin in mid-summer 2011. Request for start-up funds is expected next quarter.**

#### *Flushing Creek*

- ◆ **Contract with Manhattan College was completed and signed on February 2, 2011. Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed by DEP and sent to DEC for processing.**

- ◆ **Contract with Unisphere was completed and was signed on March 11, 2011. Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed and approved by DEP and sent to DEC for processing.**
- ◆ **Negotiations continued with a subcontractor on the Regional Plan Association's team that has raised issues with specific contract language with respect to intellectual property rights has been resolved and the contract was signed on April 26, 2011. Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed by DEP and sent to DEC for processing. Due to a perceived conflict of interest as determined by Columbia University by one of the proposal's team members, a replacement of that team member is required. Columbia is actively pursuing a new qualified team member. A new team member has been selected. A revised budget is currently being prepared and will be submitted for review and approval.**

#### *Gowanus Canal*

- ◆ **Contract with the Gowanus Canal Conservancy is now complete and was signed on March 11, 2011. Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed by DEP and sent to DEC for processing.**

#### *DEC US Forestry Service Grant*

- ◆ **The Gaia Institute installed 2 enhanced tree pits with three trees and monitoring equipment on Friday April 29, 2011 on Stratford Avenue at Watson Ave. On Tuesday June 2, 2011 over 200 plants chosen by the Gaia Institute were planted to cover the tree pit surfaces. Gaia Institute staff as well as researchers from Brooklyn College and workers from the Million Trees Project assisted in the planting. The monitoring probes were also calibrated by Brooklyn College geochemist and students, providing readings that demonstrated that the recycled glass aggregate storage zone was holding water. Tree guards were fabricated and installed on June 7<sup>th</sup>.**
- ◆ **This quarter Riverkeeper formed a new design team with Seasonsapes and NYC Soil and Water Conservation District to take over for Gaia Institute on design and construction management. Seasonsapes created a draft design for the Martinez park site in an iterative process with DPR. NYC SWCD performed a sub-watershed delineation of the site to inform the final touches of the design. Kate Zidar began**

**working with the Green School and the Williamsburg Community Center to gather input and support for the project.**

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

#### *Bronx River*

- ◆ Prior to starting field work, Drexel University will develop a Health and Safety Plan to be submitted to DEP for review and approval. We will begin processing start-up invoice funding request and grant recipient will begin site analysis, survey and schematic design development. As initial baseline flow data is nearly 3-years old, new baseline sewer flow monitoring will also be undertaken.

#### *Flushing Creek*

- ◆ Prior to starting field work, Manhattan College, RPA and Unisphere will each develop a Health and Safety Plan to be submitted to DEP for review and approval. We will begin processing start-up invoice funding request and grant recipient will begin site analysis, survey and schematic design development.

#### *Gowanus Canal*

- ◆ Prior to starting field work, Gowanus Canal Conservancy will develop a Health and Safety Plan to be submitted to DEP for review and approval. We will begin processing start-up invoice funding request and grant recipient will begin site analysis, survey and schematic design development.

#### *DEC US Forestry Service Grant*

- ◆ In the next quarter, the Gaia Institute will cut curbs at both enhanced tree pits in the Bronx. Additional curb-cut/swale locations will also be identified. A stakeholder meeting with YMPJ is scheduled for the fall.
- ◆ Riverkeeper will proceed with design development and community involvement.



**Table 18 – 2008 Modified CSO Consent Order Environmental Benefits Projects**

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Location:	HP-009 service area	Multiple areas	6th St / 2nd Ave, Brooklyn	Bronx River and Newtown Creek CSO-Sheds
Description:	Stormwater BMP evaluations	Manhattan College New York Hospital Green roof (\$660,440); RPA bioretention basins under the LIE (\$600,000); Unisphere treatment wetlands and rain gardens for Meadow Lake (\$386,551) Columbia University Rego Park Green Streets (\$389,187); <b>budget adjustment is necessary</b>	Gowanus Canal Conservancy 6th Street Green Corridor Project	Evaluation of three tree pit types in the HP-009 area in the Bronx; Green infrastructure installation in Newtown Creek CSO shed; Open source access for Drexel University’s LIDRA model; Education and stewardship activities in the HP-009 area.
Cost:	Budget: \$850,000 Cost to date: \$0 This Qtr: \$0 Next Qtr: \$75,000	<b>Budget: \$2,036,178</b> <b>Cost to date: \$150,000</b> <b>This Qtr: \$150,000</b> <b>Next Qtr: \$300,000</b>	<b>Budget: \$583,470</b> <b>Cost to date: \$75,000</b> <b>This Qtr: \$75,000</b> <b>Next Qtr: \$1000,000</b>	Budget: \$250,000 Cost to date: \$161,751 This Qtr: \$3,258 Next Qtr: \$45,000
Status:	<b>Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Field investigations to collect topography, soil and bedrock information is expected to begin in mid-summer 2011. Request for start-up funds is expected next quarter.</b>	<b>Development of Site Safety Plan (SSP) by the grantees (Unisphere, RPA, and Manhattan College) to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed by DEP and sent to DEC for processing.</b>	<b>Development of Site Safety Plan (SSP) by the grantee to begin field investigations for design development has been developed, reviewed and accepted by DEP. Contract insurance and other requirements have also been reviewed and accepted by DEP. Request for start-up funds has been reviewed by DEP and sent to DEC for processing</b>	LIDRA model completed; Tree pit design complete; Newtown Creek CSO-Shed GI site selection ongoing.

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Other Issues:		<p><b>Intellectual property issues with Regional Plan Association subcontractor has been resolved</b>  <b>Columbia University has selected new team member and submitting revised budget proposal for review and approval.</b></p>		<p>All letter agreements are in place with Gaia, Riverkeeper, Drexel and YMPJ.</p>

## 4.0 Compliance Status

### 4.1. Unresolved Delays

See Section 7.0, Other Issues.

### 4.2. Compliance Charts

The following table summarizes the milestone dates developed in the draft Consent Order and updates available through **June 2011**:

**Table 19 – Consent Order Milestone Dates**

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
<b>I. Alley Creek CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Approvable Additional Modified Facility Plan Report	-	Feb 2004	100
3. Submit Form 2A SPDES Application	-	Jun 2003	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Alley Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
2. Submit Approvable East River Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Outfall and Sewer System Improvements</b>			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Mar 2002	100
3. Notice to Proceed to Construction	Dec 2002	-	100
4. Construction Completion	-	Dec 2006	100
<b>D. CSO Retention Facility</b>			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Dec 2005	100
3. Notice to Proceed to Construction	Dec 2006	-	100
4. Construction Completion	-	Dec 2009 <sup>(1)</sup>	<b>100</b>
<b>E. Drainage Basin Specific LTCPs</b>			
1. Submit Approvable Drainage Basin Specific LTCP for	-	Apr 29 2010	50

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
Alley Creek			
2. Submit Approvable Drainage Basin Specific LTCP for East River	-	6 mos. after approval of II.B.1.	50
<b>II. Outer Harbor CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb 2004	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Open Waters Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Regulator Improvements - Fixed Orifices</b>			
1. Initiate Final Design	Jan 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Apr 2005	100
3. Notice to Proceed to Construction	Feb 2006	-	100
4. Construction Completion	-	Jul 2008	100
<b>D. Regulator Improvements – Automation</b>			
1. Initiate Final Design	Feb 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 2006	100
3. Notice to Proceed to Construction	Nov 2007	-	100
4. Construction Completion	-	Jun 2010	100
<b>E. Port Richmond Throttling Facility</b>			
1. Initiate Final Design	Jun 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Aug 2005	100
3. Notice to Proceed to Construction	Jun 2006	-	100
4. Construction Completion	-	Nov 2009	100
F. Submit Approvable Drainage Basin Specific LTCP for Open Waters	-	6 mos. after approval of II.B.1.	50
<b>III. Inner Harbor CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Completed	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Submit Additional Modified Facility Plan Report	-	Feb 2004	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Gowanus Canal Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Regulator Improvements - Fixed Orifices</b>			
1. Initiate Final Design	Mar 2000	-	100
2. Final Design Completion Including CPM Analysis	-	Sep 2002	100
3. Notice to Proceed to Construction	Feb 2003	-	100
4. Construction Completion	-	Apr 2006	100
<b>D. Regulator Improvements – Automation</b>			
1. Initiate Final Design	Feb 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 2006	100
3. Notice to Proceed to Construction	Nov 2007	-	100
4. Construction Completion	-	Jun 2010	100
<b>E. In-Line Storage</b>			
1. Initiate Final Design	Jul 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 2006	100
3. Notice to Proceed to Construction	Aug 2007	-	100
4. Construction Completion	-	Aug 2010	100
F. Submit Approvable Drainage Basin Specific LTCP for Gowanus Canal	-	Nov 2015	50
<b>G. Flushing Tunnel Modernization</b>			
1. Notice to Proceed to Construction	Feb 2010	-	100
2. Construction Completion	-	Sep 2014	<b>30</b>
<b>H. Gowanus Pump Station Reconstruction</b>			
1. Notice to Proceed to Construction	Feb 2010	-	100
2. Construction Completion	-	Sep 2014	<b>30</b>
<b>I. Dredging of Gowanus Canal</b>			
1. Submittal of All Dredging Permit Applications		Feb 2, 2012	-
2. Notice to Proceed with Dredging		TBD <sup>(2)</sup>	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
3. Complete Dredging		TBD <sup>(2)</sup>	-
<b>IV. Paerdegat Basin CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb 2004	100
3. Submit Form 2A SPDES Application	-	Jul 2002	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Paerdegat Basin Waterbody / Watershed Facility Plan Report	-	Mar 2003	100
<b>C. Influent Channel</b>			
1. Initiate Final Design	Oct 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Mar 1997	100
3. Notice to Proceed to Construction	Feb 1999	-	100
4. Construction Completion	-	Feb 2002	100
<b>D. Foundations and Substructures</b>			
1. Initiate Final Design	Oct 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Aug 2001	100
3. Notice to Proceed to Construction	Jun 2002	-	100
4. Construction Completion	-	Dec 2009	100 <sup>(3)</sup>
<b>E. Structures and Equipment</b>			
1. Initiate Final Design	Oct 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 2004	100
3. Notice to Proceed to Construction	Sep 2005	-	100
4. Construction Completion	-	May 2011	<b>100<sup>(3)</sup></b>
F. Submit Approvable Drainage Basin Specific LTCP for Paerdegat Basin	-	Nov 2005	100
<b>Dredging of Paerdegat Basin</b>			
Submit Joint Application Permit to USACE and DEC to associated with dredging at the head-end and mouth of Paerdegat Basin	-	Dec 2008	100
1. Initiate Final Design	Sep 19, 2010	-	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Complete Final Design	-	Sep 19, 2011	<b>60</b>
3. Notice to Proceed with Dredging	Mar 19, 2013	-	-
4. Complete Dredging	-	Mar 19, 2015	-
<b>V. Flushing Bay CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb 2004	100
3. Submit Form 2A SPDES Application	-	Jun 2003	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Flushing Bay Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
2. Submit Approvable Flushing Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. CS4-1 Reroute and Construct Effluent Channel</b>			
1. Initiate Final Design	Oct 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sep 1994	100
3. Notice to Proceed to Construction	Jun 1995	-	100
4. Construction Completion	-	Jun 1996	100
<b>D. CS4-2 Relocate Ballfields</b>			
1. Initiate Final Design	Oct 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sep 1994	100
3. Notice to Proceed to Construction	Apr 1995	-	100
4. Construction Completion	-	Aug 1995	100
<b>E. CS4-3 Storage Tank</b>			
1. Initiate Final Design	Dec 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Sep 1996	100
3. Notice to Proceed to Construction	Jul 1997	-	100
4. Construction Completion	-	Aug 2001	100
<b>F. CS4-4 Mechanical Structures - Initiate Final Design</b>			
1. Initiate Final Design	Dec 1993	-	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Final Design Completion Including CPM Analysis	-	Feb 2000	100
3. Notice to Proceed to Construction	Mar 2002	-	100
4. Construction Completion	-	Sep 2009	100
<b>G. CS4-5 Tide Gates</b>			
1. Initiate Final Design	Aug 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 1999	100
3. Notice to Proceed to Construction	Dec 2000	-	100
4. Construction Completion	-	Apr 2002	100
<b>H. CD-8 Manual Sluice Gates</b>			
1. Final Design Completion Including CPM Analysis	-	May 2003	100
2. Notice to Proceed to Construction	Feb 2004	-	100
3. Construction Completion	-	Jun 2005	100
<b>I. Drainage Basin Specific LTCPs</b>			
1. Submit Approvable Drainage Basin Specific LTCP for Flushing Bay	-	6 mos. after approval of V.B.1.	50
2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek	-	6 mos. after approval of V.B.2.	50
<b>J. Tallman Island WWTP and associated sewer system are capable of delivering, accepting and treating influent at or above twice the plant's design flow during any storm event</b>			
1. Initiate Final Design	Dec 2007	-	100
2. Final Design Completion including CPM Analysis	-	Dec 2010	100
3. Notice to Proceed to Construction	Dec 2011	-	-
4. Construction Completion	-	Jul 2015	-
<b>B1. Flow Meters (2009 Modification, Appendix B)</b>			
a) Submit flow metering protocols	-	Jul 2009	100
b) Include effluent overflow volumes in monthly reports	-	Within 60 days of DEC approval of 1(a)	-
<b>B2. Odor Control System (2009 Modification, Appendix B)</b>			
a) Apply to register CBS & for inspection variance	-	Sep 2009	100



ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
b) Certify completion of start-up and testing	-	Jun 2009	100
c) Demonstrate system to DEC using water	-	Sep 2009	100
d) Certify construction completion	-	Sep 2009	100
<b>B3. Bar Screens (2009 Modification, Appendix B)</b>			
a) Report on repairs and modifications	-	Jun 2009	100
b) Demonstrate full operation to DEC	-	Sep 2009	100
<b>B4. Tallman Island Regulator 9 (2009 Modification, Appendix B)</b>			
a) Submit report describing telemetry/SCADA systems	-	May 2009	100
<b>VI. Jamaica Tributaries CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Apr 2003	100
2. Submit Additional Modified Facility Plan Report	-	Feb 2004	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Bergen Basin Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
2. Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Meadowmere &amp; Warnerville DWO Abatement</b>			
1. Initiate Final Design	Jan 2004	-	100
2. Final Design Completion Including CPM Analysis	-	May 2005	100
3. Notice to Proceed to Construction	Jun 2006	-	100
4. Construction Completion	-	Jul 2009	100
<b>D. Expansion of Wet Weather Capacity of Jamaica WWTP</b>			
1. Initiate final Design	Jun 2009	-	-
2. Submit Form 2A SPDES Application	-	Jun 2010	-
3. Final Design Completion Including CPM Analysis	-	Jun 2011	-
4. Notice to Proceed to Construction	Jun 2012	-	-
5. Construction Completion	-	Jun 2015	-
<b>E. Destratification Facility</b>			
1. Initiate Final Design	Jan 2006	-	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Final Design Completion Including CPM Analysis	-	Dec 2007	100
3. Notice to Proceed to Construction	Sep 2010	-	<b>100</b>
4. Construction Completion	-	Mar 2012	<b>15</b>
<b>F. Laurelton and Springfield Blvd.</b>			
1. Submit Drainage Plan for Storm Sewer Build-out (extension granted by DEC letter, 2/29/08)	-	May 2008	100
<b>G. Regulator Automation</b>			
1. Initiate Final Design	Feb 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov 2006	100
3. Notice to Proceed to Construction	Nov 2007	-	100
4. Construction Completion	-	Jun 2010	100
<b>H. Drainage Basin Specific LTCPs</b>			
1. Submit Approvable Drainage Basin Specific LTCP for Bergen Basin	-	Aug 2012	50
2. Submit Approvable Drainage Basin Specific LTCP for Thurston Basin	-	Aug 2012	50
<b>VII. Coney Island Creek CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Apr 2003	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Coney Island Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Avenue V Pumping Station Upgrade</b>			
1. Initiate Final Design	Apr 1998	-	100
2. Final Design Completion including CPM Analysis	-	Jan 2005	100
3. Notice to Proceed to Construction	Nov 2005	-	100
4. Construction Completion	-	Apr 2011	<b>66</b>
<b>D. Avenue V Force Main</b>			
1. Initiate Final Design	Apr 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Sep 2006	100
3. Notice to Proceed to Construction	Jul 2007	-	100
4. Construction Completion	-	Jun 2012	<b>90</b>

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
E. Submit Approvable Drainage Basin Specific LTCP for Coney Island Creek	-	Jun 2014	50
<b>VIII. Newtown Creek CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Oct 2003	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Newtown Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Aeration Zone I</b>			
1. Initiate Final Design	Mar 2001	-	100
2. Final Design Completion Including CPM Analysis	-	Dec 2004	100
3. Notice to Proceed to Construction	Dec 2005	-	100
4. Construction Completion	-	Dec 2008	100
<b>D. Aeration Zone II</b>			
1. Initiate Final Design	Jun 2007	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2010 <sup>(4)</sup>	<b>100<sup>(4)</sup></b>
3. Notice to Proceed to Construction	<b>Dec 2012</b>	-	-
4. Construction Completion	-	<b>Dec 2013</b>	-
<b>E. Relief Sewer / Regulator Modification</b>			
1. Initiate Final Design	Jun 2007	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2009	10
3. Notice to Proceed to Construction	Jun 2010		-
4. Construction Completion	-	Jun 2014	-
<b>F. Throttling Facility</b>			
1. Initiate Final Design	Dec 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2008	100
3. Notice to Proceed to Construction	Jun 2009	-	100
4. Construction Completion	-	Dec 2012	90
<b>G. CSO Storage Facility</b>			
1. Initiate Final Design	Nov 2010	-	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Submit Form 2A SPDES Application	-	Nov 2013	-
3. Final Design Completion Including CPM Analysis	-	Nov 2014	-
4. Notice to Proceed to Construction	Dec 2015	-	-
5. Construction Completion	-	Dec 2022	-
H. Submit Approvable Drainage Basin Specific LTCP for Newtown Creek	-	Feb 2016	50
<b>IX. Westchester Creek CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Apr 2003	100
2. Submit Form 2A SPDES Application	-	Submit with final design plans & specs <sup>(5)</sup>	-
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Westchester Creek Waterbody / Watershed Facility Plan Report	Jul 2004	Jun 2007	100
<b>C. Phase I (Influent Sewers)</b>			
1. Initiate Final Design	Jan 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2010	20
3. Notice to Proceed to Construction	Jun 2011	-	-
4. Construction Completion	-	Jun 2015	-
<b>D. CSO Storage Facility</b>			
1. Notice to Proceed to Construction	Dec 2015	-	-
2. Construction Completion	-	Dec 2022	-
E. Submit Approvable Drainage Basin Specific LTCP for Westchester Creek	-	Feb 2016	50
<b>X. Bronx River CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Sep 2003	100
2. Submit Additional Modified Facility Plan Report	-	Mar 2004	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Bronx River Waterbody / Watershed Facility Plan Report	-	Jun 2007	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
<b>C. Floatables Control</b>			
1. Initiate Final Design	Jan 2006	-	100
2. Final Design Completion Including CPM Analysis	-	Jul 2008	100
3. Notice to Proceed to Construction	Jun 2009	-	100
4. Construction Completion	-	Jun 2012	<b>47</b>
D. Submit Approvable Drainage Basin Specific LTCP for Bronx River	-	Jun 2014 <sup>(6)</sup>	50
<b>XI. Hutchinson River CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Jul 2003	100
2. Submit Form 2A SPDES Application	-	Submit with final design plans & specs <sup>(5)</sup>	-
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Hutchinson River Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Phase I of the Storage Facility</b>			
1. Initiate Final Design	Apr 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2010	10
3. Notice to Proceed to Construction	Jun 2011	-	-
4. Construction Completion	-	Jun 2015	-
<b>D. Future Phases</b>			
1. Notice to Proceed to Construction	Dec 2016	-	-
2. Construction Completion	-	Dec 2023	-
E. Submit Approvable Drainage Basin Specific LTCP for Hutchinson River	-	Feb 2017	50
<b>XII. Jamaica Bay CSO</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Dec 2003	100
<b>B. Comprehensive Watershed Planning</b>			
1. Submit Approvable Jamaica Bay Waterbody / Watershed Facility Plan Report	-	Jun 2007	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
2. Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
3. Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
4. Submit Approvable Hendrix Creek Waterbody / Watershed Facility Plan Report	-	Jun 2007	100
<b>C. Spring Creek AWPCP Upgrade</b>			
1. Initiate Final Design	Apr 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Feb 2002	100
3. Submit Form 2A SPDES Application	-	Jun 2003	100
4. Notice to Proceed to Construction	Mar 2003	-	100
5. Construction Completion	-	Apr 2007	100
<b>D. 26th Ward Drainage Area Sewer Cleaning and Evaluation</b>			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2007	100
3. Notice to Proceed to Construction	-	Jun 2008	100
4. Construction Completion	-	Jun 2010	100
<b>E. Hendrix Creek Dredging</b>			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2007	100
3. Notice to Proceed to Construction	Feb 2010	-	100
4. Construction Completion	-	Feb 2012	<b>38</b>
<b>F. 26th Ward Wet Weather Expansion</b>			
1. Initiate Final Design	Jun 2006	-	100
2. Final Design Completion Including CPM Analysis	-	Jun 2010	15
3. Submit Form 2A SPDES Application	-	Submit with final design plans & specs <sup>(5)</sup>	-
4. Notice to Proceed to Construction	Jun 2011	-	-
5. Construction Completion	-	Dec 2015	-
<b>G. Drainage Basin Specific Long Term Control Plans</b>			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Approvable Drainage Basin Specific LTCP for Jamaica Bay	-	Aug 2012	50
2. Submit Approvable Drainage Basin Specific LTCP for Spring Creek	-	Aug 2012	50
3. Submit Approvable Drainage Basin Specific LTCP for Fresh Creek	-	Aug 2012	50
4. Submit Approvable Drainage Basin Specific LTCP for Hendrix Creek	-	Aug 2012	50
H. Rockaway WWTP Conveyance Improvements		Dec 2017	-
<b>XIII. Citywide Comprehensive Floatables Plan</b>			
<b>A. Facility Plan Development</b>			
1. Submit Modified Facility Plan Report	-	Dec 2004	100
<b>XIV. Submit Approvable City-Wide LTCP</b>			
	-	Dec 2017	-

Notes: (1) A modification to the completion date from 12/31/2009 to 11/10/2010 was submitted to DEC on 10/30/2009. (2) Dredging NTP 3 years from effective date of permit (EDP); completion within 5 years of EDP. (3) CSO Consent Order elements completed and a Certification of Construction Completion has been submitted. (4) Date reflects Consent Order Milestone; completion reflects progress on technically accepted Modification Request. (5) A modification request to the submittal date of Form 2A was submitted to DEC on 6/29/2010. (6) A modification was requested to extend the completion date from 11/31/11 to 6/30/14 on 11/29/10.





## **5.0 Community Relations**

No public meetings were held during the **Second Quarter of 2011**.



## **6.0 Key Personnel Changes**

No key personnel changes occurred during the **Second Quarter of 2011**.



## 7.0 Other Issues

The following action items were identified during the **May 26, 2011** CSO Quarterly Meeting:

	Action Item	Response	Target Date	Status
1	Alley Creek – DEP to submit certification of construction completion	<i>Certification letter submitted 6/30/11</i>	<b>No Target Date Established</b>	<b>Complete</b>
2	Inner Harbor– DEC to complete final inspection report for In-Line Storage	<i>Ongoing coordination</i>	<b>No Target Date Established</b>	<b>Under Development</b>
3	Gowanus Canal – DEP to request revised discharge limits for mercury for dewatering effluent	<i>Sent 6/29</i>	<b>No Target Date Established</b>	<b>Complete</b>
4	SCADA– DEC to complete final inspection report	<i>Ongoing coordination</i>	<b>No Target Date Established</b>	<b>Under Development</b>
5	Hutchinson River – DEC, DEP, and Westchester County to conduct field visit to identify Westchester sampling locations	<i>Site walkthrough conducted</i>	<b>6/22/11</b>	<b>Complete</b>
6	Flushing Bay and Creek – DEC to request additional information on flow methodology using flow meters	<i>DEC accepted the methodology on 6/8 and requested additional information through an update to the WWOP.</i>	<b>No Target Date Established</b>	<b>Complete</b>
7	Flushing Creek – DEP to provide list of outstanding DEC permit applications for Tallman Island Whitestone Interceptor	<i>List prepared, to be sent</i>	<b>No Target Date Established</b>	<b>Under development</b>
8	Newtown Creek – DEP to check on transmittal of habitat monitoring report for English Kills aeration	<i>Sent 6/3</i>	<b>No Target Date Established</b>	<b>Complete</b>
9	WWFP - DEP to provide dates for resubmittal of final WWFPs for Newtown Creek, Westchester Creek, Flushing Bay, and Jamaica Bay and CSO Tribs	<i>Dates were provided to DEC</i>	<b>No Target Date Established</b>	<b>Complete</b>



## **8.0 Status of LTCP Development**

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





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





June 27, 2011

*Caswell F. Holloway*  
Commissioner

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

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8  
Appendix A, I. Alley Creek CSO, D. CSO Retention Facility, 4.  
Construction Completion  
**Certification of Construction Completion**

In accordance with Paragraph III (F) of the above referenced CSO Order, the New York City Department of Environmental Protection (DEP) submits this letter as certification of completion of construction of the Alley Creek CSO facility.

As of March 11, 2011, the process-related equipment and facilities were constructed in accordance with the approved plans and specifications as modified (see below), and were placed into operation to meet applicable SPDES requirements. The facility began accepting wet weather flow on February 14, 2011, and, on March 11, 2011, the flow meters installed for the facility began recording overflow data through the SCADA system, and the automatic overflow sampler began collecting samples. DEP is not analyzing or reporting overflow data at this time, as there are no requirements in the SPDES permit pertaining to this facility.

The facility was completed with three modifications to the approved plans and specifications, which have no significant effect on the function of the facility. These modifications are: (1) the replacement of the 36" influent sewer; (2) changes in the flow metering system; and (3) keeping outfall TI-007 in operation.

Replacement of the 36" influent sewer: As noted in the Force Majeure request submitted by DEP on November 20, 2007, it became necessary to issue a contract change order to replace the 36" influent sewer to the Old Douglaston Pump Station. The original contract plans called for construction of a junction box around the existing 36" sewer and then demolition of the portion of the sewer within the junction box. Once the junction box was in service all influent flow would have been diverted to the interim pump station, allowing the isolation of the Old Douglaston Pump Station so it could be upgraded. However, due to the deficient condition of the 36" sewer, the junction box could not be constructed until the sewer was replaced.

Flow metering: The approved plans and specifications included an overflow measurement (SCADA) system that relied on level sensors in the tank and conduit to measure the water surface elevation. The SCADA system is programmed to calculate the overflow rate based on the elevation and the weir calibration factor. Based on the difficulties with this type of system at the Flushing Bay CSO Facility, DEP determined that a modification of design would be prudent and proceeded to replace the calculation-based method with installed flow meters. Under a contract change order, two flow meters were installed upstream of the Alley Creek CSO facility. The two meters continuously measure flow to the facility, but only record the flow as overflow when level sensors at the end weir sense elevation above the weir. This method is more reliable since tidal or tide gate influences are removed from the calculation. Furthermore, the meters have been compared with the tank volume filling rate and have found to be accurate within an acceptable margin of error.

Outfall TI-007: This outfall was to be removed and plugged as per the approved plans and specifications. When the plans and specifications for this project were developed, DEP believed that Outfall TI-007 served a separately sewered drainage area. However, as DEP explained in a letter to DEC dated March 15, 2011, the drainage area served by Outfall TI-007 was improperly labeled as a sanitary system, as it is actually combined. In 2010, DEP determined that removal of the outfall could cause the pump station and nearby residences to flood during unusually high flow periods or in case of equipment failure. In order to protect nearby residents and protect the pump station equipment, DEP modified the contractual scope to keep the outfall in place.

If you have any questions, please feel free to contact me at (718) 595- 5045. Thank you.

Sincerely,

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

Anthony Maracic, P.E., Director  
Capital Planning and Asset Management

Enc.

cc: Cheryle Webber, P.E.  
New York State Environmental  
Facilities Corporation  
625 Broadway, 7<sup>th</sup> Floor  
Albany, New York 12207

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
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William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

DEP: J. Mueller, R. LaGrotta, K. Donnelly, R. Tysvaer, M. Osit, K. Mahoney, L. Lee, H.  
Donnelly  
H&S: P. Young, File





Construction Management Engineers Architecture

Land Surveying Material Testing

225-10 Northern Blvd. - Little Neck, N.Y, 11362 · Phone (718) 279-7434 · Fax: (718) 279-2815 · www.haks.net

**MEMORANDUM**

TO: Matthew Osit, P.E.  
Portfolio Manager, BEDC

FROM: Farhan Syed, P.E.  
Project Manager

DATE: May 27, 2011

RE: WP-169, East River CSO Retention Facilities  
Alley Creek CSO Abatement Facilities Phase 1, Stage2  
Contract ER-AC2  
Registration No. 20070020922  
Certification  
CSO Order on Consent, DEC Case No. C02-2000107-8

This memorandum certifies that all CSO-related construction required for above contract have been completed in accordance with the approved plans and specifications with the exception of certain punch-list work which will be performed after the acceptance date. To that end, successful field testing, certification, and acceptance occurred on March 11<sup>th</sup> 2011.

In addition to the punch list work referred to above, three contractual changes were implemented during the course of completing the work: the deteriorated 36" influent sewer was replaced, the flow metering system was modified to utilize "Flo-Dar" meters rather than measuring over the end weir, and the demolition of combined outfall TI-007 was deleted.

Very truly yours,

Farhan Syed, P.E.  
Project Manager









May 31, 2011

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

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Commissioner  
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(718) 595-3525 fax

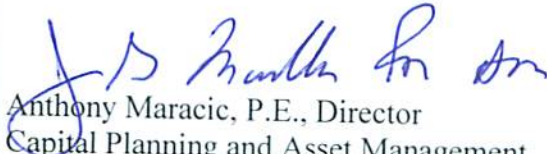
**Re:** Order on Consent DEC Case No. CO2-20000107-8, as modified by DEC Case #CO2-20070101-1 ("CSO Order")  
Appendix A, IV. Paerdegat Basin, E. Structures and Equipment, 4. Construction Completion  
**Certification of Construction Completion**

Dear Mr. DiMura:

In accordance with Section III.F. of the above referenced CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection ("DEP") with Milestone IV.E.4 as set forth in said Order. All CSO process-related equipment and facilities have been constructed in accordance with the approved plans and specifications and have been placed into operation to meet the applicable SPDES permit requirements. Attached is the required certification letter from the Construction Manager.

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

Yours truly,

  
Anthony Maracic, P.E., Director  
Capital Planning and Asset Management

James DeZolt  
Director, Division of Water  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
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Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
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Long Island City, New York 11101

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New York State Environmental Facilities Corporation  
625 Broadway  
Albany, NY 12207

William Plache, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
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DEP: K. Donnelly, R. Tysvaer, R. Meshkati, K. Mahoney, M. Eckels, R. Levine, A.  
Maracic  
H&S: C. Hocking P. Young, T. Groninger

**To:** Ray Meshkati, P.E.  
Accountable Manager

**Date:** May 31, 2011

**From:** Pietro L. Palmari, P.E.  
Resident Engineer

**Subject:** Paerdegat Basin Water Quality Facility  
Contract CSO-5 Order on Consent (CSO Order)  
DEC Case#CO2-20000107-8 as modified  
by DEC Case No. CO2-20070101-1 (2008)  
**CM CERTIFICATION OF CONSTRUCTION COMPLETION**

---

Hazen and Sawyer, P.C. is providing this certification to attest that the Paerdegat Basin Water Quality Facility and all process-related equipment and systems have been constructed in accordance with the approved plans and specifications and have been placed in operation to meet the applicable SPDES permit requirements. Remaining work consists of punch list items and change order work that does not affect the facility operation. To that end, as of May 31, 2011, the facility has fulfilled the requirements in accordance with Section IV.E.4 of Appendix A of the above referenced Order on Consent.

Very truly yours,



Pietro L. Palmari, P.E.  
Resident Engineer  
Hazen and Sawyer, P.C.







June 30, 2011

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

Caswell F. Holloway  
Commissioner

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8Appendix A,  
V. Flushing Bay CSO, J. Divert Low Lying Sewers / Raise Weir BB-R02,  
1. Initiate Final Design, and  
K. Regulator Modifications, 1. Initiate Final Design  
**Certification of Completion of Proposed Milestone**

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

Dear Mr. DiMura:

96-05 Horace Harding Expwy  
Corona, NY 11368

In accordance with Paragraph III.F of the CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestones referenced above, which are associated with projects proposed by DEP in the June 2009 Flushing Bay Waterbody/Watershed Facility Plan Report.

(718) 595-4906 tel  
(718) 595-6950 fax

In the course of negotiating a new modification to the CSO Order, DEP and DEC have tentatively reached conceptual agreement to include the two above-referenced projects with June 30, 2011 as the milestone date to initiate final design for each project. Thus, DEP is proceeding with both projects with the expectation that they will become part of the Order once negotiations conclude and the Order is modified.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic'.

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

cc: Cheryle Webber, P.E.  
New York State Environmental  
Facilities Corporation  
625 Broadway, 7<sup>th</sup> Floor  
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Regional Water Engineer  
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DEP: J. Mueller, A. Maracic, R. LaGrotta, R. Tysvaer, K. Donnelly, K. Mahoney, L. Lee,  
H. Donnelly  
H&S: P. Young, File



*Caswell F. Holloway*  
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June 27, 2011

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

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8 Appendix A,  
VI. Jamaica Tributaries CSO, I. Bending Weirs, 1. Initiate Final Design  
**Certification of Completion of Proposed Milestone**

Dear Mr. DiMura:

In accordance with Paragraph III.F of the CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestone referenced above, which is associated with a project proposed by DEP on May 5, 2010.

In a letter dated June 28, 2010, the New York State Department of Environmental Conservation (DEC) acknowledged that this project, in conjunction with the 48" Siphon under the Belt Parkway, would be a technically acceptable alternative to the 50 MGD wet weather expansion of the Jamaica WWTP required under the 2005 CSO Order. In the course of negotiating a new modification to the CSO Order, DEP and DEC have tentatively agreed upon June 30, 2011 as the milestone that would be attributed to initiation of final design of the bending weirs. Thus, DEP is proceeding with the work with the expectation that this milestone date will become official upon modification to the Order.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic'.

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

cc: Cheryle Webber, P.E.  
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625 Broadway, 7<sup>th</sup> Floor  
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DEP: J. Mueller, A. Maracic, R. LaGrotta, R. Tysvaer, K. Donnelly, K. Mahoney, L. Lee,  
H. Donnelly  
H&S: P. Young, File





June 30, 2011

*Caswell F. Holloway*  
Commissioner

**Vincent Sapienza, P.E.**  
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Director, Bureau of Compliance  
New York State Department of  
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625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3500  
(1 Hard Copy)

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8  
Proposed Alternative Project - Appendix A, VIII. Newtown Creek CSO,  
H. Enhanced Aeration in Lower English Kills, 2. Final Design Completion  
**Certification of Completion**

Dear Mr. DiMura:

In accordance with Paragraph III. F. of the CSO Order, the New York City Department of Environmental Protection (DEP) hereby certifies completion of the above referenced milestone, which is associated with a project proposed by DEP on December 14, 2010.

In a letter dated January 7, 2011, the New York State Department of Environmental Conservation (DEC) approved this project as part of a package of alternatives to the CSO storage facility and relief sewer/regulator modification that were required under the 2005 Order. In the course of negotiating a new modification to the CSO order, it is DEP's understanding that DEC has tentatively agreed upon June 30, 2011 as the Final Design Completion for the Lower English Kills Aeration Facility.

Enclosed for your review are approvable plans and specifications, along with a basis of design report. Although DEP continues to move forward with this project, it is not yet known whether the schedule or design will be affected by the fact that Newtown Creek has been added to the National Priorities List, as DEP noted in the April 7, 2011 revision of the Newtown Creek Waterbody/Watershed Facility Plan Report. This is because designation of the Creek as a Superfund site introduces a large number of uncertainties with regards to permitting requirements, schedule, costs, implementation and maintenance of the WB/WS Facility Plan elements, particularly pertaining to the aeration facilities. Thus, the DEP intends to schedule recurring meetings with the EPA and DEC to ensure that all contract documents contain provisions necessary to address Superfund requirements as the project progresses.

Modifications of some of the milestones associated with the WB/WS may be required if quantifiable impacts become apparent.

Any necessary addenda to these plans and specifications will be provided as they become available. Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', with a stylized flourish at the end.

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

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

Robert Elburn, P.E.  
Regional Water Engineer  
Division of Water, Region 2  
New York State Department of  
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Mark Klotz, P.E.  
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Cover Letter Only  
Gary E. Kline, P.E.  
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New York, NY 10007

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





June 30, 2011

Mr. Joseph DiMura, P.E.  
Director, Bureau of Compliance  
NYS Dept. of Environmental Conservation  
Division of Water  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-3500

Caswell F. Holloway  
Commissioner

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8  
Appendix A, VIII. Newtown Creek CSO,  
K. Bending Weirs / Floatables Control, 1. Initiate Final Design  
**Certification of Completion of Proposed Milestone**

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

Dear Mr. DiMura:

96-05 Horace Harding Expwy  
Corona, NY 11368

(718) 595-4906 tel  
(718) 595-6950 fax

In accordance with Paragraph III.F of the CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestone referenced above, which is associated with the Bending Weirs/Floatables Control project that was proposed by DEP in a December 14, 2010 modification request to DEC.

In a letter dated January 7, 2011, the New York State Department of Environmental Conservation (DEC) acknowledged that the above referenced project in conjunction with the Enhanced In-Stream Aeration Facilities is a technically acceptable alternative to the 9 MG CSO Storage Facility, Relief Sewer/Regulator Modifications, and in-stream aeration required under the 2005 CSO Consent Order. In the course of current negotiations of a modified CSO Order, it is the agency's understanding that DEP and DEC have reached conceptual agreement as to the inclusion of the subject project, and that June 30, 2011 shall be the associated milestone date for initiation of final design. The DEP hereby notifies the DEC that this proposed work is proceeding with the expectation that this milestone date will become official upon issuance of the modified CSO Consent Order.

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

Very truly yours,

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

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

cc:

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

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

Mark Klotz, P.E.  
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June 30, 2011

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

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

**96-05 Horace Harding Expwy**  
**Corona, NY 11368**

**(718) 595-4906 tel**  
**(718) 595-6950 fax**

Re: Order on Consent (CSO Order)  
DEC Case #CO2-20000107-8  
Appendix A, IX. Westchester Creek CSO, E. Modifications to CSO-29  
and CSO 29A, 1. Initiate Final Design  
**Certification of Completion of Proposed Milestone**

Dear Mr. DiMura:

In accordance with Paragraph III.F of the CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestone referenced above, which is associated with a project proposed by DEP on July 30, 2010.

In a letter dated August 25, 2010, DEC acknowledged that the above referenced project in conjunction with the Pugsley Creek Parallel Sewer is a technically acceptable alternative to the 12 MG CSO Storage Facility that is currently required under the 2005 CSO Consent Order. Accordingly, the DEP submitted a revised Westchester Creek Waterbody/Watershed Facility Plan, which contains a description of the proposed Modifications to CSO-29 and 29A on November 30, 2010. Currently, in the course of negotiating a new modification to the CSO Order, DEP and DEC have reached conceptual agreement as to the inclusion of this project and as to the setting of June 30, 2011 as the milestone date associated with initiation of final design. The DEP hereby notifies the DEC that this proposed work is proceeding with the expectation that this milestone date will become official upon issuance of the modified CSO Consent Order.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic'.

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

cc:

Cheryle Webber, P.E.  
New York State Environmental  
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**APPENDIX B**  
**NYSDEC COMMENTS ON PREVIOUS QUARTERLY REPORT**



**NYS DEC Comments  
Quarterly Report  
1<sup>st</sup> Quarter 2011**

**Comments on Quarterly Report:**

1. Page 1-2, item 12: DEP provided a response to the DEC on TI-007 on March 15, 2011.
2. Page 1-3, Table 2: include in the table the certification of construction completion of Alley Creek Retention Facility. DEP requested a modification to existing milestone for this project until February 2011, so the proposed modified milestone would occur this quarter.
3. Page 1-3, Table 3: include Alley Creek LTCP, due on April 2011.
4. Section 3.1 Alley Creek: provide a discussion of the start-up problems encountered with the retention facility and status of interim pump station decommissioning and estimated date for certification of construction completion.
5. Section 3.2 Outer Harbor; Section 3.3 Inner Harbor; Section 3.6 Jamaica Tributaries, Regulator Automation: final inspection by DEC was conducted on March 29 and 30, 2011.
6. Section 3.3 Inner Harbor: include under Work Performed During This Quarter the modifications identified for the In-Line Storage project during to Union walk-through.
7. Section 3.12 Jamaica Bay: remove information under Work Performed During This Quarter that is obsolete and in all future reports, provide information on dredging production rates and problems encountered that are impacting schedule.
8. Section 8, last bullet: DEC provided comments on Jamaica Bay/Tribs WWFP on April 8, 2008.
9. Section 3.14: EBPs, DEC USFS Grant: include Work Performed During This Quarter: Gaia installed enhanced tree pits and monitoring equipment in the Bronx HP-009 watershed. Riverkeeper formed a collaborative partnership with NYC Parks and selected the Martinez Playground as its stormwater project site. Anticipated Activities: Gaia will work on educational model and test/calibrate monitoring equipment.

**Questions for Quarterly Meeting:**

1. WWFPs: provide estimated resubmittal dates for the following WWFPs:
  - a. Newtown Creek
  - b. Westchester Creek
  - c. Flushing Bay
  - d. Flushing Creek
  - e. Jamaica Tribs/Bay
2. WWFPs and CSO Order: DEC and DEP discuss approach to conducting public comment/information sessions for WWFPs in conjunction with amended CSO Order.

**NYS DEC Comments  
Quarterly Report  
1<sup>st</sup> Quarter 2011**

3. Alley Creek – confirm date of certification of construction completion for retention facility.
4. Paerdegat Basin – confirm if grit in influent channel and chamber A will be an ongoing problem. Also confirm impacts of non-consent order work on Contract 5 completion, date of certification of construction completion of structures and equipment, and discuss initial facility operation.
5. Flushing Bay – discuss schedule for bid and contract award for Tallman Island Whitestone interceptor improvements and status of permit applications to DEC (LI Well and SPDES).
6. Jamaica Tribs – provide status of design of 48-inch parallel interceptor and initiate design of bending weirs.
7. Coney Island, Ave. V PS – discuss status of MSP tests and confirm projected completion of Ave. V Force Main.
8. Newtown Creek – confirm submittal date of 2<sup>nd</sup> year post-startup habitat monitoring report, completion of final design of aeration system for lower English Kills, date for start-up of 3<sup>rd</sup> year operation of upper English Kills demonstration aeration project, and status acquisition of EDC property for 2<sup>nd</sup> blower building.
9. Hutchinson River – confirm proposed scope and timing of sampling.
10. EBPs – provide copies of executed contracts for 2 remaining Gowanus/Flushing grants.
11. GI Demonstration Projects – provide status of site selection and initial evaluation.