

**New York City
Department of Environmental Protection**

Bureau of Water Supply

**Filtration Avoidance 6.1 Enforcement Actions
For the period October 1, 2011 through March 31, 2012**

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1. Introduction

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

This report, covering actions from October 1, 2011 through March 31, 2012, first presents an overview of the responsibilities of those sections within the Bureau charged with enforcement activities. The report then addresses specific enforcement actions that occurred during the reporting period. Included are new violations as well as updates on ongoing violations. The report is divided into sections relating to the areas covered. The **West of Hudson** (WOH) area is comprised of the following basins: Ashokan and Schoharie of the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Also included are those portions of the **East of Hudson** (EOH) area comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.¹ Within each of these sections, the enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), subsurface sewage treatment systems (SSTSs), stormwater and erosion control structures, as well as other activities, such as solid waste management facilities. In addition, individual police actions are also included. The final section is devoted to the Kensico Spill Response activities, including specialized Haz Mat training.

2. Enforcement Responsibilities

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

Following the approval of proposed regulated activities, those activities are monitored to assure

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

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

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

2.1. The Regulatory & Engineering Programs Section

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

2.1.1. Wastewater Treatment Programs

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

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

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

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

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

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

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

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

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

2.1.1.2. Wastewater Treatment Plant Compliance and Inspection Unit

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

2.1.2. Stormwater Programs Unit

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

2.1.2.1 Stormwater Compliance & Inspection Unit

The staff of this unit monitors construction sites to ensure compliance with approved SWPPPs.

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

2.1.3. SEQRA Coordination Unit

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

2.2. DEP Police

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

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

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

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

The redeployment of the former Protection Section staff has increased the responsibility of the

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

2.3. DEP's Office of the General Counsel

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

2.4. New York City Law Department

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

3. Specific Enforcement Actions

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

3.2. Subsurface Treatment Systems and Stormwater

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

Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	277	0	22	0	24	1
CONESVILLE	13	0	10	0	9	0
GILBOA	19	0	15	0	16	0
HUNTER	108	1	80	0	82	1
HUNTER (V)	17	0	9	0	10	0
HURLEY	49	0	48	0	47	0
JEWETT	49	0	46	0	49	0
LEXINGTON	47	0	45	0	44	0
OLIVE	194	1	165	0	170	1
PRATTSVILLE	27	0	22	0	26	0
ROXBURY	31	0	23	0	27	1
SHANDAKEN	142	0	129	0	132	0
TANNERSVILLE (V)	7	0	1	0	7	1
WINDHAM	79	0	65	0	73	2
WOODSTOCK	57	0	52	0	48	0
Total	117	3	732	0	764	7

Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	81	0	74	0	74	1
ANDES (V)	4	0	2	0	2	0
BOVINA	35	0	32	0	33	0
COLCHESTER	4	0	5	0	4	0
DELHI	71	1	64	0	69	0
DELHI (V)	3	0	3	1	2	0
DENNING	34	0	33	0	31	0
FALLSBURGH	6	0	4	0	4	0
FLEISCHMANN'S (V)	1	0	0	0	0	0
FRANKLIN	6	0	4	0	4	0
HALCOT	7	0	7	0	7	0
HAMDEN	32	1	29	0	29	0
HARDENBURGH	12	0	10	0	12	0
HARPERSFIELD	8	0	6	0	6	0

JEFFERSON	6	0	6	0	6	0
KORTRIGHT	63	1	52	0	58	0
LIBERTY	1	0	1	0	1	0
MASONVILLE	12	0	10	0	10	0
MEREDITH	20	0	18	0	18	0
MIDDLETOWN	115	1	105	1	106	1
NEVERSINK	223	2	187	0	203	2
ROCHESTER	1	0	1	0	1	0
ROXBURY	34	0	28	0	32	0
STAMFORD	35	0	33	0	34	0
TOMPKINS	43	1	37	0	40	0
WALTON	89	0	82	0	80	1
WALTON (V)	1	0	1	0	1	0
WAWARSING	34	0	32	0	30	0
Total	981	7	866	2	897	7

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

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
CARMEL	15	4	9	0	10	0
EAST FISHKILL	0	0	0	0	0	0
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	0	0	0
TOTAL	19	4	13	0	14	0

Kensico Basin

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

3.2.1. Catskill District

Name: NYS Route 23 (Log #2005-SC-0230) I.D. #: 1912
Location: Ashland
Type of Use: Residence
Discovery Date: 1/29/04
Type of Violation: Failed septic system
Status: Under Construction
Overview and action: Closed

DEP called the contractor on 10/25/10 who expects to start construction the first week of November 2010. Site Visit type: Enforcement. Date: 10/25/10. Septic Failure: Not observed. DEP received notice on 11/12/10 that construction will begin on 11/12/10. DEP received engineer's certification letter from the engineer on 11/24/10. DEP completed construction inspections on 11/24/10. DEP issued a partial Construction Approval to CWC on 12/07/10. Final Construction Approval will be issued in the spring 2011 after proper grass growth has been verified. DEP called the owner on 10/3/11 and owner stated that the problem is resolved and system is working fine now. The owner could not clearly recall the details other than something about a "float" were corrected late last week. DEP issued a letter of Construction Compliance on 10/20/11. The violation was resolved and the case was closed on 10/20/11 with DEP Closure letter dated 12/16/11. DEP has resolved the Enforcement Action on 12/16/11.

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

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

Project Name: 875 Mail Route Road (2007-SC-0904)
Town: Ashland

Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - Surfacing -CWC
Discovery Date:
Status: Approved

Overview and Action:

DEP initiated enforcement action on 4/17/06. DEP sent an e-mail to CWC on 4/3/06 requesting the status of the project. DEP issued a letter to the owner on 4/21/09 stating that the soils testing have not yet been conducted. On 9/24/09, DEP issued a reminder letter to the owner due to lack of activity. DEP received a call from the owner on 6/14/10 in response to DEP's letter. DEP received a request for a pre-application meeting on 6/14/10. A soil/site evaluation was performed on 6/18/10. DEP received an Application for a conventional SSTS on 7/15/10. DEP issued a NOCA on 7/29/10. DEP issued an Approval Determination letter on 8/3/10. DEP issued a letter to the owner on 4/14/11 stating construction has not yet commenced. DEP received notice on 11/29/11 that construction will begin. Two loads of fill have been delivered to the site.

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

Overview and Action:

A soil/site evaluation was performed on 10/23/09. DEP issued a letter to the owner on 2/23/10 stating that the plans have not yet been received. DEP called engineer on 10/5/10 to discuss status. Engineer stated that he is working with Inspector to get soils done on lot across street within next week or so. DEP to inform engineer what is necessary to obtain approval for septic system on another lot. Engineer stated town already gave approval for sleeve under road. DEP sent an email to engineer on 10/6/10 stating that formal easement must be recorded and notarized for septic plans to be approved when system is located on a different parcel than where the waste is generated. Engineer responded and said he work on getting this done. Site Visit type: Request. Date: 10/29/10. Septic Failure: Observed. Failure Description: Surfacing of sewage on ground. Additional soils were done on 10/12/10. Sewage is not leaving site. DEP received a call back from the engineer on 5/13/11, stating that owner lost easement paperwork and it had to be re-sent for signature. DEP received an Application for a conventional individual SSTS on 8/22/11. DEP issued a NOCA on 8/31/11. DEP issued an Approval Determination letter on 9/8/11. DEP issued a letter to the owner on 3/20/12 stating that construction has not yet commenced.

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

Overview and Action:

DEP personnel discovered the violation while on routine patrol. A dye test was not performed.

An NOV was issued to the Owner on 11/22/02. DEP performed a site visit on 1/7/11; septic failure not observed; no evidence of discharge, the ground is snow covered in the area of the septic. DEP performed a site visit on 2/18/11; no visible discharge, no sign of melted snow in the vicinity of the system. DEP performed a site visit on 4/4/11 for a septic failure; none was observed, it appears the residence has been vacated, there were no signs of traffic or inhabitation and there was no visible discharge. DEP performed a site visit on 6/3/11; the house has been abandoned. DEP performed a site visit on 8/11/11; the house is still vacant. DEP performed a site visit on 9/13/11 for a septic failure; none was observed. The house is vacant and in disrepair and currently uninhabited. On 10/3/11, DEP issued a reminder letter to the applicant/owner due to the lack of activity. Site Visit type: Enforcement. Date: 10/26/11; septic failure not observed. The house has been abandoned.

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

Overview and Action:

DEP received an email from DEP Police on 11/9/10, regarding recent observation of inhabitation 11/6 and 11/7/10. DEP Police was not asked to do any more inspections for Regulatory and Engineering Programs. DEP issued a Design Approval Expiration letter on 1/14/11. On 1/14/11 DEP issued a reminder letter to the applicant addressing generation of wastewater on this site would be a violation in itself because there is no construction approval by DEP. On 5/11/11 DEP issued a reminder letter via certified mail to the owner. On 6/17/11, DEP issued reminder letters to both addresses on file. Two letters were sent to each address, one registered and the other regular mail. DEP performed a site visit on 9/12/11 for a septic failure; none was observed. DEP left notices taped to front and back doors. The septic tank is still exposed with tall weeds growing around it. No clearing has been done for septic field. DEP took several pictures. The property is currently inhabited and used on weekends. Site Visit type: Request; Date: 10/12/11 septic failure not observed. Documents had been removed from the doors. Property Status: Currently inhabited, used on weekends. DEP's Bureau of Legal Affairs issued a letter to the homeowner on 12/16/11 regarding the NOV. Site Visit type: Enforcement; Date: 12/21/11; septic failure not observed; posted notices. DEP received a call on 12/22/11 from the homeowner regarding the legal letter. He said that he is not at the house frequently, but when he is at the house, he gets the system pumped so there is no discharge. DEP asked him to send us copies of the pump out receipts (he said they were upstate, and he would get them to us as soon as he could). He also said he would like to fix the system, but he does not have the money to do so. DEP said someone would call him to talk about what the next steps would be (e.g., if any CWC repair funds available, types of systems that are acceptable). DEP sent an e-mail to the DOH on 12/27/11 updating them on this project and requesting their assistance. DEP called DOH on 1/4/12 to check on their enforcement plans for this site. DEP called DOH on 1/5/12 regarding their enforcement plans. DEP and DOH will set up an onsite meeting to review the area for SSTS field designed but not built and make sure it has not been disturbed. If it looks like the expired design would still work, then DOH may recertify it to get re-approval from DEP. DOH agreed that having the system built will be necessary before close of 2012. Site Visit type:

Enforcement; Date: 1/6/12; septic failure not observed. DEP met with the owner; the site has not changed since the original design was issued. The owner would like to use the reserve area for the septic field. It is actually a better site offering more of slope for the 4ft. fill system designed by DOH. The owner is going to flag the site and start clearing trees. DEP received a letter from the engineer requesting design extension on 1/18/12. DEP sent an e-mail to DOH on 1/17/12 requesting the use of the same design and clarification that the site is unchanged. DEP received a letter from DOH on 1/23/12 requesting that DEP grant the owner an extension to install the design as approved in 2003. DEP called to let the owner know that his existing design is still valid. The tank being set establishes that construction was started. He plans to speak to a contractor later this month to finish the project. DEP called the owner on 3/19/12 to check on project status and request pump out receipt which was promised but never sent to DEP. The owner said that the pump out receipt is at the site and he won't be there till the end of the month. Then he will send to DEP. Otherwise, he stated that ribbons have been put on trees and some trees have been recently cut down. The owner plans on doing the project himself, so DEP encouraged him to call DEP inspector as much as necessary to help make sure he doesn't make any mistakes. Site Visit type: Enforcement; Date: 3/30/12; septic failure not observed; no change; construction has not started.

Town: Gilboa
Basin: Schoharie
Project Name: Pine Island - Lot #36 (Griesch), (Log #2006-SC-1300)
Project Description: Lot #36 of the Pine Island Subdivision
Project Type: Stormwater (SP)
Status: On Going

DEP issued a letter to the owner on 1/26/10 regarding the stormwater controls not being adhered to as per the approved SWPPP. DEP received an email from the contractor on 5/21/10 regarding the remediation of the site. DEP received a copy of the deed on 6/1/10. DEP initiated an Enforcement Action on 1/21/11. DEP issued a NOV to the owner on 1/21/11. DEP spoke with the owner on 1/25/11; he has contacted his engineer and a site visit will be held in the spring to address the issues. DEP called the applicant on 4/29/11 regarding a site meeting. There was no answer so left message. DEP called the applicant on 6/24/11 regarding the stormwater and left a message. DEP received a call from the applicant on 12/8/11 regarding the stormwater controls. The applicant left a message containing the phone number of the contractor who was supposed to do the work originally. The applicant indicated that DEP should take the issue up with the contractor. DEP called the applicant on 12/8/11 regarding the stormwater controls. The applicant has lost his job and has no money. The applicant indicated he would call the contractor, forward DEP contact info and pursue having the controls installed. DEP called the contractor on 12/15/11 and left a message in regard to installing the stormwater controls. DEP called the contractor on 1/9/12 regarding the stormwater controls.

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

DEP issued a letter to the applicant on 2/22/10 stating that they are not in compliance with the approved SWPPP. DEP performed a site visit on 6/24/10; the site was stable; there was no discharge; the site was occupied. DEP initiated an Enforcement Action on 1/21/11. DEP issued a NOV to the owner on 1/21/11. DEP received call on 2/4/11 from the applicant regarding the NOV. DEP called the applicant on 2/9/11 regarding the NOV. The applicant agreed to contact DEP in early April to set up a meeting at the site. DEP called on 4/18/11 to set a time for a site meeting; tentatively scheduled for 5/6/11. DEP called the owner on 9/22/11 regarding a potential site meeting on 10/7/11. DEP called the engineer on 12/7/11 regarding stormwater controls.

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

DEP initiated an Enforcement Action on 8/16/11. DEP issued a NOV to the owner on 8/16/11. A meeting was held at the site with an engineer on 9/7/11. DEP received preliminary plans from the engineer on 12/15/11. DEP received the drainage analysis report and revised plans from the engineer on 1/4/12. DEP sent an e-mail to the engineer on 1/9/12 listing a couple of items that need to be addressed. DEP received the revised drainage analysis and plans from the engineer on 1/12/12. DEP received an Application for an IRSP on 2/13/12 from the engineer. DEP issued a NOCA on 2/22/12. DEP issued an Approval Determination letter on 2/24/12.

Town: Hunter
Basin: Schoharie
Project Name: Bates, Craig, (Log #2011-SC-0013)
Project Description: Possible unauthorized construction activity
Project Type: Other (OT)
Status:

DEP issued a NOV to the owner on 6/16/11. DEP called on 7/12/11 regarding the SSTS design. DEP called the engineer to check on the status of the design. DEP called the owner on 7/12/11 regarding the pump out receipts as indicated in the NOV; a message was left on the voicemail. DEP called 7/25/11 regarding the SSTS design. DEP called on 7/25/11 regarding the pump out receipts as indicated in the NOV; a message was left on the home voicemail. DEP received plans from the engineer on 8/4/11. DEP received an Application for a SSTS on 8/8/11 from the engineer. DEP issued the NOCA and Approval Determination letters on 8/10/11. DEP issued a letter to the owner on 9/26/11 stating that construction has not yet commenced. On, 10/17/11, DEP emailed the Town Code Enforcement Officer requesting assistance in persuading the owner to construct the SSTS. DEP staff discussed status of project with engineer on 11/14/11. The engineer said the owner has not received DEP's last letter regarding the SSTS. DEP has attempted numerous phone calls and has not been able to reach owner. DEP's Assistant Counsel issued a comment letter to the homeowner on 12/22/11 regarding the NOV. DEP received a voicemail on 12/27/11 from the owner in response to the legal letter. DEP staff conducted an inspection of the property to see if SSTS construction has commenced; no action is noted. DEP's Assistant Counsel issued a comment letter to the engineer on 2/27/12 regarding the NOV. On

3/26/12, DEP staff conducted an inspection of the SSTS. DEP inspected all laterals, stone depth, d-box, septic tank and trench for connection to septic tank. The owner will contact DEP when ready for connection inspection and backfill of system.

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

DEP initiated an Enforcement Action on 12/13/11. DEP issued a NOV to the owner on 12/13/11. DEP sent an e-mail to the owner on 12/27/11 regarding the lack of response to the NOV. DEP received an e-mail response from the owner on 1/9/12; he reviewed the NOV and stated that he will discuss it with his attorney and that he is not conducting business at the site and that his engineer will contact DEP. DEP returned a call to the engineer 1/9/12. Engineer taken back by issuance of NOV and insists that DEP does not have jurisdiction. DEP advised that DEP has been consistent with NCRA upgrades and that DEP is only asking for follow through with what was proposed. DEP called the engineer on 1/26/12 regarding the lack of response to the NOV. The engineer believes that DEP has no regulatory authority and believes the SSTS is an NCRA. DEP received a letter responding to the NOV letter on 2/9/12 from the owner's attorney. A phone meeting was held with DEP Legal, NYC Law, REP and the applicant's attorney on 3/2/12. DEP received a letter from the applicant's attorney on 3/16/12 regarding a follow up to the 3/2/12 meeting and discussed the NCRA status.

Town: Hunter
Basin: Schoharie
Project Name: Leach, Matthew (Wiltse, Jim), (Log #2007-SC-1080)
Project Description: Initiated as a single lot; will develop into a 4 lot subdivision Failing SWPPP
Project Type: Stormwater (SP)
Status: Closed

DEP initiated an Enforcement Action on 4/30/09. DEP issued a NOV to the owner on 4/30/09. A meeting was held with the owner on 5/28/09. DEP discussed SWPPP requirements and will hire a design professional. DEP performed a site visit with the design engineer on 11/10/09. DEP received an Application for a SWPPP on 1/19/10. A meeting was held with the project engineer on 2/1/10 to discuss the design. DEP issued a NOCA on 02/08/10. DEP received an email from the engineer on 8/11/10 stating that the project is not dead, just delayed and will probably submit revisions in September 2010. DEP sent an email to the engineer on 1/20/11 requesting project status update. DEP received an email from the engineer on 1/21/11 stating that he will be working on the plans next week. DEP received an email from the engineer on 2/04/11 for a date to meet and discuss the project. A meeting was held with the project engineer on 6/7/11 to discuss the SWPPP. DEP received a letter and revised plans from the engineer on 7/18/11 to DEP's letter of 3/29/11. DEP issued an Approval Determination letter on 8/4/11. The violation was resolved and the case was closed on 10/3/11 with DEP Closure letter dated 10/3/11. DEP has resolved the Enforcement Action on 10/3/11. DEP performed site visits on 11/30/11 and 3/19/12; there were no deficiencies, there was no discharge and the site was vacant.

Project Type: SEQRA (SQ)

Status:

DEP emailed T/Hunter Planning Board On 1/19/10 to see if this project will undergo a coordinated review prior to DEP initiating an uncoordinated review. The Planning Board responded that this project underwent uncoordinated review and a Neg Dec was issued on 4/7/09. DEP issued comment request to Tech Team with comments due to SEQRA Director on 2/2/10. DEP received a Short EAF on 1/19/10. DEP issued a comment letter on 2/1/10 to the engineer. DEP received a response letter from the contractor on 2/22/10 regarding DEP's comment letter. SCS called the Town of Hunter Planning Board secretary on 6/8/10 and asked for a copy of the Town's Neg Dec for the uncoordinated review. DEP issued a Neg. Dec. on 6/10/10 to the applicant.

Town: Hunter

Basin: Schoharie

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

Project Description: New SSTS requiring an IRSP

Project Type: Individual Residential SPPP (IR)

Status:

DEP issued an Approval Determination letter on 10/28/09. DEP called ACOE on 1/14/10 regarding the erosive condition at the site and to set an onsite meeting. DEP sent an email to the applicant on 1/21/10 regarding the status of the site. The applicant responded that he is in the process of getting bids and since there is three feet of snow, he will move forward in the spring. DEP performed a site visit on 1/25/10; significant flow was observed in the unstable channel in the woods. The driveway swale showed signs of significant erosion; a significant seep was observed passing under the driveway near the top. DEP performed a site visit on 3/11/10; there was not a discharge. DEP sent an email to the applicant on 4/14/10 to inquire about start-up dates. DEP received call on 4/19/10 from the engineer regarding possible permit requirements from ACOE. The engineer stated that the project will be on hold until any issues with ACOE are settled out. DEP called ACOE on 4/27/10 regarding permitting and the general site conditions. ACOE did not seem to be concerned however tentatively agreed to a site meeting sometime in the future. A meeting was held with the project engineer, ACOE and DEP on 5/12/10. ACOE determined that the diverted watercourse was a temporary water and therefore not regulated by ACOE. DEP issued a letter to the applicant on 5/12/10 with DEP concerns. DEP received a call on 8/3/10 from ACOE regarding the letter of no jurisdiction. ACOE indicated that no letter would be written and that DEP and property owner is free to remediate the site as necessary. DEP requested a pre-construction meeting from the applicant and engineer. DEP sent and received emails to and from the applicant on 8/12/10 regarding quotes from contractors and the lack thereof. DEP is currently waiting for a notice of start of construction as the site is still actively eroding. DEP sent an email to the applicant on 11/5/10 regarding site stabilization. DEP received a call on 11/5/10 from the site contractor regarding starting up the work. The contractor indicated that he and the applicant agreed on a fee but there was no signed contract yet. DEP sent and received e-mails to and from the homeowner on 6/2/11 regarding the construction schedule. DEP sent an e-mail to the applicant on 8/17/11 requesting information on when the site will be stabilized. DEP performed a site visit on 8/31/11; there were deficiencies, there was no discharge, the site was occupied. DEP sent an e-mail to the owner on 10/27/11

asking as to when the work will be done. DEP received an e-mail from the owner on 10/27/11; he is currently working out of the country and has a contractor at the house that could place riprap in the places most severely damaged by the storm; questioned the smallest size he could use. DEP sent a response to the applicant on 10/31/11 regarding the use of the smaller stone in the channels.

Town: Hunter
Drainage Basin: Schoharie
Project Name: Torah Foundation/Gellman, (Mashne Tashbar), (Log #2003-SC-0672)
Project Description: Septic Replacement
Project Type: Intermediate Repair (CR)
Status: Approved

DEP received the executed Court Order and Stipulation from DEP Legal on 7/15/08. DEP performed a site visit on 7/15/08; the site was occupied and the hold and haul operation was found to be compliant with the court order. DEP received the septage meter readings on 7/16, 7/18, 7/22 and 7/25/08. DEP performed a site visit on 7/29/08. The occupancy log, water meter readings, and pump out receipts were reviewed. An increase in water usage was noted because of WWTP tank filling in preparation of equipment testing for the WWTP. The pump stations and water meters were inspected and found to be in working order. DEP received the septage meter readings on 7/31/08. DEP performed a site visit on 8/4/08 accompanied by the owner. The pump stations and tanks were all inspected and found to be in working order. DEP was advised that the 2nd floor of the Red Coats Building was occupied by kitchen staff. DOH and the Town of Hunter have authorized the occupancy. DEP received the septage meter readings on 8/8 and 8/15/08. DEP received a copy of the Certificate of Occupancy from the T/Hunter on 8/8/08.

Project Type: WWPT (WW-1)
Status:

DEP issued a letter to the applicant on 8/6/09 regarding the need for the completion of the punch-list items to be resolved in order to close out the NOV. DEP issued a letter to the applicant on 10/6/09 regarding the need to complete the WWTP work. DEP sent an email to the engineer on 10/7/09 requesting the status of the project; waiting for final completion. DEP sent an email to the owner on 4/29/10 regarding their start up of the camp this year; and wanted to make arrangements to meet before opening. DEP sent an email to the engineer and the applicant with a punch list of items on 6/10/10. Site Visit type: Follow up. Date: 6/29/10. Final construction inspection scheduled for 8/26/10 with DEP, engineer, CEO. Site Visit type: Meeting. Date: 8/26/10. DEP met with the design/project Engineer, the Town of Hunter building inspector and the WWTP operator on 8/26/10, regarding the final inspection of the punch list. NYC Law Department issued a letter to the applicant's attorney on 1/20/11 requesting assistance in obtaining the engineers' certification and As-Built drawings in order to close out the project. DEP received an e-mail from the engineer on 5/23/11 that he advised the owner to order grinder pumps to replace the centrifugal submersible pumps in the pump stations prior to this summer camp season. DEP requested the final completion certificate upon the completion of the grinder pump replacement and completion of payments to the engineer. DEP received an email from the consultant to setup a meeting for inspection of the grinder pump installation. DEP visited the WWTP on 6/16/11 to follow-up on the pump station corrective

work and the plant operation startup for the camp season. DEP received an e-mail from the engineer on 7/1/11 stating that the new pumps are in. On 10/6/11, DEP received an e-mail from the engineer explaining that the certification is delayed because of Tropical Storm Irene. DEP received As-Built plans/engineer's certification letter from the engineer on 10/19/11. DEP sent an e-mail to the engineer on 10/19/11 requesting certification letter. DEP sent an e-mail to engineer on 10/20/11 requesting some changes to the as-builts. DEP sent an e-mail to the engineer on 11/18/11 checking the status of the revisions. DEP received As-Built plans from the engineer on 12/20/11. DEP received an e-mail from owner on 2/23/12 asking about project closeout.

Project Type: SEQRA (SQ)

Status:

The Planning Board determined that the revisions do not warrant rescinding the previously issued SEQRA Neg Dec and as such the project is still approved. SCS received a copy of a letter from DOH to the Town Planning Board indicating they have no objection to the Town assuming lead agency status.

Town: Hunter (V)

Drainage Basin: Schoharie

Project Name: Hunter Estates (Klein, Shane), (Log #2004-SC-0325)

Project Description: Realty Subdivision - 4-acre lots/20 lots on an 88-acre parcel revised to a single lot. Build Town Road; Preliminary PB Approval

Project Type: Stormwater (SP)

Status: Approved

DEP issued a NOV to the owner on 11/13/09. DEP received a copy of the flow path to the Schoharie Creek from DEC on 11/16/09. DEP received a copy of the Executed Order to show cause from DEP Legal on 11/24/09. DEP received an email from DEC on 12/8/09 regarding the meeting of 12/8/09 and the discussions that were had regarding immediate actions to stabilize the site. DEP received an email from DEP Legal on 12/14/09 requesting comments to a revised order on consent. DEP performed a site visit on 12/23/09; none of the work in the order has been performed yet. DEP received the signed Stipulation and Order on 12/23/09. DEP performed a site visit on 12/28/09; no work has been performed yet however, DEP spoke to the applicant via cell phone and the applicant indicated the work would be done by 1/4/10. DEP issued a letter to the applicant on 1/4/10 accepting their request for a time extension. DEP performed a site visit on 1/11/10; hay was stockpiled near pond 2 but none had been sprayed yet. DEP issued a letter to DEC on 2/1/10 regarding the 1/29/10 site visit with photos. DEP issued a site assessment and completion status of the items listed on the Stipulation and Order to DEC on 2/5/10. DEP received a response from DEC on 2/10/10 regarding the non-compliance with the Stipulation and Order. DEP performed a site visit on 3/11/10; there was not a discharge. DEP received an email from the state attorney general's office on 4/1/10 as a follow up on the day's meeting. The applicant has continually delayed the project and shown no intention of satisfying the Order from DEC. DEP called the engineer on 4/27/10 to inquire about being retained. As of today, the engineer has not heard from the applicant. DEP received a letter from DEC on 5/27/10 regarding the temporary diversion swale outlet into the area of pond 2. DEP received a punch list of items from the engineer on 6/22/10. DEP issued a comment letter to the engineer on 6/24/10 regarding the punch list. DEP received an email from AG on 8/11/10 regarding the revised stipulation. No

changes in the site condition since spring. DEP performed a site visit on 10/1/10; there were deficiencies, there was no discharge and the site was vacant. DEP received a copy of the Order filed with the clerk on 10/13/10. DEP issued an internal email on 11/26/10 regarding the need to speak with the engineer about the differences prior to issuing an approval. DEP received a copy of the Interim Stabilization Plan from the engineer on 11/29/10. DEP called the engineer on 12/2/10 regarding stabilizing the site. The engineer indicated that all of the payment from the applicant has been used up and therefore, require additional money to keep working on the project. DEP received an email from the AG's office on 12/2/10 indicating that the applicant has filed for bankruptcy. DEP performed a site visit on 12/09/10 for stormwater violation; there were deficiencies, there was no discharge and the site was vacant. DEP received a copy of DEC's NOV regarding fines issued to the owner from DEC on 12/17/10. DEP received a letter from NYC Law Department to the owner on 12/17/10 regarding the stipulated penalties. A meeting was held at the county court house in Catskill, NY. DEP sent the applicant an email on 12/21/10 to provide DEP contact information. DEP performed site visits on 4/14/11 and 5/17/11; there were no deficiencies, there was no discharge, the site was vacant. DEP received an e-mail from the Assistant Attorney General on 6/2/11 stating that he is in the process of drafting a complaint and requested the status of the site. DEP performed a site visit on 6/3/11 for Stormwater Violation: SPPP, Water Quality, Construction started without SPPP approval; there were deficiencies, there was a discharge, the site was vacant. DEP sent and received e-mails to and from the Assistant Attorney General on 6/10/11 and 6/13/11 regarding the stabilization measures not in place and that the bank has foreclosed on the property. DEP received an e-mail from the Assistant Attorney General on 7/14/11 regarding a draft affidavit in order to move forward with a move for contempt. DEP signed the affidavit on 8/3/11. DEP received the motion papers and the memo of Law from the Attorney General's Office on 8/9/11. DEP performed a site visit on 9/16/11; there were deficiencies, there was no discharge, the site was vacant. DEP received the signed contempt order from DEP Legal on 12/12/11.

Project Type: SEQRA (SQ)

Status:

DEP received a revised Full EAF on 11/4/05. The EAF included responses to DEP's 7/28/05 comment letter. SC&WMP issued comment request to Tech Team with comments due to SEQRA Director on 11/22/05. DEP received a letter from the T/Hunter Planning Board on 11/18/05 regarding the Long Form EAF. SCS issued a comment letter to the Town of Hunter Planning Board on 12/1/05 regarding the revised full EAF. DEP received a response from the Town of Hunter Planning Board on 12/6/05 in response to our letter of 12/1/05. DEP received a letter from the Town of Hunter Planning Board on 12/19/05, which should have had the Neg. Dec. attached. The Neg. Dec. was later received on 12/28/05. The letter did state there will be a Public Hearing on the project on 1/3/06 for Site Plan approval.

Town: Hunter

Drainage Basin: Schoharie Reservoir

Project Name: Hunter Highlands Hotel/Condos (Trailside), (Log #2000-SC-0602)

Project Description: Proposal for the construction of a 200 unit hotel; Site is +- 12 acres. Approvals for Phases 2-4 have expired. This is a new proposal for three condos in 1st phase of which two can be built without SPDES expansion; Phase 1 to consist of 3-12 unit condos. Each building will consist of four

1-bedroom, four 2-bedroom and four 3-bedroom units. Phase 2 will consist of a 28-room hotel; Phase 3 will consist of three 12-unit condos.

Project Type: Stormwater (SP)

Status: New

DEP sent an e-mail to the engineer on 10/7/11 regarding comments on the plan for correcting the drainage problem. DEP received an e-mail from the engineer on 10/26/11 responding to comments sent 10/7/11. DEP issued a comment letter to the engineer on 11/2/11 regarding their recent submission. DEP initiated an Enforcement Action on 11/17/11. DEP issued a NOV to the owner on 11/17/11. DEP received an e-mail from the engineer on 12/14/11 responding to the comments sent by DEP on 11/2/11. DEP sent a copy of the NOV to the owners via e-mail on 12/29/11. DEP performed a site visit on 2/28/12; there were deficiencies, there was no discharge and the site was occupied. DEP's Assistant Counsel issued a comment letter to the engineer on 3/7/12 regarding the NOV.

Name: Washington Irving Lodge WWTS, (Log #1998-SC-0309)

Location: Hunter

Type of Use: Commercial

Discovery Date: 4/14/98

Type of Violation: Replacement of failed subsurface system.

Status: Ongoing

Overview and Action:

DEP received a copy of the DOH Permit to operate a temporary residence from DOH on 7/19/10; the permit is valid for the occupancy of 15 rooms. DEP issued a letter to the applicant on 7/20/10 requesting a site visit to confirm the existence of low flow fixtures and the number of rental rooms. DEP received a call on 7/22/10 from the design engineer; he advised that CWC informed him that the site will be funded and that a letter to the owner will be issued. At the owner's request, the engineer called and requested that a new reviewer be assigned to the project. A meeting was held with the applicant's engineer on 8/12/10 to review design criteria. The owner is hesitant to sign the contract with the engineer. DEP sent an email to DOH on 8/13/10 regarding the AT-10 abatement and received a response stating that the facility is flagged for a follow-up on 8/30/10. The project engineer advised DEP that the owner has hired an attorney and the attorney has spoken to the engineer about the project history and proposed replacement SSTS and connection. DEP received the report on the water consumption for the period 4/1/05 to 3/31/10 from the Village of Tannersville clerk's office on 8/16/10. DEP's Assistant Counsel issued a letter to the applicant's attorney on 12/29/10 stating that DEP does not consent to the connection to the Tannersville WWTP as the Inn is located outside of the service area. DEP issued a letter to the applicant on 1/27/11 regarding the 12/29/10 letter and the lack of communication in regards to the SSTS. DEP received an email from DOH on 2/04/11 that they expect to hear from the applicant and will take further action if they do not in regards to the non-compliant SSTS as they currently have no renewed operation permit from DOH to run their business. DEP received a letter from the applicant's attorney on 2/14/11 responding to DEP's letter of 1/27/11. DEP received a copy of DOH's permit to operate a temporary residence on 2/22/11 from DOH stating that the permit will expire on 7/31/11. DEP received an email from the Village of Tannersville Clerk that contains the water meter readings for the Inn from 2005 to the present. DEP held a meeting with the project applicant, town supervisor, applicant attorney and engineer on 3/23/11. Legal and technical issues involving the potential connection were

discussed. The engineer is going to further research DOT ROW issues and prepare a detailed cost analysis for further review. DEP received an e-mail from applicant's attorney on 5/27/11. Construction bids were within the budget and plans should be submitted within two weeks. DEP Legal issued a letter to the applicant's attorney on 6/17/11 regarding the need for pump out receipts. DEP received the pump out receipts from 5/5/10 to April 2011 from the applicant on 6/22/11. DEP called the hauler on 6/23/11 regarding the pump out receipts that were received via fax, as they are illegible. DEP received the 6/24/11 pump out receipt from the owner on 6/24/11. DEP received the 7/8/11 pump out receipts on 7/12/11. On 7/14/11, DEP did an inspection of the field, the building for number of rooms and low flow fixtures and the grounds for the proposed connection. The tank had been pumped the day before, and the field was spongy but no sewage was observed. DEP received the 8/4/11 pump out receipt on 8/26/11. DEP received the pump out receipts on 12/10/11. DEP received a call on 12/12/11 from the owner who said she is available any day this week for a site visit. DEP returned the phone call to the owner on 12/13/11; a site visit was scheduled for 12/15/11. On 12/15/11, DEP performed a scheduled site visit; no surface failure was observed. DEP sent an e-mail to the owner on 3/6/12 requesting recent pump out receipts.

Project Type: Sewer Connection (CN)

Status:

DEP received an Application for a sewer connection on 6/20/11 from the engineer. DEP called DOH on 6/30/11 to discuss extending the permit for 90 more days. DEP called DOT on 7/8/11 to check the status of the DOT permit. DOT has not received an application yet. DOT spoke with the engineer last week and is under the impression that the plans will not be submitted anytime soon; review of the application will take about one month. DEP performed a site investigation and met with the Owner/Applicant on 7/14/11. On 7/20/11, DEP issued design review comments to the applicant and engineer. DEP received a letter from the owner's representative to DOH on 7/25/11 regarding DEP's letter of 7/20/11. DEP called the engineer on 8/18/11 regarding the status of the sanitary sewer system design submittal. DEP received a response letter and revised plans from the engineer on 8/22/11. DEP sent an email to the engineer on 9/13/11 regarding comments on the 8/18/11 submittal. DEP received a call on 9/21/11 from the owner/applicant regarding a problem with getting the sewer connection application signed by a town representative. DEP called the code enforcement officer on 9/22/11 from the town of Hunter regarding the needed signature for the sewer connection application. The CEO indicated he would not sign the application. On 9/23/11, DEP met with the owner/applicant to discuss the sanitary sewer design plan and review comments. DEP received a call on 10/6/11 from a Town of Hunter councilman regarding the connection permit requirement for the applicant. DEP received an email from the engineer on 11/2/11; the plans were revised to include an overflow tank and the adjusted DOT ROW. DEP received revised plans from the engineer on 11/4/11. DEP received an email from the applicant's attorney verifying the easements on 11/14/11. DEP called a Town Board member on 11/14/11 from the Town of Hunter regarding the sanitary sewer connection application. DEP received a call on 11/16/11 from a Town of Hunter Board Member regarding the signing of the sewer connection application. DEP received a copy of a letter from the engineer to DOT on 11/23/11 regarding necessary permitting to install a portion of the sewer service connection within the NYS Route 23A highway right-of way. On 1/6/12 DEP received a fully executed application to connect to the City Sewer System.

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

Status:

DEP performed a site visit on 4/28/11; septic failure was observed. The absorption field was migrating off the property and surfacing of sewage on ground. DEP did an inspection of the absorption field. Sewage was observed migrating down the taper of the field to the roadside ditch. The entire field was soggy, and the sewage odor was intense. DEP initiated an Enforcement Action on 5/10/11. DEP issued a NOV to the owner on 5/10/11. DEP received a phone message on 5/16/11 from the property owner's daughter that she received the NOV. DEP spoke to the owner's daughter on 5/17/11 regarding the NOV. DEP will meet with her on site on 5/23/11 and she will contact the design engineer for the plans, approval letter and "as built." A meeting was held with the project applicant, his daughter and DEP on 5/23/11 to discuss the possible reasons for the failure. DEP called the owner's daughter on 6/15/11. The water meter has been purchased and the engineer has sent the plans and "as built" to her. She will copy and forward to DEP and schedule a site inspection. On 7/5/11, DEP did a routine inspection of the absorption field. The rivulets on the taper were dry and there was no smell of sewage. DEP performed a site visit on 8/2/11, the grass has been cut and the channel that the sewage flows is evident. The roadside ditch smells slightly of sewage, but no sewage was observed on the ground. On 8/18/11, DEP did a site inspection; no sewage was observed on the ground. DEP performed a site visit on 9/2/11; there was no evidence of a surface discharge or that any investigation has been conducted into the reason the absorption field is failing. DEP received an e-mail reply, saying that he had issues with flooding. DEP sent an e-mail to the owner's daughter asking for the water meter readings. DEP performed a site visit on 10/12/11; septic failure was not observed. There was no evidence of sewage on the ground, but the areas of lush vegetation remain. DEP performed a site visit on 1/19/12; septic failure was observed. Effluent had surfaced and migrated down the taper of the absorption field in three spots, and had frozen. DEP met with the engineer, who said that he will be calling the owner and DEP to schedule a site visit to hand excavate the d-box area to determine the problem with the SSTS. DEP called the engineer to request a site visit. DEP performed a site visit on 2/2/12; septic failure was not observed. There was no discharge on the field, but an area adjacent to the d-box appears to have had a surface discharge recently. That area is at the top of the rivulet caused by previous discharges that DEP has witnessed. Also, the ground above the trenches was very soft and wet. DEP sent the owner's daughter an email on 2/3/12, requesting cooperation for the NOV resolution. DEP performed a site visit on 2/3/12; septic failure was not observed. There was no discharge observed, but the field was soft and the areas of previous discharges looked damp. DEP performed a site visit on 2/15/12; DEP had a scheduled appointment with the engineer and a contractor to expose the SSTS components in an effort to find the cause of the failure but the engineer called and will attempt to reschedule. DEP sent an e-mail to the owner's daughter requesting water meter readings and requested another site visit. DEP performed a site visit on 2/21/12; septic failure was not observed. There are soft wet spots on the field but no sewage

surfacing or migrating down the taper of the field. DEP performed a site visit on 2/27/12; septic failure was not observed. DEP met the engineer on site to look for possible causes of the absorption field failure. Problems were found with the distribution box. A follow up site visit to expose the d-box and lower lateral will be scheduled.

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

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 1/15/08. Site Visit type: Enforcement. Date: 10/5/10 for Septic Failure: Not observed. DEP walked around the subject house; it does not appear that the house has been occupied for some time. No signs of septic failure; the site is stable. DEP called the owner on 1/28/11 and left a message to call back with sale status of property. DEP sent an email with NOF attached to CWC on 2/4/11. Per CWC conversation, owner wanted this document to assist with short sale of property. DEP performed a site visit on 6/22/11 for septic failure; none was observed, no visible sign of failure, the site is stable and the property appears unoccupied. Site Visit type: Follow up. Date: 2/1/12; septic failure not observed. There was a car in the driveway; property status: Possibly occupied. DEP called the owner on 2/3/12 and left message to call back with status of occupancy and discuss plans/schedule to remediate or connect to WWTP.

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

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. A design approval was issued on 10/27/99. Construction contract has been awarded. 6/1/02: The replacement system is being constructed. The house is currently occupied. Construction of the septic system is complete except for an electrical upgrade for the pump; there is only a 50 amp service. DEP received an email on 10/28/10 stating that this project is on the CWC's 11/2/10 Septic Committee Meeting Agenda. The owner is appealing last month's decision that considered her to be "new construction" due to property being vacant for quite some time and disqualifying her from the program. DEP received an internal email from WLCP on 1/19/11 stating that the owner's appeal was denied. A meeting was held with the project applicant on 2/7/12. The owner has no plans of creating habitable space on this property, but may wish to have a courtesy toilet in the garage he is building on the site.

Project Name: Route 23C (Log #2006-SC-0464)
Town: Jewett

Type of Use: Camp
Type of Violation: Failed SPPP; watercourse determination
Discovery Date: 6/11/07
Status: No Application

Overview and Action:

DEP issued a letter to the Boy Scouts of America on 12/8/10 summarizing the findings from the 2010 season. The letter authorizes the removal of the two remaining piezometers, highlights the role infiltration plays with intermittent failing of the absorption field, encourages the retainage of a consultant to focus on addressing the infiltration problem, requests past pump-out receipts and requests next years camp schedule to coordinate inspections. DEP called the camp representative 3/3/11 to discuss the letter which DEP sent on 12/8/11 which the camp never responded to. The representative was not in; a message was left to call DEP back to discuss the project and upcoming camp season. DEP corresponded by email with the camp director on 3/3/11, 3/18/11, and 3/22/11 concerning upcoming events and the need to keep the septic tank covers accessible and/or to grade. DEP sent an e-mail on 4/27/11 to the camp director with a tentative summer inspection schedule and a request for an inspection during the current wet season. DEP received an e-mail response on 4/29/11 to DEP's request for inspections starting 4/28/11. DEP performed a site visit on 5/18/11; septic failure was observed. The absorption field was surfacing sewage on ground. Infiltration was noted in a few tanks and some piping. Pipes are being replaced between the health lodge, the septic tank and the newly discovered manhole. DEP met with camp director and ranger for a pre-season inspection on 6/14/11. The sewer lines behind the health lodge were being replaced. The D-boxes were not surcharged and minimal infiltration was observed. On 6/29/11, DEP staff met with the camp assistant to inspect the SSTS. The camp is not in full session; a staff of 45 are in. On 7/3/11, 200 + boy scouts are expected to arrive. The SSTS is not failing on the surface, but there are maintenance issues. On 7/13/11, DEP accompanied by camp representatives inspected the SSTS. Backfilling the sewer pipes that were replaced behind the health lodge was underway. Some areas of the absorption field were wet and spongy, but did not appear to be from sewage surfacing. On 7/21/11, DEP accompanied DOH for an inspection of the SSTS. The tanks were pumped and the absorption field was not actively receiving flow because the camp director was concerned about a wet spot above the curtain drain. DEP received a phone message from the camp director on 7/22/11 regarding some septic odors. The camp director had the tanks pumped which effectively takes the system off line for a few days. DEP performed a site visit on 7/27/11; the absorption field was taken offline 7/26/11 by the Boy Scouts because dye was recovered in the curtain drain. Arrangements to locate and replace a suspected broken pipe below the siphons are underway. No sewage observed surfacing during inspection. On 8/3/11, DEP and DOH inspected the camp following a report that a section of sewer pipe had to be replaced. The system was back online and conveying flow satisfactorily. A strong septic odor and excessive slime and algae were observed around the curtain drain. On 8/11/11, DEP met with the camp director and the ranger for an end of the season site inspection. Most of the campers have left the site. A few counselors and support staff are still onsite. No evidence of sewage surfacing was observed. DEP sent all 2011 field reports via email to the camp director on 8/25/11. DEP also requested the seasons meter readings. DEP sent a follow up e-mail to DOH on 10/21/11 regarding fall inspections.

Project Type: Stormwater (SP)

Status:

DEP issued a comment letter to the engineer on 3/18/08 regarding the NOV, and the need for an approved SPPP. DEP received an Application for a SPPP on 6/9/08 from the engineer with a copy of DEC's NOI. DEP issued a NOCA on 6/19/08. DEP issued an Approval Determination letter on 6/20/08. DEP issued a letter of agreement to the Scout Executive on 6/24/08 in order to address on going violations for the 2008 camp season. DEP issued a letter to the applicant on 8/29/08 regarding an alternative to the infiltration trench. The violation was resolved and the case was closed on 10/6/09 with DEP Closure letter dated 10/6/09. DEP completed construction inspections on 10/6/09.

Project Name: 384 Colgate Road (2001-SC-0858)
Town: Jewett
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1506 previous owner; Frederick King
RE.2 - failing SSTS - CWC - cracked septic tank leaking on unstable bank

Discovery Date:

Status: No Application

Overview and Action:

DEP initiated an Enforcement Action on 6/24/11. This project is funded under CWC septic repair program. On 6/24/11, DEP received CWC's notice of failure. DEP issued a letter to the owner on 6/29/11 providing guidance for remediation. DEP received an email chain on 7/13/11 regarding stream program erosion issue and discussions on coordination between regulatory and funding parties. DEP received calls from CWC and the engineer on 7/22/11 regarding the possibility of purchasing the property for septic siting. DEP exchanged internal email on 12/19/11. Stream restoration of East Kill reach near this property is scheduled to start mid July 2012. DEP sent an e-mail to the engineer on 12/19/11 for a status update. DEP sent an e-mail to the engineer on 1/3/12 regarding possible adjustments to neighboring conservation easement based on internal DEP discussions with Natural Resource Management Section and with CWC. DEP received an e-mail from the engineer on 1/25/12, stating that neighbor is willing to allow modification to his existing conservation easement to allow for septic replacement for subject property owner. DEP issued internal emails to determine next step in process. DEP called the engineer on 3/29/12 requesting a status update. The owner is currently considering a possible FEMA buyout program; the engineer will contact DEP in about one month with any updates. DEP received a call from the owner on 3/30/12 regarding the status of the project. The owner will look into vacant property possibility two lots up from her and will check with CWC first to see what they may be able to commit financially. The owner already had land acquisition's phone number, and may call them with some questions related to conservation easement swap possibility. DEP sent e-mail to LAP on 3/30/12 regarding anticipated owner's contact.

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

DEP received a call from the engineer to schedule soils for a failed commercial SSTS. DEP

received the pre-app form from the engineer via fax. DEP performed a site visit on 11/23/11; septic failure was not observed. DEP met with the owner and engineer for soils for a replacement commercial system; there is no usable soil on the parcel. On 11/28/11 DEP received CWC's notice of failure. DEP corresponded with the engineer regarding the lapse in time between DEP noting the failure and a design submission. DEP initiated an Enforcement Action on 2/7/12. On 3/2/12 DEP issued a reminder letter to the owner due to the lack of activity. DEP received an Application for a SSTS on 3/19/12 from the engineer.

Project Name: 72 Hillside Drive (2009-AS-0473)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - CWC - dye recovered
Discovery Date:
Status: Closed

Overview and Action:

DEP issued a letter to the owner on 4/13/11 stating construction has not yet commenced. DEP called the owner on 6/14/11 for status update. The owner stated that his past contractor was unresponsive so he solicited three more quotes and sent to CWC for approval on or about 6/7/11. This project is on the CWC Septic Committee meeting agenda scheduled for 7/5/11. DEP received notice on 11/18/11 that construction will begin. DEP completed construction inspections on 12/9/11. DEP received engineer's certification letter from the engineer on 12/12/11. DEP issued a letter of Construction Compliance on 12/13/11. DEP has resolved the Enforcement Action on 12/13/11.

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

DEP called the engineer that the facility operator said he had hired and left a message requesting some movement on the project. DEP called the facility operator who said the engineer is working on the water supply. DEP initiated an Enforcement Action on 6/29/11. DEP issued a NOV to the owner on 6/29/11. DEP received a letter responding to the NOV from the engineer on 7/28/11. On 8/11/11, DEP met with engineer to dye out the absorption field. On 8/15/11, DEP walked the area of the absorption field; it is overgrown and difficult to see the ground. There was a slight sewage odor near the tank. DEP performed a site visit on 8/18/11; there was no sign of sewage on or around the field. There is a thin plastic pipe coming from the field toward DEP property, but the area is so overgrown it couldn't be traced. DEP sent an e-mail to UCHD on 9/19/11 regarding an approach to resolving the NOV. DEP called UCHD on 10/11/11 regarding status of project. UCHD is going to touch base with the engineer and get back to DEP with an update. DEP received a copy of an e-mail UCHD sent to the engineer on 10/11/11. The email provides direction for water meter reading and requests an inspection. DEP received calls from the engineer and UCHD on 10/19/11 advising that the water meter was installed and that a confirmation inspection should be setup. DEP performed a site visit on 10/25/11; DEP went to the site with the design engineer to observe the water meter that had been installed. DEP

received the water log for October from UCHD. From 10/26/11 through 10/31/11, six of the 10 days were over 500 gpd. DEP received a letter from UCHD to the representative on 12/16/11 regarding necessary steps needed prior to DEP and UCHD approvals. DEP received the water meter readings from UCHD on 12/19/11. DEP sent an e-mail to UCHD regarding the 200 seat maximum for an event, and the current water log for events of only 105 guests. DEP received an e-mail from UCHD with flow documentation for the facility on 1/24/12. DEP received an e-mail from UCHD on 2/13/12 that directs the engineer to upgrade the SSTS.

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

DEP received partial As-Built plans/engineer's certification letter from the engineer on 12/3/10. DEP issued a letter of Partial Construction on 12/6/10. DEP received a call on 12/9/10 from the owner regarding the reminder letter issued by DEP recently; the owner is waiting for reimbursement from CWC for the office SSTS prior to starting the residential SSTS. DEP called the dental office on 12/20/10 regarding the residential SSTS. DEP issued a letter to the owner on 3/1/11 stating that the construction has not yet commenced. On 6/28/11, DEP issued a reminder letter to the owner due to the lack of activity. DEP received a phone call on 7/8/11 from the property owner; he has a medical problem that requires treatment and surgery and so will put off the residential SSTS installation until September 2011; the house remains vacant. DEP called the property owner and left a message requesting an update on the house SSTS that has still not been repaired. DEP received a return call on 12/8/11 from the owner, who asked DEP to return his call. DEP spoke to the owner on 12/13/11, who confirmed that the house was unoccupied, and that he is hoping to have the money to install the SSTS next construction season. DEP issued a comment letter to the applicant on 12/27/11 regarding the NOV. DEP called the owner on 3/8/12, and left a message. DEP issued a letter to the owner on 3/9/12 stating that construction has not yet commenced for the individual SSTS for the residence. DEP received a call from the property owner on 3/22/12 in response to a message that DEP left for him on 3/8/12; he will be starting construction on the residential SSTS in July 2012.

Project Name: 27 Traver Hollow Road (1998-AS-0485)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1768
Discovery Date: 4/9/2003
Status: Approved

Overview and Action:

On 12/15/10, DEP issued a reminder letter to the owner and informed owner of recent evidence of failure observation of previous month. Owner requested to contact DEP to discuss resolution. DEP performed site visits on 12/17, 12/22, 12/28/10 and 1/5/11; septic failure not observed. DEP mailed the December 2010 Reminder Letter to the owner again and requested to be contacted upon its receipt. DEP performed a site visit on 1/20/11; the area that is being monitored was mostly snow covered. There is a trail of melted snow that appears that something

is flowing and melting it, however, there was no discharge or odor at the time of this inspection. DEP performed site visits on 2/9, 2/15, 3/2 and 3/9/11; septic failure observed; migrating off property, surfacing of sewage on ground. On 4/18/11 DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP received a call from the owner's representative on 5/2/11, regarding recent registered letter. He said fill material from replacement back in 1999 turned hard as a rock and failed at other sites as well. He believes there may be some issue with pump cycle/dose and stormwater runoff entering tank. DEP performed a site visit on 5/5/11; septic failure was observed; migrating off property and surfacing of sewage on ground. The distribution box spills out sewage to surface of ground during every pump cycle. Exploration yielded further suspicion that fill material will not accept any flow, so trenches are surcharged and blinded off. Drainage improvements may help situation. DEP sent an e-mail to Community Planning on 6/2/11 with information and background on the site for discussion with CWC. DEP WP staff was informed by WLCP staff on 6/24/11 that they have discussed this project with CWC and that a solution is being sought that is compliant with their program rules. This project is on the CWC Septic Committee meeting agenda scheduled for 8/2/11. DEP received an email update from CWC on 8/16/11. They are waiting for the homeowner to sign participation agreement to move forward. DEP received an e-mail from CWC on 8/22/11 stating that the homeowner has signed the participation agreement and this project can now move forward. DEP called CWC for update on 10/3/11, who stated that delays incurred due to Hurricane Irene's flooding, and expect project to be built yet this year. DEP called CWC for an update on the project on 10/26/11. CWC reported that soils testing should be scheduled and done within two weeks. They hope to construct this year, as weather permits. DEP called CWC on 11/30/11 for project update; soils were done but no original material found, so back to design phase. At this point, project will not get built until the 2012 season. CWC stated that they will not pay for any additional pump outs. DEP exchanged emails with the owner on 1/13/12; plans are expected to be submitted by mid February, 2012. DEP called the engineer on 2/15/12 and left message to call back regarding status of the plans. This project is on the CWC Septic Committee meeting agenda scheduled for 3/6/12. DEP called engineer for update on project on 3/19/12 and left a message.

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

Overview and Action:

DEP met with the UCDH to observe the site. With heavy snow cover, nothing was visible in the upper or lower ditch. Frozen liquid was seen in the lower driveway. DEP performed a site visit on 11/19/11; septic failure not observed. DEP inspected the area where the failure was last observed. Plowed snow from yesterday's storm completely covered the area of concern. No observation could be made. DEP performed a site visit on 2/11/11; septic failure not observed. DEP checked the ditches and driveway, but there was thick snow cover and no water or wastewater was observed. DEP performed a site visit on 2/24/11; septic failure observed. The lower driveway was wet from a recent discharge and there was no sign or odor of sewage in either of the ditches. DEP performed a site visit on 3/10/11; septic failure observed; surfacing of

sewage on ground, direct discharge from building. DEP observed wastewater migrating across the lower driveway and into the lower yard. DEP performed a site visit on 3/16/11; septic failure observed. DEP observed wastewater flowing across the lower driveway and a steady stream of water flowing from the upper ditch where wastewater has been noted on previous occasions, but no odor was present. DEP performed a site visit on 3/23/11; septic failure observed. Wastewater was observed flowing across the lower driveway. The discharge in the upper ditch appeared to be groundwater. DEP performed a site visit on 3/23/11; septic failure observed. Wastewater was seen flowing across the lower driveway, but none was observed in the upper ditch. DEP performed a site visit on 4/6/11, there was no wastewater flowing across the lower driveway and no water at all coming out of the upper ditch. DEP performed a site visit on 4/25/11; water was observed flowing into the upper ditch and also ponded in the lawn area below the lower driveway. These are areas where sewage has been observed in the past, but there was no sewage odor today. The upper apartment appears uninhabited. DEP performed a site visit on 4/28/11; septic failure observed; surfacing of sewage on ground. DEP observed wastewater flowing across the lower driveway. The soil in the small area directly in front of the retaining wall looked grayish black and smelled of sewage. DEP advised UCHD to do an inspection. DEP received a letter from UCHD to the applicant on 5/13/11 regarding the SSTS failure. DEP received a letter dated 6/24/11 requesting the applicant attend a preliminary informal hearing. DEP performed a site visit on 8/2/11; septic failure observed; surfacing of sewage on ground. DEP observed sewage across the lower driveway. The upper ditch was dry but a pipe is visible just below grade of the upper lawn. On 8/18/11, DEP did a site inspection; several lengths of pipe were noted outside the building clogged with sewage. The owner said he disconnected the gray water that was causing the failure. DEP corresponded by email on 8/18/11 with UCHD regarding the site status. DEP received the signed Agreement and Stipulation from UCHD on 8/22/11. On 9/14/11, DEP spoke to the UCHD regarding the remediation performed by the property owner. UCHD has not yet received a "letter of completion" from the owner. The NYC Law Department issued a letter to the owner on 10/3/11 regarding the lawsuit and that corrective action had been taken, however DEP was not given the opportunity observe; listed items that must be addressed in order for DEP to consider settling the lawsuit and closing the NOV. Site Visit type: Follow up. Date: 10/25/11; septic failure was observed. Sewage was observed in the upper ditch. DEP called DOH to advise of the above and requested a joint site visit on 10/26/11. DEP received a letter of completion from the owner on 10/27/11. DEP spoke to DOH on 10/28/11; a tentative appointment was made for 11/2/11 to observe the discharge. Site Visit type: Investigation. Date: 10/28/11; septic failure was observed. Failure Description: Migrating off property. DEP again observed a sewage discharge in the upper ditch. Site Visit type: Investigation. Date: 11/2/11; septic failure was observed. Failure Description: Migrating off property, surfacing of sewage on ground. DEP met with DOH and confirmed sewage leaking into the upper roadside ditch. DEP called DOH to find out if they will be acting on the latest sewage discharge observed at the site. As of 11/22/11 DEP has not received a response. Site Visit type: Investigation. Date: 1/19/12; septic failure was observed. DEP performed a site visit and observed sewage migrating from the upper lawn area to the upper roadside ditch. There was no odor or evidence of sewage in the lower driveway or lower ditch. Site Visit type: Investigation. Date: 2/2/12; septic failure was observed. DEP observed sewage surfacing near the edge of the upper lawn and migrating into the upper ditch. When the leaves and twigs were removed from the sidewall of the ditch, the discharge became steady, and solids were observed in the soils. The lower ditch and yard area also smelled of sewage. Site Visit type:

Investigation. Date: 2/3/12; septic failure was observed. DEP observed sewage surfacing in two spots, one at the top of the upper ditch and the other at the bottom of the upper ditch. DEP also spoke to a tenant that rents one of the two upstairs apartments. Site Visit type: Investigation. Date: 2/3/12; septic failure was observed. DEP performed a site inspection to look at the SSTS that was replaced with CWC funding. Sewage was observed discharging into the upper ditch in two places. Site Visit type: Investigation. Date: 2/21/12; septic failure was observed. DEP performed a site visit and observed sewage discharging into the upper ditch from a pipe that daylighted from the upper lawn area. Sewage was also observed leaking into the upper ditch through the soil close to the uphill side of the lower driveway culvert. Sewage was migrating into the lower ditch through the lower driveway culvert and into the Route 28 roadside ditch. Site Visit type: Investigation. Date: 3/14/12; septic failure was observed. Sewage was actively discharging from the pipe at the edge of the upper lawn and migrating through the upper ditch and into the lower ditch as well. The odor was unmistakable.

Project Name: 159 Upper Boiceville Road (2004-AS-0783)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1847
Discovery Date: 5/24/04
Status: Approved

Overview and Action:

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

Project Name: NYS Route 28 (2005-AS-0207)
Town: Olive
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1667 - CWC
Discovery Date: 8/13/2002
Status: Approved

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. An NOV was issued to the Owner on 8/22/02. An NOV was issued to the Owner on 2/2/03. As of 6/18/07, the engineer is currently working on the septic design. DEP performed a site visit on 3/18/11; septic failure not observed. The house was vacant with no sign of failure. Site Visit type: Follow up; Date: 10/18/11; septic failure not observed. The property was overgrown and vacant. DEP issued a letter to the applicant on 11/2/11 regarding the NCRA discontinued use. DEP received a call (left message) from the attorney working on estate of deceased owner, on 11/9/11, in response to the recent DEP letter alleging discontinued

use and loss of NCRA status. DEP called the attorney on 11/9/11, who inquired whether the failed sale to NYC of the property buys them three years of discontinued use without losing NCRA status. DEP communicated internally on 11/17/11 regarding when the property was in discussions for sale with DEP, to help determine the NCRA status. DEP received a call on 12/21/11 from the attorney regarding NCRA status. DEP explained that the NCRA status has lapsed. The attorney noted that the will was being contested and that the estate also owns property across the street and may consider selling to the city again. DEP found the property to be abandoned/vacant on 2/21/12 and a for sale sign was posted.

Project Name: 15 Dogwood Drive (2008-AS-0457)

Town: Olive

Type of Use: SSTS Repair (RE)

Type of Violation: Failed SSTS

Discovery Date:

Status: Approved

Overview and Action:

DEP received a request for a pre-application meeting from the engineer/applicant on 4/5/11. A soil/site evaluation was performed on 5/3/11. DEP received an Application for a conventional individual SSTS on 5/28/11. DEP issued a NOCA on 6/3/11. DEP called CWC on 6/6/11 and confirmed that this project is not in their program at the current time. Last CWC involvement at the site was payment made in 1997. DEP issued an Approval Determination letter on 6/7/11. DEP issued a letter to the owner on 3/21/12 stating that construction has not yet commenced. DEP exchanged emails with CWC on 3/21/12; CWC lost the file in the recent flood, however, confirmed that they have a quote letter, so they are in the program.

Town: Prattsville

Basin: Schoharie

Project Name: Greene-Del Sanitation and Recycling (Log #2008-SC-0239)

Project Description: Operate construction and demolition debris facility.

Project Type: Stormwater (SP)

Status:

DEP sent an e-mail to the engineer on 4/28/11 with a few things that need to be completed at the site. DEP received a response from the engineer on 5/2/11 regarding DEP comments. DEP received revised drawings from the engineer on 5/3/11. DEP sent an e-mail to the engineer on 5/5/11 regarding the revised plans. DEP received revised plans from the engineer on 6/1/11. DEP received an e-mail from the engineer on 6/4/11 with photos of the site; asked if they were sufficient to close out the NOV. DEP performed a site visit on 6/15/11; there were no deficiencies, there was no discharge, the site was occupied. DEP called the engineer on 6/28/11 regarding the site conditions and next phase of the work. The engineer is waiting for DEC to approve the modifications to the plan. DEP received a copy of DEC's permit on 6/29/11. DEP performed a site visit on 7/6/11; there were deficiencies, there was no discharge, the site was occupied. DEP performed a site visit on 8/5 and 9/26/11; there were no deficiencies, there was no discharge, the site was occupied. DEP received DEC's amendment to Permit on 10/26/11. DEP performed a site visit on 11/3/11; there were no deficiencies, there was a discharge and the site was occupied. DEP sent an e-mail to DEC on 11/10/11 with photos taken from the last site visit. DEP performed site visits on 11/30/11 and 1/25/12; there were no deficiencies, there was

no discharge and the site was occupied. DEP sent and received e-mails to and from the engineer on 3/23/12 regarding the 3/22/12 site visit. DEP performed a site visit on 3/29/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 3/30/12 with the meeting minutes and site inspection report.

Project Name: 169 Cr 4 (2010-SC-0358)
Town: Prattsville
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS
Discovery Date:
Status: No Application

Overview and Action:

DEP called the owner on 10/29/10 and left message requesting results of discussion with CWC regarding approval for subsurface drainage funds. DEP received a copy of engineer's and CWC's email about groundwater issue near pump tank on 12/21/10. Site Visit type: Follow up. Date: 1/6/11. Septic Failure: Not observed. A lot of surface runoff around the pump chamber riser. Alarm switch turned off. Not sure if the main power is on. Site Visit type: Follow up. Date: 2/15/11. Septic Failure: Not observed. No surface water at time of inspection. Also, no sign of pump outs. Site Visit type: Enforcement. Date: 3/9/11. Septic Failure: Not observed; groundwater around pump chamber riser, but no sign of illegal pump out. DEP performed site visits on 4/13, 6/22 and 8/22/11 for septic failure; not observed. Rain water still runs directly toward the pump chamber. DEP called the engineer on 10/3/11 to check on the status of getting the water interception work completed. He will contact CWC and then update DEP. Site Visit type: Request; Date: 10/21/11; septic failure not observed; no change; water still runs in the direction of the pump chamber. Property Status: Currently inhabited; used on weekends. DEP sent CWC an email on 10/25/11 to see whether the project could start construction (drainage work) at this point in time. CWC replied that project work can move forward at any time. DEP called both owner and engineer on 11/4/11 and asked them to get the remaining drainage work done as soon as possible. DEP called the engineer on 11/10/11 who said that contractor may get to it this year. DEP expressed interest in making sure it gets done this year. DEP received a call from the owner on 11/28/11 in response to recent DEP messages. He said he has been calling his contractor to get started. DEP asked that the owner make every attempt to get the work done this season; owner said he would keep DEP informed and provided updated number to contact. DEP called the owner on 12/13/11 regarding status of drainage work. Owner stated that contractor stated it will be done before Christmas 2011. Site Visit type: Enforcement; Date: 12/23/11; septic failure not observed. DEP received a call from the owner on 12/29/11 stating that they need to get a different contractor. DEP called the owner on 1/12/12; he has hired new contractor to do the drainage work and was asked to contact DEP inspector prior to starting the work. DEP contacted CWC and requested them to fax drainage work approvals and scope of work to the owner as the contractor was ready to start upon receipt of this paperwork. DEP sent and received an e-mail from CWC on 1/12/12 that the engineer is faxing plan to the owner. CWC will need DEP to note that work has been done according to plan. Site Visit type: Enforcement. Date: 2/22/12; septic failure not observed. Site Visit type: Enforcement; Date: 3/6/12; septic failure not observed; there was no change.

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

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. Site Visit type: Enforcement. Date: 10/28/10. Septic Failure: Not observed. No change since last inspection. DEP performed a site visit on 4/20/11; there are no signs that anyone has been at this residence. The house is vacant and in poor condition. The furniture has been removed and some windows are boarded. DEP performed a site visit on 9/12/11; the house has been abandoned. DEP called the phone number on file from the 2007 pre-application, which was a wrong number per woman who answered phone. On 10/3/11, DEP issued a reminder letter to the applicant/owner due to the lack of activity, and to establish contact with owner, since contact by phone was unsuccessful. DEP received a call from the homeowner on 10/14/11 in response to recent DEP letter. The owner said that he was deceived by the previous owner and that the house is used about once per year, and the septic tank is used as holding tank (no outlet) because the d-box was found to be full of solids. The owner inspects the tank but it has not needed to be pumped out yet. DEP gave the owner CWC's number to contact for eligibility, and DEP's LAP number at the request of owner, whom he spoke with a few years back. DEP will contact the owner in early November 2011 to check on his progress.

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

Overview and action:

DEP received an email from the engineer on 10/22/10, stating that he has spoken with CWC attorney and hopes to have success with funding for project costs in the next few weeks. Engineer is planning on sending his survey crew to the site within the week to get the plan moving along. DEP received a letter from the engineer to CWC on 11/12/10 regarding additional costs not subject to the schedule of values. DEP received a call on 11/18/10 from owner who left message. DEP returned a call and left message. DEP returned owner's call from same day on 11/19/10. Owner stated that he received copy of letter from CWC to his engineer stating that they are only paying for \$2,200 of septic engineering fees. The owner has called Senator Schumer's office and has a meeting scheduled for next week, hopefully to gain support to influence CWC to cover all the costs necessary to redesign and construct the replacement SSTS. DEP called owner on 12/3/10 and left message to call back with status of project. Owner called back and is still planning on meeting with NYS Assemblyman's office after the holidays. DEP called owner and left message to call back with any updates on 1/14/11 with engineer or CWC. DEP called the owner on 5/11/11 for a status update. The owner is waiting for the engineer to FOIL CWC on project documents before meeting with politicians for support. The owner said he'd update DEP by 5/25/11. DEP called the owner on 7/6/11, returning his call of

the previous day, to discuss status of failure and progress in getting plans submitted. DEP performed a site visit on 7/8/11; septic failure was observed; surfacing of sewage on ground. Sewage was running downhill into horse corral and not leaving the property. DEP called the owner on 7/11/11 and discussed status of project. The owner said he's waiting to find out whether CWC is going to respond to the engineer's request for information a few weeks prior. DEP informed owner that an NOV will most likely be issued because progress has been halted for quite some time and DEP does not have plans from engineer yet. DEP received call from engineer on 7/11/11, inquiring about how to submit FOIL request to DEP. He also plans on requesting a FOIL from CWC. DEP forwarded engineer email with link to FOIL form and instructions on same day. DEP received an e-mail from engineer on 7/11/11 with attached FOIL request paperwork that he sent for processing. DEP issued a NOV to the owner on 8/4/11. DEP received a call from the owner on 8/11/11 in response to recent NOV. Owner said he cannot afford to pump and haul and is waiting for FOIL requests to be fulfilled so he and his engineer can make their case to get the new system funded as they feel appropriate. DEP received call from the owner on 8/24/11 stating that NYS Assemblyman will be contacting CWC within a week to have meeting based on information acquired through FOIL of CWC records. DEP has been unable to collect records to this point due to computer group (OIT) difficulties. DEP called the owner on 10/3/11 who stated he will be calling his State Assemblyman's office tomorrow, and will update DEP this week with plans. At this point, the owner does not think he will need DEP's FOIL paperwork. DEP will continue to hold in case he changes his mind. DEP called the owner on 10/25/11 for any updates since 10/3/11 conversation (left message). DEP received a call on 11/1/11 from the owner, stating that he had been in hospital recently, causing delay in progress. He stated that he will reschedule appointment with officials, and re-contact DEP with the results. DEP called the owner on 11/30/11, and he was on his way to the hospital, but said he will call back to discuss the status of the SSTS replacement. Site Visit type: Enforcement; Date: 11/30/11; septic failure observed; Failure Description: Surfacing of sewage on the ground. The septic is still surfacing in the lawn and is not leaving the site. Property Status: Currently inhabited. DEP called the owner for a status update on 12/16/11. The owner stated he has been sick and will call back with update in early January 2012. DEP issued a warning letter to the owner on 2/15/12 regarding the NOV; the owner is required to submit SSTS plans by 3/15/12 or the project will be referred to DEP Corp. Counsel. DEP received a call from the owner on 2/22/12 in response to recent DEP letter. He stated that his lawyer gave the engineer a due date of 3/1/12 to provide a detailed breakdown of the outstanding bill, which will then be negotiated. The owner understands that the project will be referred to DEP counsel if plans are not received by mid March, 2012. The owner will call in one week with update, but did also mention that the SSTS plans are done, but the engineer will not release them until further payment is received. DEP called the owner on 3/19/12, who did not have an update. DEP received a call from the owner on 3/28/12 stating that engineer is not providing him with a detailed bill, so he will not pay the bill and the engineer will not submit plans until payment is received. The owner called back later same day and said that engineer is going to try to work with him and will be reviewing the project and calling him back this afternoon or tomorrow. On 3/28/12 the violation was forwarded to DEP Legal for follow-up on enforcement action. DEP received a call from the new engineer (same firm) on 3/28/12, stating that they will get this project in motion and that the previous owner of the engineering firm will not be working on this project. Site Visit type: Enforcement. Date: 3/30/12; septic failure not observed; no visible discharge at this time; the area of the failure has dried up.

Town: Roxbury
Basin: Schoharie
Project Name: Sullivan, Daniel (Grand Gorge Animal Hospital) (Log #2009-SC-0623)
Project Description: Failing commercial SSTS - CWC
Project Type: Intermediate Repair (CR)
Status: Closed

DEP issued an Approval Determination letter on 1/20/11. DEP issued a letter to the owner on 3/24/11 stating that construction has not yet commenced and that a pre-construction meeting should be scheduled. DEP received a call on 3/28/11 from the owner in response to the letter DEP issued on 3/24/11; the interior plumbing will be rerouted and all parties are on board waiting for good construction weather. DEP called the owner to inquire about the construction schedule for the SSTS. DEP met with the contractor, design engineer and applicant on the site for a pre-construction meeting on 7/12/11. DEP performed a site visit on 8/25/11; septic failure was observed; visibly entering watercourse/wetland and surfacing of sewage on ground. DEP performed a site visit to observe the tanks on 8/26/11; septic failure was observed; visibly entering watercourse/wetland, surfacing of sewage on ground. DEP advised the contractor to heavily mulch the exposed areas and to install silt fencing in advance of the predicted storms. Silt fence had been installed below the tanks. On 9/20/11, the design engineer, contractor and DEP met for an inspection of the dosing chamber and the absorption field. Items that still need to be addressed are: material needs to be placed seven feet out on all sides of the laterals, the building waste pipe and final grade. DEP called the contractor; the plumber has to connect the bathroom in the building to the new waste line and the alarm float needs to be replaced. DEP performed a site visit on 10/20/11; septic failure was observed. DEP stopped at the site to see if the interior plumbing had been completed and connected to the building waste pipe. That has not been done and all sewage is still directed to the ground. DEP called the contractor on 10/24/11 regarding the plumbing. DEP will be contacted for a final inspection. DEP performed a site visit on 11/16/11; septic failure was not observed. DEP received As-Built plans/engineer's certification letter from the engineer on 11/23/11. DEP issued a letter of Construction Compliance letter on 12/5/11. DEP has resolved the Enforcement Action on 12/27/11.

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

Overview and Action:

DEP received revised plans from the engineer on 1/27/11. DEP received an email from the engineer on 1/28/11 attaching the authorization from EPA for the continued operation of the three (3) systems located on the property. DEP received a copy of the SPDES form application from the engineer on 2/3/11. DEP issued a NOCA on 2/09/11. DEP issued a comment letter on 2/11/11 to the applicant. DEP received a preliminary response to the comment letter via email on 2/14/11. DEP called the design engineer on 2/15/11 regarding the plans. He will resubmit after a joint site visit to determine the buried stream elevation. DEP corresponded by email with the design engineer concerning DEP's most recent comment letter. DEP spoke to UCHD about

the Jizo House SSTS, which consists of a drywell. UCHD will require the SSTS to be upgraded as it is servicing a house with 12 occupants. DEP sent and received an email to and from the Shandaken Building Inspector concerning the use of the building on 2/22/11. DEP received an email from the engineer on 3/4/11 along with a letter from the Monastery that gives information on the Abbacy, the Bath House and the Jizo House. DEP received an update of the project via email from the design engineer on 3/10/11. DEP received an email from the design engineer on 3/10/11 with an update of the SEQRA project progress with the town and a letter from the Abbott describing the past and present use of the Jizo House. DEP sent an email to the engineer and the applicant advising them that no flows from the Jizo House can be directed to the existing SSTS. DEP received a letter from the Monastery on 3/25/11 requesting a meeting be set up with their general counsel to discuss the project. DEP received a letter and revised plans from the engineer on 4/18/11 to DEP's letter of 2/11/11. DEP received an e-mail from the design engineer on 4/22/11 requesting a quick review and approval of the plans to enable the project to begin as soon as possible. DEP e-mailed comments to the engineer on the revised plans dated 4/13/11 and received a reply. DEP received a detail for a 4000 gallon tank to replace the two 2000 gallon tanks on the plans. DEP e-mailed the UCHD the recommendation for approval/Delegation form. DEP received a letter from the Abbot on 5/6/11 formally requesting that DEP grant permission for a variant use of the Jizo House. DEP received an email on 5/6/11 from the design engineer regarding the Neg Dec that the Shandaken Planning Board issued. DEP was copied on an email from DEC to the design engineer regarding an incomplete application issued by DEC for the SPDES permit application for the existing NCRA, the shower house and Jizo House SSTS flows. DEP received a response to the email dated 3/18/11. DEP received revised plans from the engineer on 5/11/11. DEP received the April 2011 water meter readings on 5/17/11. DEP received an e-mail in response to the questions about the Jizo House use in the past and present. DEP received the water usage and occupancy counts for the Jizo House on 5/18/11. DOH issued an Approval Determination letter on 5/19/11. DEP issued a letter to the representative on 5/25/11 stating that DEP approves the current and proposed use of the Jizo House as a continued NCRA. DEP received a letter from the Abbot on 6/02/11 asking if there is anything that needs to be addressed at the Sangha House. DEP received the water meter readings for May 2011 on 6/6/11. DEP replied to a letter from the manager stating there are no outstanding issues for the SSTS except a pre-construction meeting prior to the start of construction of the approved plans. DEP received a copy of DEC's SPDES Permit from the engineer on 6/13/11. DEP received the June 2011 water meter readings on 8/4/11. DEP received the July 2011 water meter readings on 8/9/11. DEP received site plan drawings from the engineer on 8/22/11. DEP received an e-mail from the manager on 10/7/11 with the water meter readings for the complex. DEP received the October water meter readings on 11/15/11. DEP received revised plans from the engineer on 11/25/11. On 12/8/11, DEP performed an inspection of the tanks that were being pumped. The grease trap and the first septic tank in series were overdue for maintenance. DEP received the November water meter readings on 12/13/11. DEP has been corresponding by email with one of the managers at the site concerning the need for more frequent tank pump outs. DEP sent an e-mail to DOH on 12/19/11 stating that the revised plans are acceptable to DEP regarding the relocation of the proposed septic tank and piping. DEP received the December water meter readings on 1/31/12. DEP received an e-mail from the manager on 3/2/12 with the water log for January 2012. DEP received an e-mail from the manager on 3/3/12 explaining the population at the facility. DEP received the February water meter readings on 3/15/12. DEP received an e-mail from the design engineer on 3/28/12, advising that the contractor will start the tank and

pipng for the SSTS next week.

Project Type: SEQRA (SQ)

Status:

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

Project Type: Stormwater (SP)

Status:

DEP received an Application for a SWPPP on 4/18/11 from the engineer. DEP received a letter from the Monastery on 4/25/11 requesting assistance in expediting the review process. DEP issued a NOICA to the engineer on 5/02/11 requesting additional information. DEP sent an e-mail to CWC on 5/03/11 and attached documentation not knowing if CWC had been contacted for this project. DEP received a letter from the applicant stating that DEP considered the application incomplete on 5/6/11. DEP received a copy of the UCDPW approval from the engineer on 5/9/11. DEP received a response to the NOICA from the engineer on 5/11/11. DEP issued a NOCA on 5/19/11. DEP received an e-mail from DEC on 5/19/11 who has reviewed and approved the original SWPPP. DEP issued a comment letter on 6/14/11 to the engineer. DEP received a letter from the engineer on 6/24/11 to DEP's letter of 6/14/11. DEP called the engineer on 6/29/11 regarding response letter sent on 6/24/11 and to discuss RRv changes to the plan. DEP received an e-mail from the engineer on 7/7/11 with response and a revised partial site plan. DEP called the engineer on 7/20/11 regarding the status of the revised SWPPP. DEP received a letter and revised plans from the engineer on 7/26/11 to DEP's letter of 6/14/11. DEP issued a comment letter on 8/3/11 to the engineer regarding the latest submission. DEP received a letter and revised plans from the engineer on 8/5/11 to DEP's letter of 8/03/11. DEP issued an Approval Determination letter on 8/8/11. DEP met with the contractor, builder, engineer, CWC and applicant on the site for a pre-construction meeting on 8/15/11. DEP received notice on 8/15/11 that construction will begin on 9/6/11. DEP received the contractors signed certifications on 8/16/11. DEP performed a site visit on 9/6 and 9/15/11; there were no deficiencies, there was no discharge, the site was occupied. DEP performed a site visit on 9/26/11; there were deficiencies, there was no discharge, the site was occupied. DEP called the engineer regarding the site visit conducted on 9/26/11. We discussed the changes regarding installing the east side diversion swale and that all changes regarding drainage and stormwater need to be forward to our office for approval prior to implementing and any large changes would require an amendment to the approved SWPPP as per condition 11 of the approval letter. Also discussed the dewatering operation and that dewatering turbid water to the open area/hole is a violation of condition 7 of the approval. We discussed the construction sequencing that the temporary sediment traps are supposed to be installed prior to any construction on site. DEP received an e-mail from the engineer on 10/3/11 regarding his site inspection and recommendations for improving the erosion and sediment controls. DEP performed a site visit on 10/6/11; there were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the project engineer on 10/6/11; changes to the SWPPP was discussed that will be submitted as a revised SWPPP; changes included omitting CB-1D and CB-1A and their associated outfalls; changes to the locations of planter boxes one and two which will include changes to where the septic line comes into the building. Planter boxes four and five may be reduced in size. DEP received an update from the engineer on 10/11/11 for the installation of the stormwater collection system DEP performed site visits on 10/17, 10/25, 11/2,

11/7, 11/9, 11/10 and 11/14/11; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 11/15/11 regarding slots in the inspection ports for the Rain Tank System and checking the elevation of the pipe inverts for the stormwater treatment system. DEP received a response from the engineer on 11/16/11 regarding the difference between the inspection ports and the maintenance ports. DEP performed a site visit on 11/18/11; there were no deficiencies, there was no discharge and the site was occupied. DEP received revised plans from the engineer on 11/22/11. DEP received an e-mail from the engineer on 12/14/11 regarding the turbidity issue. DEP performed a site visit on 12/14/11; there were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the project applicant on 12/14/11 to discuss spreading the stockpile out over the open field. The proposed area showed signs of wetland vegetation, surface water and micro-topography. DEP recommended that a wetland study be performed to determine whether the area is federally protected before proceeding with any future disturbance. DEP issued a Modified Approval Determination letter on 12/20/11 to the engineer along with the approved plans. DEP performed site visits on 12/22/11, 1/9 and 1/23/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the engineer on 2/7/12 regarding the last site visit. DEP received an e-mail from the representative asking DEP if they would like a copy of a wetlands assessment for the upper field on 2/13/12; DEP responded yes. DEP received a copy of the Wetlands Assessment on 2/16/12. DEP performed a site visit on 3/15/12; there were no deficiencies, there was no discharge and the site was occupied.

Project Name: South Street (2005-AS-0217)
Town: Shandaken
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS #1894-Managed Repair (Seepage Pit) Phoenicia NIP
Discovery Date: 10/8/04
Status: No Application

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. DEP left owner phone message on 10/7/11 regarding status of system. DEP performed a site visit on 4/5/11; septic failure; not observed, the property is currently inhabited. Site Visit type: Enforcement; Date: 11/1/11; septic failure not observed. Property Status: Currently inhabited.

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

DEP issued a letter to the Town Supervisor on 11/12/10 regarding the outstanding SSTS and SPPP for the Town Hall and the Maintenance Garage. DEP sent an email to the Town Supervisor on 12/10/10 requesting the status of the SSTS for the town hall and the SWPPP for the highway garage. DEP sent an email to the engineer on 12/29/10 requesting the status of the SWPPP. DEP's Chief of Watershed Lands & Community Planning called the Town Supervisor on 1/04/11 regarding the outstanding issues with the SWPPP & SSTS. DEP sent an email to the

engineer on 1/25/11 requesting the status of the SWPPP. DEP received an email from the engineer on 1/26/11. DEP sent an e-mail to the engineer on 6/6/11 requesting an update on the SWPPP design. DEP sent an e-mail to the engineer on 7/26/11 with a request on the status of the design. DEP received an e-mail from the engineer on 8/4/11 cancelling the meeting for 8/5/11 and requested re-scheduling. DEP sent an e-mail to the engineer on 2/9/12 requesting a meeting to go over the SWPPP. DEP received an e-mail from the engineer on 2/16/12 stating that he has set up a meeting with the Town Supervisor and will be contacting DEP for another meeting.

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

DEP's Chief of Watershed Lands & Community Planning called the Town Supervisor on 1/4/11 regarding the outstanding issues with the SWPPP & SSTS. DEP received the water meter readings from the Supervisor on 1/26/11. DEP received the pump out receipts on 1/27/11. DEP sent another email to the highway superintendent requesting information on the water meter readings on 2/10/11. DEP corresponded by email with the design engineer concerning the lack of water usage data for the highway garage and the need for an SSTS design. DEP received an Application for a SSTS on 3/18/11 from the engineer with a copy of the water meter readings. DEP received a call from the Town Supervisor on 3/22/11 to advise DEP that the breakers had tripped in the alarm box and the tank was pumped as soon as the electrical problem was noticed. DEP received a call on 3/30/11 from the engineer who said that the water meter for the highway garage was installed and read once; between 2/23 and 3/29/11, 780 gallons of water was used. DEP received a call on 3/30/11 from the design engineer; he met with the Town Supervisor and the Highway Superintendent and was asked to let DEP know that the Town has decided not to connect the highway garage to the Town hall SSTS. DEP received revised plans from the engineer on 5/19/11 with components related to the garage's SSTS removed. DEP received revised plans from the engineer on 6/13/11. DEP issued an Approval Determination letter on 6/21/11. DEP sent and received an e-mail with the Shandaken supervisor, who said the SSTS install should occur in August 2011 and that the SPPP needs to be discussed. DEP sent an e-mail to the Supervisor on 7/5/11 requesting pump out receipts and water meter readings. DEP received an e-mail from the Town Supervisor with the pump out receipts and an update on the SSTS installation schedule. DEP requested a recent water meter reading. DEP received the water meter readings from the town supervisor on 7/7/11. On 9/2/11, DEP drove by the site and noticed the alarm on the pump chamber flashing and notified the Supervisor's secretary who called the hauler. DEP Chief of Watershed Lands and Community Planning received a call in October 2011 from the Town Supervisor requesting to continue use of the holding tank, due to electrical issues following the Tropical Storm Irene. DEP issued a letter to the Town Supervisor on 10/14/11 extending the SSTS construction deadline due to extenuating circumstances created by Tropical Storm Irene. DEP received the pump out receipts from the Town Supervisor on 2/2/12 for pump outs dating from 6/11 to 1/12. On 2/3/12, DEP stopped at the site because the alarm for the holding tank was blinking. The Supervisor was there and the SSTS was discussed. DEP received the pump out receipt on 2/17/12.

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

Overview and Action:

DEP performed a site visit on 10/5/10 and 2/3/11; septic failure not observed. DEP performed site visits on 4/6 and 8/19/11 for septic failure; none was observed. DEP will continue to monitor. Site Visit type: Enforcement. Date: 12/21/11; septic failure not observed. Property Status: Currently inhabited.

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

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. This site is in a proposed new infrastructure area. DEP sent CWC an email 12/16/10 inquiring about what managed repair activities have been done and when. Site Visit type: Follow up. Date: 12/29/10. Septic Failure: Not observed. DEP visited the site and gained permission from the store clerk to look at the property. No sewage or evidence of a recent sewage failure was noted. DEP called the liquor store on 12/29/10 to follow up on the SSTS. A message was left with the clerk to have the owner return the call to DEP. DEP received two (2) return calls from the property owner on 12/29/10 and 1/3/11. DEP left a message on owner's cell phone on 1/3/11 regarding the lack of action on the NOV issued in 2004. DEP spoke with the owner; he said that he had a CWC funded repair done in 2004, consisting of pumping then excavating the existing cesspool of accumulated silt and the installation of a new metal cover. DEP called CWC on 1/20/11 regarding the site. CWC informed DEP that three (3) pump outs were funded and that CWC was not aware of any work done to the SSTS. DEP called the owner on 1/21/11 regarding the repair work the owner claimed the DEP approved and the CWC funded. DEP received a return call on 1/26/11 from the owner; he said he has no receipts or approvals regarding the work to the SSTS that he claims was approved by DEP and funded by CWC. On 4/28/11, DEP did a routine inspection of the managed repair; the site looked good, no sewage problems were observed. On 7/5/11, DEP did a routine inspection of the SSTS; no problems were observed. DEP performed a routine follow up inspection; no problems were observed.

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

Project Type: Stormwater (SP)
Status: New

A meeting was held with DEC and the ACOE on 8/10/11. DEP received a letter and a site stabilization plan from the engineer on 8/22/11. DEP initiated an Enforcement Action on 8/24/11. DEP issued a NOV to the owner on 8/24/11. DEP received a call on 9/7/11 from possibly the property realtor acknowledging the NOV. DEP issued a comment letter to the homeowner on 11/14/11 regarding the NOV. DEP's Assistant Counsel issued a comment letter to the applicant on 1/18/12 regarding the NOV before DEP pursues further action and refers this violation to the New York City Law Department for possible litigation. DEP received a call on 1/26/12 from the owner regarding the letter. He indicated that he has been paying his engineers to prepare the SWPPP and was surprised that it had not been submitted. He mentioned the plans were somewhat behind because of Tropical Storm Irene and did not realize that they would get a violation. DEP received a call on 2/8/12 from the engineer. The engineer has performed deep tests and vegetative analysis to determine where the original wetlands boundary is. After ACOE has determined what the measures are required at the site (mitigation, remove the pond etc.) will the engineer be able to put together a SWPPP for DEP. Based on what the ACOE says, the site configuration may change and thus the delay in the SWPPP. DEP received a letter from the engineer on 3/5/12 advising of the progress made to date and the re-evaluation of the historic wetlands delineation and their proposed schedule for moving forward. DEP sent an e-mail to the engineer on 3/20/12 regarding their meeting with the new contactor.

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

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

Project Type: City Sewer Connection (CCS)

Status: Closed

DEP issued an Approval Determination letter on 3/27/09. DEP reminded the owner that the lateral needs to be installed this month; he is willing but is having some issues with obtaining a DOT permit. DEP received the DOT requirements from DOT on 6/30/09. DEP performed a site visit on 8/17/09 with the design engineer and DOT. The owner called to request permission to install the lateral even though there is no approval from DOT. DEP emailed the DOT representative to ask if the owner submitted plans to work in the ROW. DEP advised DOT that there is no existing lateral for the applicant to connect to; an unused lateral exists on the property to the east that the applicant sold years ago. DOT said that an application package was submitted to them months ago, but lacked traffic control and agreements with the neighboring properties for construction. DEP called the property owner on 12/21/09; the owner is to supply proof that a lateral exists on his property. DEP reminded the owner that the unit cannot be occupied without a holding tank and DEP notification. DEP issued a response letter to the engineer on 10/1/10 regarding the temporary repair. DEP issued a letter to the applicant on 12/7/10 regarding the NOV and stated that the plans to connect to the WWTP cannot be approved until the necessary permits to work in the DOT ROW are secured. DEP received a call back from the property owner regarding DEP's letter. The owner said he is waiting on the engineer. DEP received a call on 4/12/11 from the owner, who said he has been trying to contact his engineer to have him finish the application so it can be approved. DEP spoke to the new engineer in charge at DOT. He said he has been contacted by the applicant's engineer and still needs deep cut and stabilization details. He also said an "occupancy and use" permit is required. DEP received the easement from the surveyor on 10/5/11 that the owners filed the Village Planning Board approved subdivision plat with easements. DEP is awaiting plans to be added to the filed plat for review and approval. On 12/6/11, DEP stopped at the site; the residence served by the partially removed SSTS still appears to be unoccupied and there is no discharge above the septic tank. On 2/2/12, DEP stopped at the site to check for occupancy and a discharge. The area above the septic tank was dry and there was no apparent activity in the apartment that was served by the SSTS in violation. DEP has resolved the Enforcement Action on 11/22/11; closed due to no activity.

Town: Windham

Basin: Schoharie

Project Name: Erdenebileg, Sandag, (Log #2011-SC-0792)

Project Description: Complaint that 22 Brook Hollow Lane discharging possible septic failure onto 38 Brook Hollow Lane property (complaint originally incorrectly stated 39 instead of 22).

Project Type: Other (OT)

Status: New

DEP received a complaint from homeowner on 11/7/11 that 39 Brook Hollow Lane may be discharging sewage through a failed system onto his property; this discharge has no odor per owner's contractor. On 11/9/11, DEP performed a site visit with the owner's contractor at the owner's request. There was a discharge near the property line that he believes may be sewage or something that will diminish the water supply of his pond. DEP received another call from the owner on 11/9/11; DEP performed site visit same day. DEP called the property owner after the site visit to advise of the findings. On 11/18/11, DEP visited site and found an orange discharge leaking from under the driveway and parking lot. DEP suspected that there was metal or

vegetation buried under the 8ft. of fill for the parking area. The SSTS is on the opposite side of the house. DEP performed a site visit on 1/11/12; a very mild indication of orange/reddish residue in pooled area was near the property line and there was previous staining evident in curtain drain. Intensity of residue has clearly dissipated, almost completely from the original complaint. DEP closed this project due to no evidence of SSTS failure.

Town: Windham
Basin: Schoharie
Project Name: Mato, Gerardo & Silvia (Log #2007-SC-0463)
Project Description: New SSTS; failed SPPP
Project Type: Stormwater (SP)
Status: Approved

DEP received revised plans from the engineer on 4/21/11. DEP received two sets of plans from the engineer on 4/29/11. DEP issued a NOCA on 5/1/11. DEP issued an Approval Determination letter on 5/2/11. DEP sent and received e-mails to and from CWC on 5/16/11 asking if DEC required a SWPPP permit as well. DEP performed a site visit on 5/19/11; there were no deficiencies, there was no discharge, the site was vacant. DEP called the engineer on 6/6/11 requesting the start date for construction. DEP performed a site visit on 7/6/11; there were no deficiencies, there was no discharge, the site was vacant. DEP met with the engineer, GC and contractor on the site for a pre-construction meeting on 7/11/11. DEP called the engineer and left a message on 7/12/11 regarding filing the NOI with the state. DEP performed a site visit on 7/13/11; there were no deficiencies, there was no discharge, the site was occupied. DEP received notice on 7/13/11 that construction will begin on 7/12/11. DEP called the engineer on 7/14/11 regarding concerns that CB1 is installed too high and that the elevations should be checked. DEP performed site visits on 7/15 and 7/19/11; there were no deficiencies, there was no discharge, the site was occupied. DEP sent and received e-mails to and from the engineer on 7/22/11 regarding the swale being connected to the trap. DEP performed site visits on 7/28 and 8/1/11; there were no deficiencies, there was no discharge, the site was vacant. DEP received a call on 8/16/11 from the contractor regarding startup for the grading and clearing on the pond area. DEP performed a site visit on 9/6/11; there were no deficiencies, there was no discharge, the site was vacant. A meeting was held with the project engineer on 9/15/11. Items discussed included if the temporary sediment trap located along the southeast side of the property can be backfilled and the status of the stormwater pond's completion. DEP performed a site visit on 9/15/11; there were no deficiencies, there was no discharge, the site was vacant. DEP sent an e-mail to CWC on 9/16/11 regarding back filling the sediment trap. DEP performed a site visit on 9/29/11; there were no deficiencies, there was no discharge, the site was vacant. DEP received a call on 10/7/11 from the contractor regarding starting up the remaining work around the project site; he is meeting with the owner this weekend to discuss the remaining work. DEP performed a site visit on 10/17/11; there were deficiencies, there was no discharge and the site was vacant. DEP sent an e-mail to the engineer on 10/20/11 regarding site stabilization. DEP called the engineer on 10/26/11 regarding the contractor working on the site. The engineer is going to call the contractor to meet onsite regarding the remaining work around the stormwater treatment system. DEP called the engineer on 11/1/11 regarding the grading around the pond/wetland and discussed the wetland plantings. The approved SWPPP stated that if the pond is constructed in the fall that it should be allowed to sit 6 to 9 months prior to planting; planting should be completely in late March to late June 2012 and the plants should be ordered six months prior to

planting. The engineer stated that plantings can still be planted now. DEP stated that if plantings are done now, we will not sign off on the project until next spring to ensure that the plantings take since they did not follow the approved SWPPP and that the reimbursement program will not pay twice for plantings now and then again in the spring. DEP performed a site visit on 11/15/11; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 12/5/11 stating that the contractor is waiting for colder weather to finish the grading. DEP received an e-mail from the engineer on 12/12/11 stating that the contractor is planning on finishing the work this year. DEP sent an e-mail to the engineer on 12/14/11 stating that the site work should be suspended until next spring due to the cold weather and the onset of winter. DEP received an e-mail from the engineer on 12/19/11 responding to CWC's email to the applicant and listing additional site work to be completed before winter shut down can occur. DEP sent an e-mail to the engineer regarding the work being completed and attached a copy of the latest field report on 12/20/11. DEP placed a call to the contractor on 12/20/11 to let him know to notify DEP 24 hours prior to return to the site, so that we can resume site inspections. DEP received an e-mail from the engineer on 12/21/11 regarding what needs to be done on the site. DEP performed site visits on 12/28/11 and 1/11/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 1/18/12 regarding winter shutdown and a 30 day notice and site stabilized properly. DEP performed a site visit on 1/19/12; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter from the engineer on 1/23/12 regarding winter shut down and that inspection frequency will be reduced to every 30 days.

Town: Windham
 Basin: Schoharie
 Project Name: Windham Mountain Club - Phase 3, (Log #2007-SC-0259)
 Project Description: Proposal for the connection of the proposed WW collection system to the existing adjacent private collection system; proposed 10 lot subdivision on their property encompassing the Ski Windham ski area
 Project Type: Stormwater (SP.2)
 Status: New

A meeting was held with the project applicant, engineers and contractor on 4/7/11 regarding the spring startup beginning on 4/11/11. DEP issued a quick summary of items discussed at the 4/7/11 meeting the engineer. DEP performed site visits on 4/21 and 4/28/11; there were deficiencies, there was no discharge, the site was vacant. DEP received an e-mail from the engineer on 5/13/11 with the updated swale sizing. DEP performed a site visit on 6/29/11 for a stormwater violation; there were deficiencies, there was no discharge, the site was vacant. DEP initiated an Enforcement Action on 7/8/11. DEP issued a NOV to the owner on 7/8/11. DEP performed a site visit on 7/26/11; there were deficiencies, there was no discharge, the site was vacant. A meeting was held with the project applicant, engineer, contractor and DEC on 8/4/11. DEP sent and received e-mails to and from DEC on 8/23/11 regarding the 8/22/11 site visit and requested status of the Order on Consent. DEC issued an NOV to representative on 9/13/11. DEP received a letter responding to the NOV on 9/21/11 from the engineer. DEP received an e-mail from DEC on 9/26/11 wanting to know if DEP was in agreement with the response from the engineer. DEP responded to DEC on 9/30/11 with results of the last site visit and photos. DEP received a copy of the letter from the engineer to DEC on 3/26/12 with photos of the areas that were identified as problematic in the NOV.

Town: Windham
Basin: Schoharie
Project Name: Olsen, Reynold (Eagle's Landing) (Log #2005-SC-0623)
Project Description: NOV for SPPP; Construction of a 10-lot, non-realty subdivision
Project Type: Stormwater (SP)
Status: Closed

DEP received a copy of the Transcript and Affidavit from the DEP Legal on 9/3/09. DEP received a copy of the applicant's cross motion on 9/3/09 from DEP Legal. DEP performed a site visit on 9/4/09; there was not a discharge; the site was stable; the site was vacant. DEP received a copy of the letter from the applicant to the judge on 9/17/09 requesting an adjournment of the 9/23/09 hearing date. DEP performed a site visit on 10/9/09; there was not a discharge; the site was stable; the site was vacant; no further construction has occurred. DEP received a copy of the request for adjournment from the applicant on 10/28/09. DEP performed site visits on 11/2, 12/3/09 and 1/13/10; there was not a discharge; the site was stable; the site was vacant. DEP received a copy of the denial from the Court to the applicant to intervene as an individual and his request for judicial subpoenas on 1/14/10. DEP received an email from the DEP Police on 2/10/10; no activity is being conducted on the site. DEP received an email from the DEP police on 3/22/10; no activity on the site. DEP received an email from the DEP Police on 4/28/10; no activity on the site. DEP received a copy of the Supreme Court Appellate Division Ruling from DEP legal on 7/26/10. DEP performed a site visit on 8/24/10; there were no deficiencies; there was no discharge; the site was vacant. DEP received a copy of the court ordered settlement from DEP Law on 9/16/10. DEP performed a site visit on 3/16/11; there were no deficiencies, there was no discharge and the site was vacant. DEP performed site visits on 4/15, 5/25, 7/6 and 9/15/11; there were no deficiencies, there was no discharge and the site was vacant. The violation was resolved and the case was closed on 10/4/11 internally. DEP has resolved the Enforcement Action on 10/4/11, internally.

Project Type: SEQRA (SQ)
Status:

SCS received a Short EAF and Engineer's Report, which were submitted as part of an SSTS and SPPP application, on 4/6/07. SCS issued comment request to Tech Team with comments due to SEQRA Coordination on 4/23/07. SCS issued a letter to the applicant's representative on 5/2/07 requesting additional information.

Town: Windham
Basin: Schoharie
Project Name: Windham Willows Senior Apts., (Log #2004-SC-0915)
Project: Proposal to construct a 9,000 square foot, single story, wood frame structure, housing twelve-one bedroom apartment units
Project Type: Intermediate SSTS (IS-2)
Status:

DEP issued a NOV to the owner on 5/13/11. DEP received an e-mail from the site director on 5/19/11, confirming the receipt of the NOV. On 5/31/11, DEP performed a site visit; there was no effluent surfacing on the field. DEP received the engineers' report from the engineer on 6/1/11. DEP has been in contact with the site director via email. He has turned off the pump and

is having his hauler remove sewage from the tank prior to the tank becoming full. DEP received the waster use and pumping receipts from the representative on 6/8/11. On 6/9/11, DEP met with another engineer, who suggested that instead of pump outs the effluent be allowed to surface and enter a wetland vegetated area. DEP advised that pump outs need to continue until either a temporary or permanent solution is reached. On 6/22/11, DEP inspected the pump chamber, it was empty. DEP sent an e-mail to the director asking for the water and pump out information. DEP received an e-mail from the housing director regarding the SSTS, the water meter readings, and the application to connect to Windham WWTP. DEP received a copy of the letter to Windham from the Housing Director on 7/1/11 requesting a waiver of the EDU fee for their application for the sewer hookup. DEP received an e-mail from the director on 7/5/11 regarding water usage and tank pump outs. DEP received the water meter usage on 7/21/11. DEP performed a site visit on 8/3/11; DEP inspected the field as the pump station is now back on line. The dose had just gone over but there was no evidence of an overflow in the main d-box. One of the two d-boxes needs to be accessed for inspection. No sewage was observed on the ground. DEP received an e-mail from the director on 8/15/11. He said there has been no sewage discharge since the pump station has been put back on line. DEP performed a site visit on 8/19/11; septic failure not observed and no sewage observed on the ground. The pump chamber is operating and the d-boxes are at normal levels. On 9/9/11, DEP made a routine inspection of the SSTS. The absorption field is still functioning at partial capacity. DEP sent an e-mail to the housing director, asking for the water meter readings and any progress on the connection to the Windham WWTP. DEP received the water meter readings and the maintenance inspection notes from the engineer on 9/27/11. DEP performed a site visit on 10/6/11; DEP walked the entire absorption field and tapers; vegetation is high in the areas where the discharge was, but there was no evidence of recent surface discharge, and the effluent in the d-boxes were at the proper level. On 10/21/11, DEP checked the pump station, the alarm, the distribution boxes and the field. The liquid in the outlet pipes was at the inverts, and the field showed no signs of a surface discharge. A marker has been placed at the edge of the property for a lateral. On 11/4/11, DEP performed a routine inspection; the effluent in the d-boxes were at the proper operating levels and there was no sign of failure. On 12/9/11, DEP walked the entire absorption field and saw no discharge or evidence of recent discharge; the alarm functioned when tested. DEP sent the housing manager an email requesting water usage in the complex. DEP received an e-mail from the manager on 12/19/11 with the average daily water usage and an update on the status of pursuing funding for the lateral connection. DEP received a letter and a set of plans from the engineer on 1/18/12 regarding connection to the town sewer system. On 1/20/12, DEP observed a surface discharge on the lower portion of the southern field. DEP notified the building manager that pump outs must begin again to prevent an ongoing discharge. DEP sent an e-mail to the building supervisor requesting pump outs, water meter readings and receipts. DEP received a reply e-mail from the building manager, attempting to dispute the effluent observation by DEP on 1/20/12. DEP sent a reply an e-mail to the building manager requiring monitoring of the absorption field and pumping out when needed to avoid another surface discharge. DEP received an e-mail from the building manager, agreeing to pump but wary of the money that will be spent. On 1/25/12, DEP inspected the site; the discharge is frozen but still visible. The septic tank and pump chamber appear to have been cleaned, as the liquid level in the chamber was low and there was nothing entering the chamber from the septic tank. On 2/2/12, DEP did a follow up inspection of the SSTS. DEP received an e-mail on 2/3/12 from the building manager that the tanks had been pumped on 1/26/12. DEP responded on 2/3/12 that the tanks may need to be pumped again. On

2/8/12, DEP performed an inspection of the SSTS. The absorption field was dry and frozen and there was effluent from the tank entering the pump chamber. On 2/14/12, DEP did a routine inspection of the SSTS. The alarm on the pump chamber was tested and functional, the pump chamber was in use and the absorption field showed no signs of failure. On 3/6/12, DEP performed a weekly inspection of the SSTS. The tank alarm functioned when tested, wastewater was entering the pump chamber from the septic tank and no sewage was observed on the absorption field. DEP sent an e-mail to the housing director, asking for the status of the application to connect to the Windham WWTP on 3/29/12.

Project Name: 120 & 124 Mitchell Hollow Road (Log#2007-SC-0303)

Town: Windham

Type of Use: Residence

Type of Violation: Failed SSTS;

Discovery Date:

Status: No Application

Overview and Action:

DEP received a copy of the pump out receipts and the low volume fixtures on 2/4/11. Site Visit type: Enforcement. Date: 2/16/11. Septic Failure: Not observed. DEP did a scheduled inspection to verify that low flow fixtures have been installed per stipulation agreement and is satisfied that these terms of the stipulation are met. DEP received the pump out receipts on 2/24/11. DEP received a copy of the pump out receipts on 4/5/11. DEP received a copy of the 4/18/11 pump out receipt 4/19/11. DEP performed a site visit on 5/4/11; septic failure observed; absorption field, migrating off property, surfacing of sewage on ground. DEP inspected the site and observed wastewater migrating through the stone wall in front of the parking area and moving down the driveway towards Mitchell Hollow Road. DEP received a copy of the 5/2/11 pump out receipt 5/11/11. DEP received a copy of the 5/16/11 pump out receipt on 5/17/11. DEP received the pump out receipt on 6/1/11. On 6/9/11, DEP checked the site near the stone wall and the driveway entrance; no sewage was observed. Clothes were seen hanging on the line to dry. DEP received the pump out receipts on 6/15/11. DEP performed a site visit on 6/22/11; no sewage was observed on the ground and a "For Rent" sign is up. DEP received the 7/11/11 pump out receipt on 7/21/11. DEP received the 7/25/11 pump out receipt on 8/1/11. DEP performed a site visit on 8/1/11; no sewage was observed on the ground or in the driveway; laundry was hanging on the clothesline; DEP to check on washing machines that were previously removed from the apartments. DEP received the 8/8/11 pump out receipt on 8/9/11. DEP received the 8/22/11 pump out receipt on 8/23/11. DEP received the 9/5/11 pump out receipt on 9/7/11. On 9/9/11, DEP made a routine site visit; no sewage was observed coming through the stone walls or over the driveway. DEP received the 10/3/11 pump out receipt on 10/05/11. Site Visit type: Follow up. Date: 10/6/11; septic failure not observed. DEP inspected the parking lot; no evidence of sewage on the ground was observed. Site Visit type: Enforcement. Date: 10/21/11; septic failure not observed; there was no sign of sewage surfacing. A marker has been placed near the road for a lateral. DEP received the pump out receipt on 10/25/11. Site Visit type: Follow up. Date: 11/9/11; septic failure not observed. DEP received the pump out receipts on 11/23/11. Site Visit type: Follow up. Date: 12/9/11; septic failure not observed; there was no sewage discharge from the wall or driveway. DEP called the design engineer regarding the plans submitted to connect to the Windham WWTP collection system. DEP has a few comments about inconsistencies in the plans, but DEP does not issue an approval and none of the issues are

serious. DEP received the pump out receipts on 12/27/11. Site Visit type: Enforcement. Date: 1/25/12; septic failure not observed. DEP inspected the site and did not observe a discharge. DEP received the pump out receipts on 1/27/12.

Project Name: Homestead Lane (2009-SC-0292)
Town: Windham
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS
Discovery Date:
Status: Closed

Overview and Action:

Site Visit type: Enforcement. Date: 1/11/11. Septic Failure: Not observed. House does not appear to be in use. Walk way not shoveled, snow not plowed from driveway. Site Visit type: Enforcement. Date: 3/1/11. Septic Failure: Not observed. DEP performed a site visit on 4/20/11; no visible failure at this time. It appears the house was vacant during the winter. DEP performed a site visit on 4/21/11; spoke to the Town of Windham CEO, no action at this site since he wrote the violation. DEP performed a site visit on 7/27/11; no visible discharge; the site appears to be some weekend use. On 8/3/11, DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP received a call from the owner on 8/9/11 regarding recent reminder letter. Owner said he has no plans to fix the system yet. His water supply is seasonal only and is pumped from a stream. The structure has electric heat and stated he visits about once per month to mow grass and do maintenance. He said he built this cabin where the old one was and hooked to the same black pipe for the septic and stated he doesn't know where it goes. On 8/12/11, DEP met owner and provided CWC's number. The owner claimed to be unaware of his violations with the Town and agreed to update DEP with results of his CWC discussion and was informed that failure to move forward may result in further enforcement action. DEP received a call from the owner on 8/26/11 that left a message requesting return call to discuss his communications with CWC. DEP returned the owner's call on 8/31/11; the owner said CWC inspected the system last week and found nothing wrong. Owner said he'd get rid of the sink and toilet if he had to. To review, he built the cabin over a 5 year span starting about 15 years ago; it is a seasonal and weekend use. The water supply is from a surface stream and freezes up in the winter. DEP mentioned the possibility of chemical toilet or privy use which may be permissible and help him remain in compliance with watershed regulations. DEP called CWC on 10/03/11 and asked what the results of their investigation were during their site visit on 8/25/11. CWC called back and said they did not find anything blatant there and that the owner seemed hesitant to sign into the program so they did not push him to. DEP also called the building inspector to get an update on the Town's enforcement plans, but he was not available. Site Visit type: Meeting. Date: 10/14/11; septic failure not observed. DEP met with Town of Windham Building Inspector; he has not heard from the owner since writing the violation so he is going to call him and set up an appointment and will try to get CWC involved. Illegal construction of cabin and change in use from gas station was done prior to year 2000, after which point DEP's 1997 Watershed Regulations were in full effect and grace period had expired. Therefore, this project is grandfathered in as a NCRA. The violation was resolved and the case was closed internally on 10/17/11. Site Visit type: Enforcement. Date: 11/1/11; septic failure not observed; there is no visible failure. Site Visit type: Enforcement. Date: 2/1/12; septic failure not observed; no visible discharge; property Status: Currently inhabited; used seasonally.

3.2.2. Delaware District

Town: Andes
Basin: Pepacton
Project Name: Vonschoenborn, Graf Johannes, (Log #2012-PE-0147)
Project Description: Failing SWPPP; DEC Order on Consent
Project Type: Stormwater (SP)
Status: New

DEP initiated an Enforcement Action on 3/26/12. DEC issued a Consent Order on 3/26/12.

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

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

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

DEP initiated an Enforcement Action on 5/3/11. DEC issued a NOV to the owner on 6/3/11. DEP sent an e-mail to the property owner's engineer on 6/9/11 regarding the paperwork required from ACOE. DEP received an e-mail from the property owner's engineer on 6/10/11. DEP's email has been forwarded to the property owner. DEP received an e-mail from DEC on 8/8/11 with Parts I & II of the SWPPP for review. DEP issued a letter to DEC on 8/9/11 with DEP comments and recommendations. DEP received a copy of the map from DEC on 8/9/11 that addresses some of the comments. DEP issued revised comments to the engineer on 8/17/11. DEP sent an e-mail to DEC on 9/20/11 wondering if they have had a response from the engineer. DEC responded that they have not but plan on doing inspections in the near future. DEP forwarded the 9/20/11 site visit findings to DEC on 10/4/11. DEP issued a comment letter to the applicant on 12/8/11 regarding the NOV. On 12/20/11, DEC issued a Cease and Desist Order. DEP received copies of the engineer's inspection reports from DEC on 3/1/12.

Town: Andes
Basin: Pepacton

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

DEP issued a letter to the applicant on 3/3/10 with several deficiencies found in critical areas. A meeting was held with the project engineer and Town of Andes representative on 4/20/10. DEP issued a letter to the engineer on 4/29/10 regarding items discussed at the 4/20/10 meeting and reiterated deficiencies discussed in the 3/3/10 letter to the SWPPP. DEP issued a letter to the applicant on 9/2/10 regarding ongoing road construction. DEP spoke with the applicant on 9/7/10 regarding the access road and assured DEP that it was just an improvement of an access road and not a new project. DEP initiated an Enforcement Action on 1/25/11. DEP issued a NOV to the owner on 1/25/11. DEP received a call on 2/3/11 from the homeowner acknowledging receipt of the NOV. DEP issued a letter to the applicant on 11/23/11 stating that the current NOV cannot be cleared until a revised SWPPP for the road system is submitted. DEP called the owner on 12/12/11 regarding the project status. DEP issued a letter to the engineer and applicant on 1/17/12 regarding the requirements needed for the non-subdivision alternative for this property.

Name: NYS Route 28 (Log #2002-PE-0168) I.D. #: 1306
Location: Andes
Type of Use: Residence
Discovery Date: 12/19/98
Type of Violation: Failed septic system
Status: Closed
Overview and action: Approved

DEP issued an Approval Determination letter on 1/26/11. DEP issued a letter to the applicant regarding the SSTS failure on 5/9/11. DEP received notice on 6/7/11 that construction will begin. On 6/7/11, DEP met with the owner, engineer and contractor for a pre-construction meeting; stormwater ponding on the upper primary absorption field area was observed. The swale design and/or the reserve area should be re-visited during construction. On 7/15/11, DEP looked at the area for the proposed swale. The owner would prefer that a French drain be installed for the area behind the house for stability reasons. DEP performed a site visit on 7/29/11; the absorption field was installed, but not yet backfilled. Preparing excavations to set tanks; swale behind structure installed. On 8/2/11, DEP inspected the absorption field, the tanks and the swale. On 8/4/11, DEP inspected the trenches and approved them. The SSTS still needs to be backfilled properly and the area above and to the west of the field needs to be graded to shed away. The swale behind the house is disappearing. On 8/25/11, DEP sent an e-mail to the engineer and the contractor asking for the punch list and advising there are still outstanding items to be addressed. On 9/8/11, DEP sent an email to the engineer and contractor, asking that the site be checked and buttoned up. On 10/6/11, DEP called the contractor to inquire when the SSTS would be completed; when the site is dryer, the contractor will call to witness work. DEP performed a site visit on 10/12/11; DEP discussed final grading with the contractor. DEP performed a site visit on 10/14/11; construction has been completed; the area is seeded and mulched. DEP received As-Built plans/engineer's certification letter from the engineer on 10/24/11. DEP issued a letter of Construction Compliance letter on 11/15/11. DEP has resolved

the Enforcement Action on 1/18/12. The violation was resolved and the case was closed on 1/18/12 with DEP letter dated 1/18/12 to the owner based upon the change in use of the project. The use of the site has changed. DEP issued a letter to the owners on 1/18/12 regarding the outstanding NOV and the loss of the NCRA status for the restaurant.

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

DEC issued a NOV to the owner on 9/1/11. DEP initiated an Enforcement Action on 9/1/11. DEP received a DEC Consent Order on 9/14/11. A meeting was held with DEC and the owner's contractor on 10/18/11; discussed that the owner will need to hire an engineer to design an E&S plan. DEC is also going to comment that if they exceed two acres, they will need a DEP permit, also. DEP received an e-mail from DEC on 11/1/11 stating that the owner has agreed to sign the Consent Order and advised that there were still some problems at the site. DEP called the owner on 11/1/11 regarding a site meeting. DEP received a copy of the executed order from DEC on 12/20/11. A meeting was held with DEC on 1/20/12. DEC has directed the owner to coordinate with DEP on the house site and a DEP SWPPP approval if the site disturbance is going to be greater than two acres.

Town: Delhi
Basin: Cannonsville
Project Name: Alam, Shams, (Log #2010-CN-0546)
Project Description: Originally a 3-bedroom single family residence; the homeowner has installed an apartment in the basement with at least two bedrooms.
Project Type: Other (OT)
Status: New

DEP received call on 1/11/12 from the Town of Delhi CEO, confirming the additional two bedrooms in the house and asking for DEP's joint enforcement effort. DEP received a call on 1/12/12 from CEO and returned call leaving message that DEP will move forward with enforcement for having additional bedrooms, requiring a modification to the SSTS through DEP approval. DEP received a letter from the Town of Delhi CEO on 1/13/12 stating that the Certificate of Compliance for the basement is being revoked until the windows are brought up to egress requirements, he also stated the creating of two additional bedrooms without SSTS Approval by DEP. DEP issued a NOV to the owner on 1/17/12. DEP received a phone call from the owner on 1/20/12 regarding the NOV. The owner stated that the basement rooms are only storage and not bedrooms, which contradicts information received from the town CEO. DEP called the owner on 1/23/12 and left a message stating that DEP needs to receive in writing that the bedrooms in the basement are not really bedrooms, but rather storage, and that they will remain as storage going forward. The owner was asked to have the tank pumped out and contact DEP to witness, since he doesn't even know what the existing SSTS is or when it was last pumped, and he agreed to let DEP know. The owner was also given CWC's number for possible funding opportunities. DEP received a letter from the owner on 1/26/12 stating that the two rooms are used as storage and not bedrooms. DEP called the town CEO on 3/16/12 regarding

the number of bedrooms within the residence. The CEO cannot get inside the house without a warrant at this point. The last time he was in the residence was in December of 2011 and there were students in each of the rooms. DEP received a call on 3/27/12 from the town CEO regarding the bedroom count for the residence. According to the CEO, at least one of the bedrooms in the downstairs apartment is being utilized by a student. DEP called the CEO on 3/27/12 regarding the message that he had left.

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

DEP received a call on 4/12/11 from the owner; he plans to call DEP when the SSTS is to be decommissioned, sometime this spring. On 5/20/11, DEP observed that the tanks had re-located. The contractor will pump, backfill and abandon shortly. DEP received the pump out receipt on 5/31/11. DEP received a call on 8/12/11 from an engineer who is representing the owner for a proposed subdivision; he wants to do a substandard SSTS repair for the trailer, and DEP informed him that because the trailer had been vacant and then removed, and the SSTS out of use and then decommissioned, any future SSTS must be totally compliant. On 8/30/11, DEP met with the owner, surveyor and engineer to look at the proposed three or four lot subdivision and soils for a new house/SSTS and a replacement SSTS for a commercial repair shop. DEP called the owner 9/7/11, who confirmed that the sink in the shop has been in continuous use. He is unsure whether or not it is connected to the cesspool and wants to expose the cesspool to see if it is failed. On 10/5/11, DEP spoke to the engineer about determining whether or not the SSTS for the service station is an NCRA and can be replaced with a substandard design. DEP initiated an Enforcement Action on 11/4/11. This project is funded under CWC Septic Repair Program. On 11/4/11, DEP received CWC's notice of failure. DEP received a letter from the engineer on 11/21/11 with a copy of CWC's letter to the owner; he also stated that the owner has decided to abandon the original subdivision plan. On 11/22/11, DEP called CWC regarding a site visit that DEP was not invited to. The SSTS for the garage sounds like it is an NCRA. On 12/2/11, DEP spoke to the design engineer after DEP determined the garage SSTS is an NCRA. DEP sent an e-mail to the owner on 12/14/11, requesting some information about past use of the garage, so a design flow for a replacement SSTS can be considered. DEP received a reply via e-mail from the owner concerning the historical water use in the garage. DEP forwarded the e-mail, regarding the previous water use, from the owner to the design engineer on 12/27/11. DEP received revised plans from the engineer on 2/7/12. DEP sent an e-mail to DEC to inquire about any outstanding issues at the site that would interfere with the SSTS installation. DEP called the Town Highway Superintendant to inquire about permits or requirements for the pipe and sleeve installation through Honest Brook Road. A copy of the plan was faxed to him as well. DEP received an e-mail from DEC on 2/13/12; the issues have all been cleared up. DEP received an e-mail from DEC on 2/13/12 concerning floor drains. DEP received an Application for the SSTS on 2/15/12 from the engineer. DEP called the design engineer on 2/15/12 and requested an application for the SSTS plans. DEP issued the NOCA and Approval Determination letters on 2/16/12. DEP received a call on 2/21/12 from the Delhi Highway Superintendant; he will fax a spec sheet to DEP and asked that DEP forward the spec sheet to the design engineer and

contractor for the road crossing. DEP received the specs for the road crossing from the Highway Department on 2/21/12. DEP received a letter from the engineer on 3/2/12 regarding concerns about some of the items listed in the Conditions of Approval letter. DEP issued a Modified Approval Determination letter on 3/16/12 to the engineer along with the approved plans. DEP issued a letter to the engineer on 3/16/12 in response to his letter of 3/2/12.

Project Name: 47293 NYS Route 28 (Log #2004-PE-0178)
Town: Fleischmanns (V)
Type of Use: Commercial
Type of Violation: Failed SPPP
Discovery Date:
Status: Under Construction

Overview and Action:

A meeting was held with the project applicant on 11/3/10 to discuss the rest of the construction that needs to be completed. DEP received a call on 12/1/10 from the contractor regarding the remainder of the work; he may be finishing the work this month however; if the weather does not cooperate, the remainder may need to be finished in the spring. We discussed the permit expiring this month and if the work will be finished in the spring, the applicant should forward a request for an extension on the permit. DEP performed site visits on 1/13, 2/18, 3/8 and 3/28/11; there were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the project owner on 4/11/11 regarding project startup date as of 4/14/11. DEP performed site visits on 4/21 and 5/4/11; there were no deficiencies, there was no discharge and the site was occupied. DEP sent and received e-mails to and from the engineer on 5/16/11 with a few items that still need to be addressed. DEP performed site visits on 7/18, 9/1 and 9/20/11; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 11/9/11; there were deficiencies, there was no discharge and the site was occupied. A site visit was conducted on 2/27/12; the owner is looking into funding to fix the hurricane related items. The State has approached the owner regarding some grant programs that could help with the associated costs. DEP discussed the possibility of calling CWC to see if any funds are available from them as well. DEP performed a site visit on 3/22/12; there were deficiencies, there was no discharge and the site was occupied.

Project Type: Stream Disturbance (SD)
Status:

DEP received Project Notification documents on 9/1/10 from DEC. DEP sent an email to ACOE and DEC on 9/16/10 requesting confirmation that work can be done. DEP received a letter from ACOE to the applicant on 9/21/10 requesting additional information. DEP received a letter from ACOE on 9/29/10 stating that a permit from them would not be required.

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

DEP initiated an Enforcement Action on 2/6/12. DEP received a call on 2/6/12 from the DEP

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

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

DEP received an e-mail from DEC on 2/8/12 informing DEP of wastewater and petroleum bulk storage violations found at the site. DEP received a call on 2/9/12 from the Town of Kortright

Highway Superintendant, in response to DEP's site visit on 2/9/12. On 2/9/12, DEP performed an inspection of the premises in response to notification from DEC that a wastewater violation was noted on 2/2/12. DEP initiated an Enforcement Action on 2/9/12. DEP received DEC's draft NOV on 2/9/12 for PBS and SPDES violations. DEP received a copy of DEC's NOV on 2/10/12. DEP returned the phone call to the Highway Superintendant on 2/10/12. On 2/10/12, DEP spoke with the Highway Superintendant by telephone regarding the violation. On 2/10/12, DEP received a phone call from the Town Supervisor to discuss options for the failed SSTS. DEP spoke to the DEC ECO that performed the dye test at the highway garage. He will forward pictures to DEP. He gave DEP the legal contact information for DEC. DEP called the legal contact at DEC. An order to comply will be issued to the town, but DEC would not do the SSTS review if the flow is less than 1000 gpd. A condition that DEP review and approve the SSTS will be included in the DEC order, which we will be copied on. DEP received an e-mail on 2/17/12 from the DEC ECO that performed the positive dye test on the SSTS. DEP sent an e-mail to DEC on 2/22/12 asking if DEC has issued an order to comply yet. DEP received the port a john invoice from the town clerk on 2/23/12. DEP performed a follow up inspection of the facility on 2/23/12; the shut off valve for the water to the sink and toilet in the bathroom was off. The slop sink in the shop was still in use, but the drain was directed to a five gallon bucket. There were several full buckets, which the Superintendent told me were being dumped out the front door every day. DEP received an e-mail from the Town of Kortright attorney regarding the water supply to the Highway garage on 2/24/12. DEP received a call on 2/24/12 from the Town attorney, regarding the water supply at the Highway garage. DEP received a DEC Consent Order on 2/29/12 for wastewater discharge from the bathroom and the highway garage. DEP received a letter from the Town's attorney on 3/1/12 regarding the violation. DEP Legal sent an e-mail to the Town's attorney on 3/1/12 in response to his letter to DEP staff. A phone meeting was held with the Town attorney, DEP Legal, NYC Law and REP on 3/2/12. DEP called the design engineer to remind him to schedule soils testing with DEP; he is waiting on the Town to approve the proposal at the 3/19/12 meeting.

Name: East Terry Clove Road (Log #2005-CN-0285) I.D. #: 1391
Location: Hamden
Type of Use: Residence
Discovery Date: 11/15/99
Type of Violation: Failed septic system
Status: Ongoing

Overview and action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 11/15/99. A soil/site evaluation was performed on 12/3/99. This violation has been referred to Counsel for action. An NOV was issued to the Owner on 8/6/01. 8/16/01: Pumping the septic tank and occasional occupancy of the dwelling on weekends has temporarily abated the surface discharge. 11/30/01: The dwelling being vacant has temporarily abated the surface discharge. A site visit was performed 6/3/2010 to determine if a surface discharge is evident. A brief walk over reveals there is no effluent at the surface; seepage pit/cesspool still in state of near collapse. DEP performed site visits on 4/14, 6/3 and 8/17/11; septic failure not observed, currently inhabited. DEP initiated an Enforcement Action on 10/5/11. DEP received a call on 10/5/11 from the caretaker regarding an illegal SSTS installed. The property owner has started to convert the barn into a residence. In addition, a water line

from the existing residence has been run out to the barn in the same ditch as the septic effluent line to the existing, failing cesspool. The owner did not get any of the necessary permits to do any of the work. The owner comes up on the weekends and brings friends. Site Visit type: Complaint. Date; 10/6/11; septic failure not observed. The barn is in the process of being renovated into another residence. The wastewater pipes have been installed inside the structure, but currently no toilet/sinks/shower. The water line has been run in the same trench as the effluent water. Property Status: Currently inhabited, the caretaker is there year round and the homeowner on weekends. DEP called the town building inspector and left a message on 10/7/11 regarding the violation - construction without a building permit. The building inspector will go out and inspect the site and send a letter out to the homeowner regarding the work being done without a building permit and necessary approvals. DEP asked to be copied on the letter sent to the homeowner. DEP provided the building inspector with the name and phone number of the caretaker, who may still be on site. DEP called and left a message for the building inspector on 10/19/11 looking for a status update. DEP called the building inspector on 10/21/11 regarding the status of this project. The building inspector has issued the warning letter, but has not heard anything from the property owner. If he has not heard from the owner shortly, he will conduct a site visit and/or issue an NOV. DEP received a letter from the building inspector on 10/21/11 regarding building without a permit. DEP has resolved the Enforcement Action on 10/27/11. The violation was closed on 10/27/11 due to no documented failure in past site visits. DEP issued a letter to the homeowner on 11/4/11 regarding alterations and or modifications to the existing SSTS. DEP received a call on 12/6/11 from the property owner regarding the letter that was sent. DEP called the property owner back on 12/6/11 and left a message. DEP received a call on 12/7/11 from the property owner regarding the message that was left and the letter that was sent. DEP called the property owner on 12/7/11; the property owner confirmed that she had installed a line from the garage to the existing system. She also stated that the garage was not going to be lived in and that at most there are two people who utilize the property. She was told that she would still have to seek approval for the line that was installed, since it is an alteration/modification of the system. A copy of the pre-app was emailed to the owner during the phone call and owner verbally confirmed receipt of the pre-app form. DEP sent an e-mail to the property owner on 12/7/11. DEP called the town building inspector on 12/21/11, 1/12/12 and 1/25/12 regarding the status of this project with the town. The letter that he sent was returned. DEP provided an updated address to so that he could resend the letter. DEP called the building inspector on 2/7/12; he had resent the letter to the address provided by DEP, but has not heard back. DEP received an e-mail from the building inspector on 2/8/12 with an attachment of the town's NOV. DEP sent an e-mail to the town building inspector on 2/17/12. DEP received an e-mail from the town building inspector on 02/20/12. Site Visit type: Follow up. Date: 3/29/12; septic failure not observed. Site Visit type: Follow up. Date: 3/29/12; septic failure not observed.

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

DEP Assistant Counsel issued a letter to the applicant on 4/7/10 regarding the need to submit the proposed deed language as stated in the Approval of the 15 lots. DEP initiated an Enforcement

Action on 1/13/11. DEP issued a NOV to the owner on 1/13/11. DEP received a call from the applicant on 1/21/11 regarding the NOV. DEP received a letter responding to the NOV from the homeowner on 1/21/11. DEP left the applicant a phone message on 1/24/11 regarding the NOV. DEP received call on 1/25/11 from the applicant regarding the NOV. The applicant indicated the Town, DEC and DEP police failed to inform him of the DEP required SWPPP. DEP issued a letter to the homeowner on 1/25/11 summarizing the phone conversation of the same day. DEP called the applicant on 4/29/11 regarding a site meeting and left a message. DEP received a call on 5/4/11 from applicant regarding future site meeting date. DEP called the applicant on 5/5/11 regarding future site meeting and left a message. A meeting was held with the project applicant on 6/3/11. DEP issued a letter to the homeowner on 6/14/11 summarizing what was discussed at the 6/3/11 meeting and the DEC/DEP requirements. DEP received a call on 8/17/11 from the engineer regarding the SWPPP. DEP and the engineer agreed that when they have a signed contract from the applicant a meeting will be set up. A meeting was held with the project applicant on 9/9/11. DEP received the SWPPP modifications from the engineer on 11/17/11. DEP sent an e-mail to the engineer on 12/14/11 questioning the need for so many rain gardens. DEP received and responded to e-mails from the engineer on 12/20/11 and 1/04/12 regarding using fewer rain gardens. DEP received revised plans from the engineer on 3/12/12.

Town: Kortright
Basin: Cannonsville
Project Name: McMurdy Brook, Lot #8 (Zocchia, Lisa), (Log #2010-CN-0500)
Project Description: Lot #8 of the proposed 15 lot subdivision
Project Type: Stormwater (SP)
Status: New

DEP assistant counsel issued a letter to the applicant on 4/7/10 regarding the need to submit the proposed deed language as stated in the Approval for the 15 lots. DEP initiated an Enforcement Action on 1/13/11. DEP issued a NOV to the owner on 1/13/11. DEP received call from the applicant on 1/21/11 from regarding the NOV. DEP left the applicant a phone message on 1/24/11 regarding the NOV. DEP received a call from the applicant on 1/24/11 regarding the NOV. The applicant indicated his engineer and architect are working on the house plans etc. DEP informed the applicant to not create any additional disturbances without implementing the approved SWPPP. DEP further instructed the applicant to have the engineer contact DEP as soon as possible. DEP received a letter responding to the NOV on 3/10/11. DEP issued a letter to the owner on 3/16/11 regarding the approved SWPPP and that it must be adhered to in development. DEP called the applicant on 6/9/11 regarding NOV and left a message. DEP received a letter from the homeowner on 6/14/11 regarding the 2010 approved SWPPP and requested a copy. DEP called the applicant on 6/29/11 regarding the SWPPP; a tentative meeting has been scheduled for 7/22/11. DEP received a call on 7/19/11 from the applicant rescheduling the meeting to 7/29. DEP called the applicant on 9/16/11 regarding future site meeting and left message. DEP called the applicant on 11/10/11 regarding a site meeting with the engineer; the applicant indicated he would contact his engineer for the meeting.

Town: Kortright
Basin: Cannonsville
Project Name: McMurdy Brook, Lot #7 (Simcsuk, Robert & Eileen), (Log #2010-CN-0499)

Project Description: Lot #7 of the proposed 15 lot subdivision
Project Type: Stormwater (SP)
Status: New

DEP assistant counsel issued a letter to the applicant on 4/7/10 regarding the need to submit the proposed deed language as stated in the Approval for the 15 lots. DEP received a copy of DEC's Article 15 permit from DEC on 12/17/10. DEP initiated an Enforcement Action on 1/20/11. DEP issued a NOV to the owner on 1/20/11. DEP issued a comment letter to the homeowner on 4/28/11 regarding the NOV. DEP received a call on 5/11/11 from the applicant regarding the NOV. DEP called back and left a message. DEP received a call on 5/12/11 from the applicant regarding the NOV; a meeting is scheduled for 6/3/11. A meeting was held with the project applicant on 6/3/11. DEP issued a letter to the homeowner on 6/14/11 summarizing the 6/3/11 meeting and DEC/DEP requirements. DEP called the applicant on 8/17/11 regarding project status and left a message. DEP called the applicant on 8/31/11 regarding stabilizing the site. DEP received a call on 9/8/11 from the applicant regarding stabilizing the site; stone has been ordered and check dams will be put in soon. DEP performed a site visit on 11/3/11; there were deficiencies, there was a discharge and the site was vacant. DEP called the applicant on 11/18/11 and left a message to not put any stone on the driveway until an approved SWPPP has been prepared. DEP informed the applicant to put down heavy mulch instead. DEP received a call from the applicant on 12/8/11 regarding the SWPPP. DEP called the applicant on 12/8/11 regarding stabilization of the site and the status of a design.

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

DEP initiated an Enforcement Action on 3/8/12. This project is funded under CWC septic repair program. On 3/8/12, DEP received CWC's notice of failure. DEP received a request for a pre-application meeting from the engineer/applicant on 3/19/12. DEP received DOH Permit to operate a restaurant from DOH on 3/23/12.

Project Name: 459 Kapitko Road (2008-PE-0829)
Town: Middletown
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - CWC - surfacing
Discovery Date:
Status: Closed

Overview and Action:

DEP performed a site visit on 4/27/11; septic failure not observed. DEP called and left a message on 5/24/11 for the homeowners. DEP received a call on 5/25/11 from the homeowners; they will not be up on Memorial weekend. However, they are hoping to be up the following weekend and they will be using the residence every weekend there after. They will call and give advance notice so that the system can be checked for problems. DEP received a call on 6/2/11 from the owners; they will be up on 6/3 through 6/5/11. DEP performed a site visit on 6/6/11; septic failure not observed. DEP received a call on 6/17/11 from the property owner; the family

will be utilizing the residence this weekend and wants a site visit scheduled for early next week. DEP performed site visits on 6/20, 7/14, 8/4 and 9/29/11; septic failure not observed. Site Visit type: Follow up. Date: 12/22/11; septic failure not observed. Property Status: Used on weekends. DEP has resolved the Enforcement Action on 12/27/11.

Project Name: E. Hubbell Hill Road (2000-PE-0093)
Town: Middletown
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS-CWC; previous owner Fairbairn, Howard
RE.2 - Failing SSTS - CWC - collapsed metal tank

Discovery Date:
Status: Approved

Overview and Action:

DEP initiated an Enforcement Action on 8/19/11. This project is funded under CWC septic repair program. On 8/19/11 DEP received CWC's notice of failure. DEP issued a letter to the owner on 8/22/11 providing guidance for remediation. DEP received a request for a pre-application meeting from the engineer/applicant on 9/12/11. A soil/site evaluation was performed on 9/20/11. DEP received an Application for a conventional individual SSTS on 11/10/11. DEP received revised plans from the engineer on 11/16/11. DEP issued a NOCA on 11/17/11. DEP issued an Approval Determination letter on 11/18/11. DEP received notice on 11/30/11 that construction will begin.

Town: Middletown
Basin: Pepacton
Project Name: Dry Brook Holdings LLC (Richard Gould trailer park), (Log #2010-PE-0521)

Project Description: Application for the installation and hook up for 29 residential trailers and two non-residential buildings to the Margaretville WWTP

Project Type: City Sewer Connection (CCS)

Status:

DEP advised DOH about the failure; DOH will also review and approve the design. DEP called the engineer on 7/12/11 regarding the status of the sanitary sewer system design and submittal. DEP received a call on 8/2/11 from DEP field staff about a new surface discharge. A site visit was performed on 8/2/11; septic failure was observed; surfacing of sewage on ground, direct discharge from building. DEP Police were advised of sewage problems by park tenants and notified DEP. DEP walked the site and found that trailer numbers 102, 91, and 35 had sewage discharges to the ground, and sewage was seen surfacing in two other areas on the parcel. DEP performed a site visit on 8/3/11; septic failure was observed; surfacing of sewage on ground, direct discharge from building. DEP spoke to some of the tenants and received some information on the individual sites. DEP performed a site investigation on 8/8/11 and documented sanitary sewer problems, repair work and sewage surfacing on the ground. DEP called the owner/applicant on 8/9/11 regarding the DEP site visit and most recent sanitary sewer concerns. DEP performed a site investigation on 8/9/11 to document sanitary sewer problems and construction activity. DEP called the contractor on 8/10/11 regarding the status of the sanitary sewer repair work. On 8/12/11, DEP met with the Owner/Applicant and the Middletown CEO to discuss sanitary sewer violation concerns and remediation schedule and

plan. DEP initiated an Enforcement Action on 8/19/11. DEP received a letter of intention from the Park owner through Chief of Wastewater Operations on 8/19/11 via email. DEP issued an NOV on 8/19/11 for the clogged lateral connection. 8/22/11 DEP sent an email to DOH providing an update on the failures. The email included a letter from the owner detailing plans for proceeding with phase 1 of the replacement sewer project. DEP received a return call on 8/23/11 from the engineer regarding the status of the project and project concerns. DEP received a call on 8/23/11 from the owner/applicant regarding status of project and project concerns. DEP received a return call on 8/23/11 from the original engineer who indicated turning the project over to a new engineer and removing him as a point of contact. DEP received call from owner on 9/21/11; he is looking to hire another new engineer. DEP advised him to consult with DEC regarding removal of sand and gravel deposits washed into his farm field. DEP received a letter and plans from the new engineer on 10/17/11; also enclosed the 2007 Approval to connect to the Margaretville WWTP. DEP called the owner/applicant on 10/20/11 regarding the recent design submitted by the new engineer. DEP met with the owner/applicant and engineer at the site location on 11/22/11 regarding the sanitary sewer design modification and options. DEP received a call on 11/29/11 from the Town of Middletown Code Enforcement Officer (CEO) regarding the status of the sanitary sewer design review. DEP received Blackline drawings from the engineer on 12/30/11. DEP received a call on 1/4/12 from the Town of Middletown CEO regarding a court date of 1/9/12 to grant the applicant a 60 day extension. DEP called DEC on 1/10/12 regarding review comments of the engineer plans. DEP received a call on 2/2/12 from DEC regarding their review comments of the engineer plans. DEP called the CEO 2/7/12 regarding the new extended court date and to discuss recent contact with DEC. The applicants new court date is scheduled for 3/12/12. DEP sent and forwarded an e-mail to DEC and the CEO on 2/9/12. DEP received a call on 2/10/12 from the owner regarding a flood buy- out program. As per the owner, thirty percent of the park was destroyed and the road damage left the park vulnerable to the next storm. The owner is waiting to hear back from FEMA, but plans on closing the park. The park tenants would get 6 months notice to move out. DEP requested written notice of this plan and advised owner to discuss this plan with the Town CEO. DEP received a call on 2/21/12 from the owner/applicant regarding a sanitary sewer blockage/backup. DEP discussed this issue with operations, DOH and the town CEO. DEP performed a follow-up site inspection on 2/22/12 and met with the owner/applicant, contractor and building inspector regarding the sanitary sewer blockage problem and repair. DEP received a call on 2/23/12 from the owner and contractor regarding the sanitary sewer blockage repair. DEP sent an e-mail to DEP Operations and the Town CEO on 2/23/12. DEP sent an e-mail to the owner on 2/24/12 regarding the existing sewer trap condition. DEP issued a letter to the applicant on 3/1/12 regarding the sanitary sewer blockage/repair problem and replacement requirement. DEP received a call on 3/06/12 from the project engineer regarding getting back on track and preparing revised plans to address DEC comments. DEP received a call on 3/9/12 from the town CEO regarding the sanitary sewer plan approval status. DEP received revised drawings from the engineer on 3/9/12. DEP received an e-mail from the owner/applicant on 3/14/12 indicating that his court date has been adjourned until 4/9/12. DEP performed a site investigation/inspection on 3/27/12 and met with the owner and contractor regarding a sanitary sewer blockage and repair. DEP received a call on 3/26/12 from the owner/applicant regarding his sanitary sewer system was clogged and disrupting multiple trailer units.

Project Type: Intermediate Repair (CR)

Status:

DEP performed a site visit on 4/26/11; septic failure was observed, surfacing of sewage on ground, direct discharge from the building. Sewage has backed up from the tank and the outdoor plumbing under the trailer. The owner said the tank has been pumped twice in the past two weeks; the tank appears to be a very small, round metal tank. DEP received a call on 5/25/11 from the park owner, saying he wants to perform an emergency repair on the SSTS in the park. DEP spoke to the park owner on 5/27/11 and advised that an engineer must design a replacement SSTS and that DEP must review and approve. DEP advised the owner to continue pumping the tank to avoid a sewage discharge to the ground again. DEP performed a site visit on 5/31/11; septic failure was observed; absorption field. DEP met with the owner, his engineer and the contractor to discuss the options available for a replacement SSTS. Two vacant parcels adjacent to the park, owned by the same person, are ideal for an absorption field with a pump. DEP advised DOH about the failure on 6/2/11; DOH will also review and approve the design. DEP called the owner on 6/3/11 to advise of DOH review and approval and that no work could be done prior to that. DEP spoke to the CEO and DEP operations on 6/3/11 about the failure. On 6/7/11, DEP met with the engineer to perform soils testing for a compliant SSTS replacement for the failed SSTS. DEP issued a NOV to the owner on 6/8/11 for trailer 110. DEP initiated an Enforcement Action on 6/8/11. DEP received a sketch of the temporary holding tank from the engineer on 6/9/11. DEP called the owner, the engineer and the field engineer on 6/15/11; DEP needs the pump out receipts and a plan for the replacement SSTS. DEP performed a site inspection on 6/16/11; the wastewater from the tank is assumed to be percolating through the broken pipe and into the soil and there is no sign of surface discharge. DEP received a copy of the pump out receipts on 6/16/11. DEP has been in touch with the engineer concerning the SSTS replacement design, which is ready to be formally submitted for two trailers. DEP received an Application for a SSTS on 7/11/11 from the engineer with plans. DEP initiated an Enforcement Action on 7/26/11. DEP issued a NOV to the owner on 7/26/11 for trailer 102. DEP called the engineer on 7/28/11 and provided comments to the plan. DEP performed a site visit on 8/2/11; septic failure was observed; surcharge septic tank, cesspool, drywell, surfacing of sewage on ground, direct discharge from building. DEP Police were advised of sewage problems by the park tenants and notified DEP. DEP walked the site and found that trailer numbers 102, 91, and 35 had sewage discharges to the ground and sewage was seen surfacing in two other areas on the parcel. DEP spoke to some of the tenants and received some information on the individual sites. DEP sent an e-mail to the DOH 8/4/11 to notify them of the sewage on the ground at the mobile home park and sent a map denoting the sewage discharges on the property. DEP received an e-mail from DOH 8/5/11 that staff visited the site and observed several sewage discharges. DEP issued a NOCA on 8/5/11. DEP issued a comment letter on 8/5/11 to the applicant. DEP received a letter from DOH to the applicant on 8/8/11 regarding violations observed at their 8/5/11 field visit. DEP received revised drawings from the engineer on 8/9/11. DEP received the sketch for the holding tank from the engineer on 8/12/11. DEP received the 7/19/11 pump out receipt on 8/15/11. On 8/15/11, DEP spoke to the owner and advised him to call the engineer and ask him to submit a sketch for the holding tank. DEP received a sketch and called the owner again to advise him to order a 1500 gallon concrete tank. On 8/16/11, DEP observed sewage on top of the ground around the pipe that discharges into the septic tank. DEP called the owner to advise to pump. DEP called the owner on 8/18/11; he plans on installing the tank tomorrow, weather permitting. On 8/19/11, DEP called the owner to inquire when the 1500 gallon holding tank was going to be installed. He said his engineer advised him not to install it and to install a

managed repair instead. On 8/18/11, DEP observed sewage on the ground at trailer 102. DEP and the owner discussed the email DEP sent to owner regarding requirements for the holding tank, which is to be installed on 8/29/11. DEP sent an e-mail to the owner on 8/24/11 regarding the installation of the temporary holding tank. On 8/29/11, DEP received a call from the owner; he said the tank cannot be installed due to the erosion caused by tropical storm Irene. DEP performed a site visit on 8/30/11; the trailer park has been flooded out and trailer 110 is abandoned. Trailer 102 is still connected to its SSTS and the ground is covered with sandy soil and debris. DEP performed a site visit on 10/12/11; the area around the septic tank is still covered with soil and the trailer is still occupied. DEP received a call on 10/25/11 from the owner. He is not changing engineers and would like secure funding to rebuild portion of the park that got washed out. If not, he's not going to sewer that portion of the park. DEP performed a site visit on 12/15/11 and found that the trailer had been removed. On 1/20/12, the trailer was removed and nothing has taken its place.

Town: Neversink
Basin: Rondout
Project Name: O'Keefe William E, (Log #2011-RO-0583)
Project Description: Complaint
Project Type: Other (OT)
Status: New

DEP called and left a message on 1/23/12 for the property owner to call back. DEP received a call on 1/24/12 from the property owner stating that they were up for the last site visit because they were told that they needed to be there and they never found anything in regards to a foul smell that was reported. She thought that the matter was closed after the initial site visit. DEP has permission to go on site to conduct a second site visit. DEP performed a site visit on 1/27/12; due to snow cover, the banks of the stream were not observable. Another site visit will be necessary to determine if there is something to see along the stream bank. DEP performed a site visit on 2/16/12; septic failure was not observed. DEP called the complainant on 3/8/12 and left a message regarding the location of a neighboring septic tank that was being overrun by the stream. DEP received a call on 3/8/12 from the complainant who stated that the SSTS is in danger of failure because of the location of SSTS in regards to the stream. The complainant continues that the stream has moved over the years due to flooding and is now approximately 25 feet from the field and that the septic tank is probably ten feet from the back of the house. Neither the septic tank, nor the field has been exposed. Currently the system is okay and he has not seen a failure at this time, although he admits that it may be difficult to see one. He is concerned about the future of the SSTS because it does end up under water when the area floods. The property is utilized mainly in the summer months on the weekends. DEP sent an e-mail to the reporting EPO on 3/13/12. DEP has resolved the Enforcement Action on 3/14/12 based on conversation and correspondence with the complainant and the reporting EPO, respectively.

Town: Neversink
Basin: Rondout
Project Name: Coombe, Philip Jr., (Log #2008-RO-2402)
Project Description: New SSTS
Project Type: Intermediate Repair (CR)
Status: New

DEP received an e-mail from Grahamsville field staff Supervisor who had been called by the property owner about a tank replacement for a three family dwelling on 3/14/12. On 3/15/12, DEP performed a construction inspection for a tank replacement. DEP sent an email to the owner as a reminder of the discussion on site concerning the installation of new piping, backfill, etc on 3/15/12. DEP received a phone call from the owner on 3/19/12, regarding the unauthorized work he did to replace a portion of the absorption field as a result of the tank replacement. DEP received several e-mails from the owner on 3/20/12, with pictures of the work done on the SSTS, in addition to the tank replacement. DEP returned a phone call to the owner on 3/20/12, regarding the work done on the SSTS over the weekend. The owner said he directed the gray water pipe to the side of the new tank, that the old d-box was excavated out when the hole for the new tank was dug and that new solid piping now connects the new d-box to two existing laterals. DEP called the owner and he explained the connections he made for the grey-water and the absorption field, all of which sound incorrect and contrary to our discussions on site on 3/15/12; he sent pictures as all the work is backfilled. DEP sent an e-mail to the property owner on 3/22/12 requesting additional pictures of work done on the SSTS over the weekend and clarification in writing. DEP received a reply via n e-mail from the owner on 3/22/12. He explained the work he did and sent some pictures of the work.

Project Name: Varga Road (Log #2008-RO-0493)
Town: Neversink
Type of Use: Residence
Type of Violation: Failed SSTS - CWC - Cesspool failed to surface
Discovery Date:
Status: Closed

Overview and Action:

A soil/site evaluation was performed on 9/16/08. DEP issued an Approval Determination letter on 11/19/08. DEP received a call on 10/12/10 from the property owner regarding the letter that he was sent. The property owner is getting a final bid to submit to CWC, since the first two (2) bids were high. The third bid should be submitted shortly, since the contractor was on site a day ago to put together the quote. The property owner is still hoping to have the system installed before the winter. DEP issued a Design Approval Expiration letter on 12/15/10. DEP issued a renewed Approval Determination on 1/25/11. DEP received notice that field was staked out by the engineer on 5/9/11. DEP received notice on 10/13/11 that construction will begin. DEP completed construction inspections on 10/18/11. DEP received engineer's certification letter from the engineer on 10/25/11. DEP issued a letter of Construction Compliance on 10/25/11. DEP has resolved the Enforcement Action on 10/31/11.

Project Name: 595 Claryville Road (2009-NV-0186)
Town: Neversink
Type of Use: SSTS Repair (RE)
Type of Violation: Failed SSTS - CWC - surfacing
Discovery Date:
Status: Closed

Overview and Action:

DEP performed a site visit on 9/19/11. This was a follow up to ensure that another structure is not in place. There is no new structure on site. Part of property seems to be used for a putting

green. DEP issued a letter to the applicant on 11/2/11 regarding the NCRA discontinued use. DEP has resolved the Enforcement Action on 1/17/12.

Project Name: Bradley Road (Log #1997-NV-0772)
Town: Neversink
Type of Use: Residence
Type of Violation: Failed SSTS For 3-Bedroom - formerly Leroy Stewart
Discovery Date:
Status: New

Overview and Action:

DEP issued a NOV to the owner on 10/19/09. DEP received a message from owner responding to the NOV on 11/4/2009. DEP called owner on 11/5/2009 regarding NOV. Owner stated that he hasn't had any failure since summer, when he adjusted the speed dialers in distribution box (turning off one lateral completely). Owner asked DEP to perform site visit to confirm no failure status. DEP stated that several inspections will be conducted over several seasons to confirm failure did not return. DEP will contact owner for first inspection. DEP performed a site visit on 11/16/2009. There was a discharge; the site was not stable; the site was occupied. No sign of exploring for a possible leak into lines from septic tank or house. DEP performed a site visit on 12/14/2009. There was not a discharge; the site was stable; the site was occupied. Site Visit type: Follow up. Date; 2/21/12; septic failure not observed. Property Status: Currently inhabited.

Project Name: Stone Tavern Farm (Log #2006-PE-1174)
Town: Roxbury
Type of Use: Residence
Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence.
Discovery Date: 8/31/07
Status: No Application

Overview and Action:

Status:

DEP met with the owner and design professional on 3/1/11 for the house/B&B absorption field. The area is very close to a swale and a watercourse and would need a pump; we are looking at crossing a watercourse on another parcel with a WAC easement. DEP received an email from the owner on 3/18/11; he has hired an engineer. DEP received a voice message from the property owner on 3/21/11; he wanted to know if DEP heard from the engineer. DEP returned the phone call to the property owner; we discussed the location of the test holes and the proposed SSTS and holding tanks. DEP received and sent an email to the design professional noting the need for DEP to witness soils testing. DEP called the current design professional and the owner, and urged them to call WAC to check on a possible stream crossing through the protected riparian buffer and CWC to check on funding prior to any more soils testing. DEP received a return phone call on 4/5/11 from the owner. He said he left a message for WAC and CWC, and is expecting a return call from both agencies. He said he is trying to move the project forward, and hopes that any delays caused by others will not hold up his ability to install the holding tank at the indoor rink. On 4/8/11, the owner called DEP to discuss the possibility of installing the approved SSTS with the additional flow from the barn that holds indoor weddings. DEP received a call on 4/11/11 from the owner; WAC had been on site and informed him that while

crossing through the riparian buffer may be allowed, an SSTS is not permitted on easement property anymore, although an exception would be entertained for a repair. DEP is encouraging the owner to decide on a solution for the house/B&B failure, as other commercial SSTS proposals cannot be considered until the failing SSTS is resolved. On 4/22/11, DEP called the owner to ask if a decision had been made about the failing SSTS. He scheduled soils for 4/25/11 in the WAC easement area, on a separate parcel west of the failure. He wants to be ready with a plan if WAC allows the land use for the repair. On 4/25/11, DEP met the design professional for soils testing in the WAC easement area west of the failed B&B/house SSTS. Deep test pits show a raised absorption field can be designed. The owner is hoping for permission from WAC to install the field there. A soil/site evaluation was performed on 5/4/11. The design engineer did two twelve inch percolation tests near the deep test holes that were investigated on 4/25/11. He said he had 3 to 5 minute per inch stabilized perc rates, and can design the field for 725 gpd. DEP performed a site visit on 5/12/11; septic failure was observed; visibly entering watercourse/wetland, absorption field and surfacing of sewage on ground. DEP performed a watercourse evaluation at the site. One of two watercourses may need to be crossed as part of an SSTS repair. On 5/20/11, DEP performed a site visit to observe what improvements had been made to the riding arena, where the owner had his first wedding of the season scheduled. DEP arrived in time to see what appeared to be a septic tank being covered with soil. DEP requested a foil request from the town of Roxbury on 7/25/11 regarding building permits applied/issued. DEP's Bureau of Legal Affairs issued a letter to the owner's on 8/5/11 regarding the outstanding NOV's. DEP spoke to the manager on 8/15/11; the on site meeting scheduled for 8/16/11 is to discuss additional flows from the arena and possibly a kitchen. He said all three tanks have been pumped and will fax receipts. DEP received the requested information for the foil request from the town of Roxbury on 8/16/11. On 8/16/11, DEP met with the owner and engineer on site. We discussed the revision of the approved combined SSTS to include a kitchen and the wedding arena. All three tanks had been pumped. DEP received revised plans and calculations for weddings from the engineer on 8/19/11. On 8/19/11, DEP did a site inspection; the house/B&B tank was full to the outlet and the water was on in the riding arena. The manager was advised that the house tank needed to be pumped and that he should not use the arena tank. DEP corresponded by email with DOH regarding the SSTS application that includes on site catering. DEP issued a letter to the engineer on 8/25/11 with DEP comments on the revised plans. DEP also received the engineers' response to DEP comments on 8/25/11 with calculations for weddings. DEP received the 8/14/11 pump out receipt on 8/26/11. On 8/26/11, DEP performed a site inspection to determine whether the facility operator is in compliance with DEP's 8/8/11 compliance schedule. DEP received an e-mail from DOH regarding the proposed food service at the pavilion. On 9/2/11, DEP performed a weekly site visit to follow up on the 8/12/11 compliance agreement. The house tank was full to the outlet, and the alarms for both holding tanks did not function. The water was on in the horse arena and wedding preparations were in progress. DEP called the owner and set up an appointment for an inspection for 9/8/11 at 1:00 pm. DEP requested pump out receipts as well. DEP called the owner to cancel the site visit due to rain and road closures. The owner re-scheduled for 9/13/11 at 1 p.m. DEP's Bureau of Legal Affairs issued a letter to the applicant on 9/8/11 stating that DEP has received proposed SSTS plans prior to the 9/1/11 deadline; however there are issues requiring resolution before DEP can approve the design as submitted. DEP received an e-mail from the engineer on 9/8/11, looking for comments to the plans sent on 8/25/11. On 9/13/11, DEP made a scheduled site visit to the farm. The owner accompanied DEP to the house and horse barn. He is not interested in

continuing to pump the house septic tank after the weddings are over in October. He said the arena tank has not been used or pumped. DEP received the 9/19/11 pump out receipt on 9/19/11. DEP received a letter from DEC to the applicant on 9/26/11 regarding the need for a DEC Permit for the food cooking or service to the public. On 9/28/11, DEP performed a scheduled site inspection; the house tank was two thirds full, the arena tank was empty and the barn tank was inaccessible. DEP received the recent letters from WAC regarding the septic field and amendment issues on 10/12/11. DEP sent an e-mail to the owner requesting a site visit be scheduled for this month. DEP received an e-mail from owner on 10/25/11 expressing his desire to proceed with securing an easement amendment and constructing the SSTS. Insufficient financing and bankruptcy proceedings are delaying the scheduling of the work. DEP's Bureau of Legal Affairs issued a letter to the owners on 10/26/11 stating that DEP is referring this matter to the NYC Law Department for enforcement and compliance of the NOV's issued. On 11/1/11, DEP performed a scheduled site visit; the house/B&B tank had been pumped out the previous day, according to the owner's daughter. DEP did not walk into the failed absorption area, but could smell sewage. DEP received a copy of a letter from WAC regarding a violation of the arena septic tank on 11/7/11. DEP received an e-mail from the manager on 11/10/11, inquiring about a repair that he wants to have his contractor do on the house/B&B SSTS. DEP replied on 11/15/11 that DEP needs to witness any SSTS work. DEP received a copy of the letter to and from the owners and WAC on 11/16/11 regarding an amendment to the easement. DEP called the manager on 11/17/11 regarding his suggested SSTS repair work, and asked the manager to contact the contractor, and ask the contractor to call DEP to discuss. DEP called the contractor that the manager said would do the repair to the house/B&B SSTS. The contractor said he had not been hired nor did he speak to the manager about doing any SSTS work. DEP sent a reply by e-mail to the manager regarding the conversation DEP had with the contractor regarding the house/B&B SSTS repair. DEP was copied on an e-mail from the owner's family to the Watershed Agricultural Council (WAC) on 11/28/11. The email contains a letter to WAC requesting an easement amendment. DEP sent an e-mail to the property manager on 12/2/11 and on 12/5/11, requesting a site visit date and pump out receipts. DEP performed a site visit on 12/15/11; septic failure was observed; failure description: absorption field and surfacing of sewage on ground. DEP performed a scheduled follow up site visit. The SSTS for the house/B&B were still failing, and neither of the alarms on the two holding tanks was operational. DEP received a call on 12/16/11 from the property manager. DEP received an e-mail from the Watershed Agricultural Council regarding their inability to identify the sewage surfacing from the house/B&B SSTS during a site visit on 12/16/11. DEP sent an e-mail to the property manager, noting the dates for pump out receipts that have been provided to DEP since July 2008. DEP issued a NOV to the owner on 12/29/11 for the continuous use of the barn holding tank. DEP replied to an e-mail from the applicant on 12/20/12 regarding the need for a compliant plan. DEP issued a new NOV to the owner on 1/5/12 for the original failure of 07. DEP received the letter from the Watershed Agricultural Committee on 1/9/12, denying the request for the amendment to the easement. DEP replied via email to a phone call from the applicant in which two ideas were presented 1) proceeding with the SSTS design as is except continue the hold and haul operation for a few years until something else can be worked out 2) explore the 20 acre parcel across the street. DEP Legal sent an e-mail response to the owner's emails advising him to submit revised plans. DEP has corresponded with DOH concerning the SSTS. DEP received additional correspondence from DOH on 1/17/12. The City of New York's Law Department issued a letter to the owners on 1/27/12 regarding the NOV's and stated that they are drafting a

stipulation in order to bring the SSTSs into compliance. DEP received an e-mail from the owner on 1/27/12 requesting to renew his SSTS plans. DEP received an e-mail response about the barn and apartment use in the winter. NYC Law Department and the owner have been corresponding by email regarding the NOV's. DEP received an e-mail from the NYC Law Department on 2/10/12 regarding the meeting to be on 2/22/12 in order to discuss NOV resolutions. NYC Law Department issued the proposed stipulation to the owner on 02/17/12. DEP received a call on 2/21/12 from the owner's contractor, who wants to start importing fill from Davenport for the installation of three SSTSs for the facility. DEP advised him to wait until the designs are approved, rather than store the fill on site. The contractor is concerned that the funding from the CWC will not cover the total cost of the three SSTSs that the owner now wants to install. DEP received an e-mail from one of the property owners, requesting that DEP send his current engineer the soils information for testing done on 3/26/11 and 4/25/11 by a different engineer. DEP sent an email to the owner's engineer requesting he meet DEP at the site to determine potential SSTS sites. NYC Law Department sent an e-mail to the owners confirming the enforcement meeting scheduled for 2/22/12 on 2/21/12. DEP called the Roxbury Town Clerk and sent her a fax for any additional information that a bedroom was added per building permit # 2810 for the house/B&B on SBL 155-2-6.522 on 2/22/12. DEP received an e-mail from the owner, with the soils report from 5/15/11. DEP corresponded by email with the owner regarding the property under easement where soils testing has already been done. DEP does not see the need for additional soils testing unless WAC denies the use of the encumbered properties. DEP called the engineer on 2/23/12 to try and setup soil testing based on the compliance conference. DEP received a call on 2/23/12 from the engineer, requesting on behalf of the property owner we use the locations where soils testing have been done. DEP discussed via email the option of designing the absorption field for both the house and arena on the lower arena lot, and a possible hold and haul for the barn, which is the engineer's preference. DEP sent an e-mail to the property manager reminding him to discuss the combined absorption field proposed for the B&B and Arena with WAC, as the property is under easement. DEP corresponded by e-mail on 3/2/12 with the design engineer concerning daily flows for the arena and proposed kitchen. WAC met and discussed and approved the applicant's proposal to install the SSTS for the arena and the house/B&B on the arena parcel on 3/2/12. DEP Legal sent an e-mail to the property manager with a revised draft stipulation, based on the meeting held on 2/22/12. DEP Legal received an e-mail from the Watershed Agricultural Council, confirming that the proposed SSTS location is acceptable to them on 3/7/12. DEP called the design engineer to discuss the plans. He will submit revised design based on owner's plans to install a kitchen in the Arena and equalize the flow from larger events. DEP received an e-mail from the design engineer on 3/12/12, with revised plans. DEP issued a letter to the owners on 3/16/12 with comments on the revised plans. DEP received an e-mail from the owner on 3/16/12, asking for a response to the plans his engineer submitted to DEP on 3/10/12. DEP responded and attached the comment letter. DEP received revised plans from the engineer on 3/20/12. DEP sent the e-mail from the engineer to DOH on 3/20/12. NYC Law corresponded by email regarding the reservation dates for the B&B on 3/26/12. DEP received a call on 3/27/12 from DOH stating that they will not be reviewing the project at this time. DEP issued a letter to the engineer on 3/28/12 with comments on the latest submission. On 3/28/12, DEP sent the design engineer comments on the 3/20/12 plans, and the engineer replied with revised plans on 3/29/12. DEP sent an e-mail to DEC, DOH and CWC with DEP's comments attached for the plans submitted for the project on 3/20/12. DEP sent the comment letter to the owner in an e-mail on 3/29/12. DEP sent an e-mail to the

chairman of the Roxbury Planning Board, with the DEP comment letter on 3/20/12 plans, and asked if a site plan review for this project was required on 3/29/12. DEP received an e-mail reply from the owner on 3/29/12, wanting to know when he could start construction. DEP sent an e-mail to the engineer on 3/30/12, which included the design with mark-ups and comments on what changes should be made to the plans, which are approvable but need clarification.

Project Type: SEQRA (SQ)

Status:

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

Town: Roxbury

Basin: Pepacton

Project Name: Stone Tavern Farm - Horse Arena, (Log #2011-PE-0377)

Project Description: Failing SSTS

Project Type: Intermediate SSTS (IS)

Status:

DEP initiated an Enforcement Action on 6/15/11. DEP issued a NOV to the owner on 6/15/11. On 6/23/11, the owner called DEP in response to the NOV issued to him and his father. He wants to re-schedule the enforcement conference to either 6/28 or 7/12/11, at 8:00 or 9:00 in the morning. DEP sent the owner an e-mail and also left him a phone message that DEP can meet him in Kingston on 6/28/11 at 8:00 a.m., as he requested, for the NOV required enforcement meeting. DEP called the property owner on 6/24/11 regarding the enforcement meeting proposed for 6/28/11. DEP received phone calls on 6/27/11 from the property manager, advising that the property owner wants to be present for the enforcement meeting, so it will need to be re-scheduled. DEP called DOH on 6/30/11; DOH has not heard anything from the owner regarding hosting the desiderata festival beyond the initial inquiry. DEP's Bureau of Legal Affairs issued a letter to the owner's on 8/5/11 regarding the outstanding NOV's. An enforcement conference call was held with the owner on 8/12/11 with a follow up email issued on the same day. DEP's Bureau of Legal Affairs issued a letter to the applicant on 9/8/11 stating that DEP has received proposed SSTS plans prior to the 9/1/11 deadline; however there are issues requiring resolution before DEP can approve the design as submitted. DEP's Bureau of Legal Affairs issued a letter to the owners on 10/26/11 stating that DEP is referring this matter to the NYC Law Department for enforcement and compliance of the NOV's issued. DEP received an e-mail from the manager on 11/10/11, inquiring about a repair that he wants to have his contractor do on the house/B&B SSTS. DEP replied on 11/15/11 that DEP needs to witness any SSTS work. DEP was copied on an e-mail from the owner's family to the Watershed Agricultural Council (WAC) on 11/28/11. The email contains a letter to WAC requesting an easement amendment. DEP sent an e-mail to the property manager on 12/2/11 and on 12/5/11, requesting a site visit date and pump out receipts. DEP received the letter from the Watershed Agricultural Committee on 1/9/12, denying the request for the amendment to the easement. The City of New York's Law Department issued a letter to the owners on 1/27/12 regarding the NOV's and stated that they are drafting a stipulation in order to bring the SSTSs into compliance. DEP received an e-mail from the NYC Law Department on 2/10/12 regarding the meeting to be on 2/22/12 in order to discuss NOV resolutions. NYC Law Department issued the proposed stipulation to the owner on 2/17/12. DEP received a copy of the soils investigation report that was conducted on 5/15/11 from the

engineer on 2/22/12. DEP called the engineer on 2/23/12 to and setup soil testing based on the compliance conference. The engineer had already received a call from applicant and will try to set something up.

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

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

Project Type: Intermediate Repair (CR)

Status:

DEP issued a comment letter to the applicant on 12/20/10 regarding the NOV. DEP sent an email to the applicant on 1/19/11; attached the 12/20/10 letter and requested the status of the SSTS. DEP sent another email to the owner on 2/10/11, as a reminder to set up an appointment with DEP regarding the residential SSTS NOV. DEP received a call on 2/10/11 from the owner regarding the letter issued to the applicant on 12/20/10. DEP returned the call on 2/11/11 and left a message as no one answered. DEP called the owner on 3/3/11 and left a second message in regards to the owners request for a call back from 2/10/11. DEP's Assistant Counsel issued a comment letter to the homeowner on 6/3/11 regarding the NOV. DEP called the owner on 8/23/11 and advised her to contact CWC to check eligibility. DEP called the owner on 10/19/11 and left a message requesting a call back. DEP's Bureau of Legal Affairs issued a final notice to the homeowner on 12/29/11 regarding the NOV before the matter is referred to the New York City Law Department to recommend litigation. Site Visit type: Enforcement. Date; 1/20/12; septic failure not observed.

Project Type: SEQRA (SQ)

Status:

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

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

Location: Stamford (V)

Type of Use: Commercial

Discovery Date: 8/9/04

Type of Violation: SSTS Failure

Status: Approved

Overview and Action:

DEP received an email from the owner on 12/28/10 stating that he will call and have them start pumping starting with one (1) truck load a week. DEP received the pump out receipt from the applicant on 1/3/11. DEP sent an email to the applicant and the engineer on 1/3/11 regarding the pump outs. DEP performed a site visit type on 1/4/11; septic failure not observed. DEP received the pump out receipt on 1/5/11. DEP performed a site visit on 1/19/11; septic failure observed. DEP inspected the absorption field; surface failures were observed in two (2) spots on the lower absorption field. The failures appeared to re-enter the ground further down. DEP performed a

site visit on 1/19/11; septic failure observed. DEP performed an inspection of the absorption field; it was failing in two (2) spots. The snow melted in two (2) areas on the lower absorption field. The ground was soft and wet around the melted snow. The failure was not migrating off site. DEP sent an email on 2/10/11 to the director asking for a new contact person on site. DEP performed a site visit on 2/11/11; septic failure not observed. DEP observed the absorption field from the driveway; it was snow covered and no footprints or discharges were noted. DEP also left a message for the maintenance department asking for a return phone call to discuss water readings and pump outs. DEP received the water meter readings on 2/24/11. DEP performed a site visit on 3/4/11; septic failure observed. DEP inspected the absorption field with the maintenance person. Sewage was observed surfacing at the lower fields and when the ground was stepped on, sewage surfaced as well. The pump-outs are occurring twice per month. DEP performed a site visit on 3/16/11; septic failure observed. DEP performed an inspection of the absorption field; sewage was surfacing on the ground in the lower portion of the field in the same general vicinity as last seen. On 4/19/11, DEP did a routine absorption field inspection. Although the ground surface was very soft and oozy in the lower middle field and along the driveway, no sewage was observed. DEP met the new superintendent and discussed the history of the SSTS with him. DEP received the water meter readings on 4/21/11. DEP received an e-mail from the Phoenix House on 4/21/11 with dates and amounts of pump outs for 2011. DEP received word from the facility that maintenance work will begin this May 2011. On 5/5/11, DEP walked the absorption field with the maintenance staff. Sewage was observed on the ground in two areas of the absorption field. The field has been mowed once this year, and a mower with a lighter footprint is being pursued. DEP received a call on 5/17/11 from the Septic-Tech representative; he informed DEP that Septic Tech would warranty the absorption field for 20 years if Septic Tech was installed as pre-treatment. On 5/20/11, DEP observed sewage on the ground in the lower fields and also in the ditch along the driveway. DEP issued a letter to the Director on 6/10/11 regarding the need to either replace or repair the SSTS until the violation is cured. DEP corresponded by email with the director regarding the site/repair work that was scheduled for last fall; the plans are to begin in two months. On 6/29/11, DEP did a routine inspection of the large absorption field; the lower area had soft spots and when stepped on brought sewage to the ground surface. There was also evidence of recent sewage ponding on the field and in the ditch along the road. DEP received pump out receipts on 7/5/11. DEP received the water meter readings on 7/5/11. DEP received the water meter reading from 7/1/11 to 7/15/11 on 7/18/11. DEP received the 7/13/11 pump out receipt on 7/18/11. DEP received the water meter readings on 8/18/11. DEP performed a site visit on 8/26/11; the field was soft in areas but no sign out sewage outbreaks. The tank is being pumped every other week. DEP received the water meter readings on 9/27/11. DEP received the water meter readings on 10/14/11. DEP performed a site visit on 10/21/11; the large absorption fields were recently mowed and there was no sign of sewage on the ground. DEP received the water meter readings on 11/16/11. The maintenance man said the field looks okay. DEP received the pump out receipts on 11/18/11. DEP received an e-mail from the maintenance department on 12/29/11 which included the water log. DEP received the water meter readings on 12/29/11. On 1/20/12, DEP performed a site visit to assess the absorption field. Although the field was spongy in several places, no effluent surfaced until the soft ground was stepped on. DEP performed a routine inspection of the SSTS on 2/9/12; there was no sewage on the ground in the area of the large absorption field. DEP sent an e-mail to the maintenance supervisor, requesting information on the frequency of the absorption field inspections and tank pump outs on 2/17/12. DEP

received the water meter readings on 2/17/12. On 2/23/12, DEP performed a routine inspection of the absorption field; no sewage was observed on the surface of the absorption field. On 3/6/12, DEP performed an inspection of the absorption field. Although the lower middle and lower western fields were spongy, no sewage was observed on the ground.

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

Overview and Action:

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

Town: Tompkins
Basin: Cannonsville
Project Name: Town Of Tompkins Garage, (Log #2012-CN-0083)
Project Description: OT-Dye test due to failure on 2009-CN-0152-STR.1
Project Type: Other (OT)
Status: New

DEP sent an e-mail to DEP Police on 2/24/12 requesting assistance for dye test over the weekend. DEP performed a site visit on 2/24/12; septic failure was observed; surfacing of sewage on ground. DEP introduced dye into garage bathroom at around 11:15 am and continued to monitor failure site until 1:30 pm; no dye was surfacing. DEP will continue to monitor failure site for dye. DEP received an e-mail from the DEP Police on 2/25/12; no dye was recovered. DEP performed a site visit on 2/27/12; septic failure was observed; surfacing of sewage on ground. DEP checked failure site for dye and none was seen. DEP performed a site visit on 3/2/12; there was still no sign of dye surfacing. The failure has not gotten any worse and it seems as though it only surfaces once in a while when a certain toilet is used. Some water was exiting a pipe from snow melt.

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

DEP called the owner on 7/29/10 requesting the status of the design re-submittal expected from the Engineer. The owner indicated that DEP would receive the revised design in the first week of August 2010. DEP reminded the owner that the NOV they are currently pumping and hauling under was not intended to allow this pump and haul to make it through a full season of operation and that the owner needs to comply and build a compliant system or further legal action may

pursue, first in the form of a notification letter then possibly a stipulation agreement with fines. DEP staff received a phone call from the project owner and engineer; they called to discuss design issues and comments they plan on addressing in a future engineering report/letter/evaluation that will be sent to DEP later next week (8/18). They are requesting comments in order to revise the SSTS plans for resubmission. DEP received a call on 8/11/10 from the site owner regarding legal concerns with the current non-compliant status of the site. The owner has requested to know how much time they have to bring the site into compliance and remove the NOV before Legal will take further action on them. They were advised to submit a compliant design as quick as possible to avoid penalties. The owner indicated they were having financial troubles and did not know if the business could sustain itself past the fall of 2010. The owner indicated he would try to have the Engineer submit revisions to the design as requested formally by DEP. DEP received a draft letter from the engineer on 8/23/10 responding to the NOICA and comment letters. DEP responded to the draft engineers' letter of 8/23/10 on 8/27/10. DEP received DOH response to the draft engineer's letter on 8/30/10. DEP received the pump out receipt from the applicant on 9/8/10. DEP called both the engineer and applicant on 9/9/10 to discuss the SSTS sizing requirements for the replacement system. DEP sent an email to the owner and the engineer on 9/13/10 summarizing their phone conversation of the flow rates. DEP received call on 10/7/10 from owner regarding a disagreement between the owner and the engineer as to how to go about revising the plans. The owner expressed frustration to the point that he may not open the business next year. DEP reminded the owner that even if the business closes, the residential SSTS must be dealt with. DEP received an email from the owner on 10/28/10 stating that they are moving forward with the plans. DEP received an email from the owner on 11/19/10 stating that he was hoping to hear from the engineer since a payment was recently made. DEP received an email from the owner on 11/30/10; they are still waiting to hear from the engineer. DEP received a response to the NOICA from engineer on 12/06/10. DEP received a letter from DOH to the applicant on 12/22/10 regarding the feather down farm tents. DEP received an email from the owner on 1/21/11 regarding the SPDES permit and the Variance application. DEP received an email from the owner on 2/08/11 regarding their frustration with the delays and approvals. DEP received a return email from DOH on 2/25/11 noting that they are waiting for notification from the owner before triggering DOH permit requirements. DEP sent an email to DOH on 2/25/11 regarding any DOH approvals. DEP called the owner on 3/3/11 regarding the status of the proposed SSTS design. DEP informed the owner that along with the revised plans, DEP would also like to receive a timeline indicating when the SSTS will expect to be installed once approved. DEP will allow the continued use of pump and haul for this season as long as the DEP has the requested information. DEP received the runoff schematic from the owner on 3/08/11. DEP sent and received emails to and from the owner on 3/24/11 regarding an update on the plan revisions. DEP received a response to the NOICA from the engineer applicant on 3/30/11 with revised plans. DEP received a copy of the SPDES Permit Application on 4/1/11. DEP received a copy of the letter sent from the engineer to DEC on 4/18/11 regarding SPDES General Permit Application. DEP received an e-mail from DOH on 4/18/11 confirming that DOH approvals would not be required until the 5th tent is used. DEP received an e-mail from the Watershed Agricultural Council 4/21/11 stating that they will not implement BMPs until as-builts are received and approved by DEP. DEP issued the NOCA and Approval Determination letters on 4/21/11. DEP received an e-mail from the owner on 6/2/11; construction is expected to begin around 6/13/11. On 6/21/11, DEP met with owner to go over the construction of the SSTS. DEP received the pump out receipt from the applicant on 7/5/11.

DEP received a call on 7/21/11 from the engineer regarding a new design for the SSTS using 780 gallons per day as the design flow. The 780 gallons/day was the flow value that the DOH stated could be the minimum used for the four tents and the owner's house. The engineer is completing the full design and will resubmit for a new design approval. Currently the camp is in operation and DEP has recently received a pump out receipt. DEP received revised plans from the new engineer on 8/15/11. DEP received a copy of the 9/2/11 pump out receipt from the applicant on 9/19/11. He also requested the status of the plans. DEP issued a comment letter to the applicant on 9/23/11 regarding the revised plans. DEP received revised plans from the engineer on 9/26/11. DEP issued a Modified Approval Determination letter on 10/6/11. DEP received an e-mail from the applicant on 10/19/11 stating that his first steps would be to install the tank for the house. DEP received a letter from DOH on 10/24/11 approving the plans. DEP received a call on 11/18/11 from owner regarding the installation of the septic tank. The owner stated that he will contact DEP early next week to set up an inspection of the septic tank installation. DEP called the owner on 1/23/12 regarding the SSTS. The septic tank for the house has been placed into the ground but not connected to the house as of yet; the owner will continue to pump and haul from existing tank until the construction can commence in the Spring. The pathway through garage floor has been completed. DEP received an e-mail from the owner on 2/24/12 discussing the construction of the approved SSTS.

Project Type: SEQRA (SQ)
Status:

SCS received a Notice of Intent to declare Lead Agency from the Planning Board on 5/12/10. SCS issued a letter on 6/2/10 stating that DEP has no objection to the town of Walton Planning Board being Lead Agency for the purposes of SEQRA and comments on the EAF. DEP received a copy of the DOH letter to the Town of Walton Planning Board on 6/4/10 regarding their approval responsibilities and requested to be considered an Involved Agency. SCS called the Planning Board Chairman on 7/29/10 regarding status of SEQR determination; he indicated that there was no change and no issues with the flood plain. It was recommended that the Neg Dec be re-posted on the ENB. SCS received Lead Agency Neg Dec dated 6/21/10 from Delaware County Planning Department.

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

Overview and action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 5/15/98. A soil/site evaluation was performed on 3/18/99. A design approval was issued on 11/15/99. DEP received a letter and revised plans from the engineer on 8/3/09. DEP issued an Approval Determination letter on 8/5/09. DEP called and left a message on 5/24/11. DEP issued a letter to the owner on 6/29/11 stating that the plans have not yet been received. DEP issued a Design Approval Expiration letter on 8/25/11. DEP called the property owner on 3/9/12. He said he would call back since he was on his way to a funeral.

Project Name: 156 Armstrong Road (Log #2008-CN-0777)
Town: Walton
Type of Use: Residence
Type of Violation: Failed SSTS - CWC
Discovery Date: 6/11/08
Status: Closed

Overview and Action:

DEP performed a dye test on 6/11/08; the results were positive. A soil/site evaluation was performed on 8/6/08. Additional soil/site evaluation was performed on 8/28/08. DEP issued an Approval Determination letter on 9/8/08. A soil/site evaluation was performed on 6/9/10. DEP issued a letter to the owner on 4/13/11 stating that construction has not yet commenced. DEP received notice on 7/18/11 that construction will begin on 7/18/11. DEP completed construction inspections on 8/3/11. DEP received As-Built plans, along with engineer's certification letter from the engineer on 8/8/11. DEP issued a letter of Construction Compliance on 8/9/11. DEP has resolved the Enforcement Action on 8/11/11. The violation was resolved and the case was closed on 10/26/11 with a DEP closure letter dated 10/26/11.

Name: Sholam Road, (Log #2001-RO-0730) I.D. #: 1570
Location: Wawarsing
Type of Use: Residence
Discovery Date: 7/1/01
Type of Violation: Failed septic system
Status: Approved

Overview and action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 4/24/01. A soil/site evaluation was performed on 6/27/01. A design approval was issued on 8/28/01. On 11/30/01, an NOV was issued to the Owner. A design approval was issued on 12/12/02. DEP received a letter and new plans from the new engineer on a different location 1/26/10. DEP issued an Approval Determination letter on 2/8/10. DEP issued a letter to the owner on 4/13/11 stating that the construction has not yet commenced. On 4/27/11, DEP stopped by to see if the applicant knew when he would be starting construction. He is waiting to hear back from CWC on funding and informed DEP who he would be using to install the system. Site Visit type: Follow up. Date: 2/1/12; no change to site. DEP called the property owner on 2/1/12; he is going to renew his application and is still trying to find a third contractor to submit a bid on the system for CWC. The owners engineer will send a letter to re submit plans. DEP received a letter from the engineer on 2/8/12 requesting design approval extension. DEP issued a renewed Approval determination on 2/21/12.

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

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

DEP initiated an Enforcement Action on 11/23/11. DEP issued a NOV to the owner on 11/23/11. DEP received an email from DEP Legal on 12/16/11, advising that the owner hired a design professional that will be preparing a plan for review. DEP issued a comment letter to the engineer on 12/30/11 regarding the NOV. DEP sent an e-mail to Legal/Police on 1/27/12. DEP received an e-mail responding to the NOV on 1/27/12. The applicant has been in court several times at the Town of Carmel and the Town Courts are working with DEP and the applicant to obtain a stable condition at the site. Site inspections performed on 10/25/2011; 11/16/2011; 1/4/2012; 1/13/2012; 1/25/2012; 2/8/2012; 3/5/2012; Owner continues to implement the final closure/stabilization plan as approved by the Town of Carmel Planning Board and accepted by DEP. Additionally, the owner has removed all excess fill material from adjacent NYC Lands. Site is stable.

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

DEP initiated an Enforcement Action on 10/28/11. DEP issued a NOV to the owner on 10/28/11. DEP sent an internal status update via email on 11/9/11. DEP sent an internal update on status of NOV on 11/14/11, advising that the engineer will prepare and submit a plan/report to address interim, temporary stabilization of the fill. DEP received a letter and plans responding to the NOV on 12/07/11. DEP issued a letter to the engineer on 12/12/11 regarding the NOV, advising that the recently submitted plans are acceptable with conditions. DEP sent an e-mail to Legal/Police on 1/27/12. The applicant has been before the Town of Carmel Court several times to resolve the unstable site conditions. Site inspections performed on 10/25/2011; 11/16/2011; 1/4/2012; 1/13/2012; 1/25/2012; 2/8/2012; 3/5/2012; Owner has provided a dense, temporary cover material in advance of final closure/stabilization as approved by the Town of Carmel Planning Board and accepted by DEP. Site is stable.

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

A meeting was held with the project applicant on 3/9/12. DEP received the final closure plan from the engineer on 3/12/12. DEP received an Application for a SWPPP on 3/12/12 from the engineer. DEP initiated an Enforcement Action on 3/13/12. DEP performed a site visit on 3/14/12; there were deficiencies; there was no discharge and the site was occupied. DEP performed a site visit on 3/16/12; there were no deficiencies; there was no discharge and the site was occupied. DEP performed site visits on 3/21 and 3/26/12; there were deficiencies; there was no discharge and the site was occupied.

Town: Carmel
Basin: Croton Falls

Project Name: Prato Gary Attn: Garon Fence Co/Fill Section, (Log #2010-CF-0892)
Project Description: Fill section.
Project Type: Stormwater (SP)
Status: NEW

DEP received a call on 10/6/10 from the Town of Carmel Engineering; they had visited the site and walked the top of the fill. There was cracking at the top and the material was very soft; stability is questionable. A town building code violation was issued on 9/10/10. DEP called DEC Solid & Hazardous Waste on 10/5/10 to put them in touch with the Town of Carmel Engineering about the site; also called the engineer to give them contact info for DEC Solid & Hazardous Waste personnel. DEP performed a site visit on 10/6/10; fill material from the landfill on the property has migrated down slope onto DEP property and into Croton Falls Reservoir. DEC observed a turbidity plume on 9/30/10, into Croton Falls Reservoir; photos were taken of turbidity plume. DEP received the final complaint on 10/13/10 for the Attorney General's Office (NYSAGO). DEP received a copy of the survey on 10/13/10. DEP performed a site visit on 10/8/10 with DEC. DEP initiated an Enforcement Action on 10/14/10. DEP issued a NOV for Stormwater Violation to the owner on 10/15/10. DEP received a copy of the signed Order to Show Cause on 10/19/10. DEP received the NOV returned by the post office as non-deliverable on 10/22/10. DEP hand delivered the NOV to the applicant's representative on 10/25/10. DEP received a copy of the modified order on 10/27/10. DEP received a letter from the attorney on 10/28/10 stating that they have received the proposed order. DEP received a copy of the interim Order on Consent on 11/01/10. DEP received the work plan from the engineer on 11/1/10. DEP received an email from NYSAGO on 11/1/10 containing the Interim Work Plan, a letter from the applicant's attorney to NYS Supreme Court, and an Interim Order of Consent. DEP received a copy of the corrected proposed order on 11/4/10. DEP received soil and erosion technology information via email on 11/5/10. DEP received a copy of Exhibits I-IV from the engineer on 11/8/10. DEP received an email from NYSAGO on 11/9/10 with attached copy of letter from NYSAGO to NYS Supreme Court. A meeting and site walk was held with the project engineer, DEC and NYSAGO on site on 11/12/10. DEP issued a letter of items that are required based on the site meeting held on 11/12/10 by DEP staff. DEP received a call on 12/09/10 from the NYS Attorney General's office to discuss aspects of the temporary erosion control. DEP received an email from NYSAGO on 12/10/10 containing soil 'screening' test results prepared by DEC. DEP received an email from DEC on 12/13/10 containing a copy of the site visit report from 11/12/10 site visit. DEP received a letter from the attorney on 12/13/10 enclosing a letter from the engineer providing an update to the proposed work plan. DEP received a letter from the new counsel for the contractor to the Court on 12/22/10 regarding the new order. DEP issued a comment letter to the engineer on 12/22/10 regarding the NOV, requesting a response within 10 days. NYC Law received an email from NYSAGO on 12/23/10 containing Site Investigation Work Plan. DEP received the signed Interim Order on 12/23/10. DEP sent a letter to DEP Legal on 12/29/10. DEP issued a comment letter to the engineer on 12/30/10 regarding the NOV. DEP issued a NOV for Solid Waste to the owner on 12/30/10. DEP performed a site visit on 12/30/10 for Stormwater Violation as construction started without SWPPP. DEP received a letter which by email that will serve as a interim inspection report from the engineer regarding the site visit on 12/20/10. DEP received Inspection Reports from the engineer on 1/3/11. DEP performed a site visit on 1/4/11; there were deficiencies, there was a discharge and the site was vacant. DEP received a call on 1/5/11 from the Engineer regarding the Stormwater NOV. He said he would be sending DEP a formal response to DEP's two (2)

Stormwater NOV follow-up letters, including a revised work plan dated 12/13/10. DEP issued an email on 1/6/11 with follow-up notes to the meeting on 12/24/10 and response to DEP's letter dated 11/16/10. DEP sent a response concerning the Soil Sediment to DEP Legal on 1/06/11. DEP received a letter on 1/6/11 from the engineer regarding the follow-up meeting held with DEP on 12/24/10 and a response to DEP's letter on 11/16/10. DEP returned a call on 1/20/11 from the engineer regarding the Site Investigation Work Plan. DEP called engineer on 3/8/11 and discussed temporary erosion control measures. The engineer stated that silt fences were repaired as of today and that he would discuss with the applicant about hydro-seeding as soon as possible. DEP called the engineer on 3/11/11 with no reply. DEP performed a site visit on 3/11/11; observed conditions along City Property following a rain event that occurred on 3/10/11. Evidence of runoff was noted and photographed. DEP received a call on 3/17/11 from the engineer regarding site maintenance, seeding mulching, and hydro-seeding. The engineer stated he would send DEP a letter outlining work done and to be done. DEP received a call on 3/21/11 from the engineer stating site was seeded and mulched and that a written report would follow. A meeting was held with the project engineer on site on 4/19/11. The engineer explained work recently completed, which consisted of silt fence repairs. DEP staff witnessed test pit excavations on the fill section on 6/8/11. In attendance were representatives from DEC, NYSAGO, and two contractors. Soil testing was conducted for purposes of solid waste characterization. DEP received a letter from a concerned citizen to DEP Commissioner on 6/20/11 regarding construction on the site. On 8/30/11, Stormwater Programs visited the site; it appears that erosion/rilling of fill continues at similar rate as noted in the past. DEP received an email from several parties indicating photos were taken on 8/31/11. Watershed Lands/ Operations personnel continue to perform inspections on adjacent NYC Lands every 60 days. DEP Police continue to take aerial photos of the affected areas on a regular basis to assess conditions.

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

DEP sent out copies of site visit reports on 6/30/10 upon FOIL request. A meeting was held on site to discuss erosion controls with grading and hydro-seeding operations to be scheduled to stabilize both Lot 3 and unused stock piles in Lot 7. DEP performed site visits on 7/21, 8/10, 8/23 and 9/21/10; there were no deficiencies; there was no discharge; the site was occupied. DEP performed site visits on 10/4, 10/21, 11/1, 11/16, 12/15/10, 1/11, 2/9, 2/25 and 3/7/11; there were no deficiencies, there was no discharge and the site was occupied. A meeting was held with the contractor and DEP 3/8/11; the immediate stabilization of Lot 3 and Lot 5 was discussed and agreed upon. DEP performed site visits on 3/9 and 3/29/11; there were no deficiencies, there was no discharge and the site was occupied. DEP performed a site visit on 4/15 and 4/28/11; there were no deficiencies, there was no discharge and the site was occupied. DEP received an e-mail from the engineer on 5/3/11, stating stabilization measures will be addressed by the contractor. A meeting was held with the contractor on 5/9/11. Completing stabilization for Lots 3 and 7 was discussed. DEP performed site visits on 5/11, 5/25, 6/2, 6/7, 6/22, 7/25 and 8/4/11; there were no deficiencies, there was no discharge and the site was occupied. DEP issued a 37

page field inspection report to the Putnam County Coalition on 8/22/11. DEP performed site visits on 8/30, 9/1 and 9/28/11; there were no deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 10/17, 11/1, 11/9, 11/16, 11/30, 12/15, 12/27/11, 1/9, 2/6 and 3/19/12; there were no deficiencies; there was no discharge and the site was occupied.

Project Type: SEQRA (SQ)

Status:

DEP Project Review received a copy of Town's SEQRA Evaluation Form from the engineer on 5/27/05 advising the minimum thresholds and criteria of the project fall within the outline of the GEIS and therefore no further SEQRA review is required. (See Log # 1995-CF-0418-SQ.1 for previous SEQRA review).

3.2.4. Kensico Basin

Town: Mount Pleasant

Basin: Kensico

Project Name: Geolsomino Fedele/NOV, (Log #2011-KE-0394)

Project Description: No permit required. Lack of erosion and sediment controls caused turbidity and subsequent notice of violation.

Project Type: Stormwater (SP)

Status:

DEP received a copy of a NOV on 6/6/11 regarding erosion and sediment control issues. DEP received a response to the inspection performed on 7/6/11 from DEC. DEP performed a site visit on 8/8/11 and 9/19/11; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 12/12/11, there were no deficiencies, there was no discharge and the site was vacant. DEP completed construction inspections on 12/12/11, the site was stable.

3.3. DEP Police Actions

3.3.1. Catskill District

Name: 187 Bearkill Road

CS-209-11, SJS 30672

Location: Conesville

Type of Use: Residential

Type of Violation: Dumping

Date Discovered: 8/18/11

Status: Closed

Overview and Action:

DEP Police investigated a complaint in which a concerned neighbor reported garbage spilling out of a storage shed and possibly making its way into a nearby stream. Officer arrived on scene and found that none of the garbage had made its way to the stream. Homeowner advised to clean up overflowing garbage which he stated would be done immediately. Officer will return in one week for follow-up. Follow up investigation revealed subject had cleaned the refuse from the location and surrounding area. DEP Police involved.

Name: County Route 39 **CS-338-11, SJS 32089**
Location: Conesville
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/31/11
Status: Closed

Overview and Action:

DEP Police observed a television on the side of the road between Gates 10 and 11 on city property. Model and serial numbers were retrieved but officer's attempt to trace ownership through a warranty yielded negative results. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: Road 7, Gate 22 Schoharie Reservoir **CS-356-11, SJS 32415**
Location: Gilboa
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 11/19/11
Status: Closed

Overview and Action:

DEP Police was dispatched to investigate a spill at Gate 22 on the Schoharie Reservoir. Upon arrival officer spoke with site superintendent from company contracted to work on Gilboa Dam reconstruction project that stated that some of the workers noticed sheen on the surface of the water in one of the coves blocked by debris and driftwood, believed to be residual pollution resulting from Hurricane Irene. DEP Haz Mat stated that absorbent booms were placed to contain the oil based material. DEP Police and DEP Haz Mat involved.

Name: Todd Road **CS-057-12, SJS 34323**
Location: Gilboa
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/18/12
Status: Closed

Overview and Action:

DEP Police observed a small dumpsite consisting of four very large bags of household refuse which did not yield any traceable evidence. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: NYS Rt 28 & NYS Rt 375 Intersection **CA-107-12, SJS 34390**
Location: Hurley **Spill # 1114162**
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 3/21/12
Status: Closed

Overview and Action:

DEP Police responded to a fuel spill from a tanker truck consisting of approximately five gallons

of fuel on the roadway only. New York State Police and DEC Spill Response personnel also on scene. Town of Hurley Fire Department was dispatched to apply Speedi-dri which was then swept into plastic containers for removal and proper disposal. No impact to water supply. DEP Police, NYS Police, DEC and T/Hurley Fire Department involved.

Name: State Route 23, Gate 5 Schoharie Reservoir **CS-380-11, SJS 32626**
Location: Prattsville
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 11/29/11
Status: Closed

Overview and Action:

DEP Police responded to a report of a spill involving a hydraulic line leak of approximately one quart of vegetable grade hydraulic oil. Spill was cleaned up by construction crew on site with assistance from Miller Environmental and DEP Haz Mat. Spill was reported to DEC by DEP Haz Mat. DEP Police, DEP Haz Mat and DEC involved.

Name: 14448 State Route 23 **CS-400-11, SJS 33006**
Location: Prattsville **Spill # 1108605**
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 12/22/11
Status: Closed

Overview and Action:

DEP Police observed and investigated a DEC Spill Response vehicle and private environmental service truck parked at the remains of a residence damaged during the Hurricane Irene flood. Upon inquiry, it was determined that two 275 gallon home heating oil tanks had been knocked over, spilling the contents but contained in the basement. Environmental company on scene conducted the clean-up; no impact to the water supply. Spill had been reported to DEC immediately following the storm on 9/2/11. DEP Police and DEC involved.

Name: Stanley Slater Road **CS-017-12, SJS 33542**
Location: Prattsville
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/27/12
Status: Closed

Overview and Action:

DEP Police investigated a dumping complaint and observed the bags of household refuse scattered around by wildlife. Site did yield traceable evidence to a subject who owns a residence on the above named road. Subject was located, interviewed and issued a ticket for Depositing Unwholesome Substance On or Near a Public Highway. DEP Police involved.

Name: 5229 State Route 28 **CA-471-11, SJS 31136**
Location: Shandaken
Type of Use: Residential

Type of Violation: Sewage Discharge
Date Discovered: 9/12/11
Status: Closed

Overview and Action:

DEP Police dispatched to a complaint involving an exposed septic tank at a property consisting of a main large house and three cabins. Property was currently unoccupied and appeared to have been severely damaged during recent flooding. Patrol observed that the lid to the septic tank next to the first cabin was missing, possibly washed away in flood. Also, a tree had fallen next to the septic tank near the third cabin and exposed a section of the tank which did not appear damaged and the lid was still on. Patrol documented conditions with photos and contacted DEP engineering for follow-up. Original complainant gave patrol the name of the property owner but was unable to provide phone number or address for contact. Investigation ongoing. Investigation determined that the subjects had moved out of the state of New York, and no contact information located for same. DEP Police and DEP Engineering involved.

Name: 7 Phil's Way **CA-495-11, SJS 31418**
Location: Shandaken
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 9/25/11
Status: Closed

Overview and Action:

DEP Police was notified by DEC Spills regarding a complaint of fuel oil in the creek behind a residence which appeared as minor surface pooling of a petroleum-based product on private property and a sheen resulting from the product was also observed on the surface of a small watercourse which is a tributary of the Ashokan Reservoir. Further investigation by patrol identified tread marks from a dump truck that had accessed the property to dump a load of large stone boulders which may have driven over and compromised the buried home heating oil tank. Initial attempts to contact homeowner met with negative results and patrol was unable to confirm circumstances. When contacted, DEP Haz Mat stated that because spill was not on city property or the result of actions of DEP, DEC was responsible for mitigation and follow-up. Patrol re-contacted DEC and advised them of DEP Haz Mat's decision. DEP Haz Mat will conduct follow up to ensure no further action would be required of DEP and to monitor DEC's clean-up. DEP Police, DEP Haz Mat and DEC involved.

Name: State Route 28, Esopus Bridge **CA-125-12, SJS 34496**
Location: Shandaken
Type of Use: Rural
Type of Violation: Haz Mat
Date Discovered: 3/26/12
Status: OPEN

Overview and Action:

DEP Police investigated a complaint of two 55 gallon red metal drums containing what appeared to be a petroleum-based product. The drums, located along the west bank of the Esopus Creek approximately 100 yards downstream from where State Route 28 crosses the creek in Mt. Tremper are believed to have been deposited there by past flood waters. Officers located both

drums and label identified contents as a highly refined petroleum distillate. Site was photographed and DEP Haz Mat to be notified for further investigation and removal / remediation. DEP Police and DEP Haz Mat involved.

Name: County Route 23C **CS-035-12, SJS 33860**
Location: Tannersville
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 2/20/12
Status: Closed

Overview and Action:

DEP Police observed debris on the side of the road consisting of a broken crib with serial number and numerous other untraceable items. Attempt by officer to obtain information from company through warranty registration on crib yielded negative results. DEP Land Management contacted for clean-up. DEP Police and DEP Land Management involved.

3.3.2. Delaware District

Name: 1316 Weaver Hollow Road **CB-027-12, SJS 33798**
Location: Andes **Spill # 1113064**
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 2/15/12
Status: Closed

Overview and Action:

DEP Police responded to a complaint of a possible fuel oil leak at a vacant trailer located approximately ¼ mile south of the complainant's residence. Upon arrival, officers immediately noticed a strong fuel odor and observed two 100 gallon fuel tanks adjacent to the trailer which was not currently leaking, but further investigation revealed that one tank had previously leaked enough fuel to create a visible trail leading from the dwelling down to the drainage ditch along the road side. DEC contacted for spill number and Spill Coordinator's on site assessment determined that approximately 40 gallons of fuel had leaked, fully soaking into the ground posing no threat to any water source. DEP Haz Mat notified. DEC to contact property owner for removal/clean up proceedings. DEP Police, DEP Haz Mat and DEC involved.

Name: 40196 State Hwy 10 **CB-034-12, SJS 33911**
Location: Delhi
Type of Use: Commercial
Type of Violation: Haz Mat
Date Discovered: 2/24/12
Status: Closed

Overview and Action:

DEP Police investigated a complaint at a dairy cooperative plant which occurred at the wastewater collection tank designated for the plant. The wastewater contains water, sodium hydroxide and citric acid; neutralized by organic chemicals in ground soil with no environmental impact to the ground water. DEC notified and local company contacted for remediation and

repair to replace broken coupling in the transport pipe. Collected wastewater was pumped into a holding container and subsequently transported to nearby wastewater treatment plant. DEP Engineering notified in the event that follow-up is desired by their Department. DEP Police, DEP Engineering and DEC involved.

Name: County Route 16 **CB-045-12, SJS 34079**
Location: Delhi
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 3/6/12
Status: Closed

Overview and Action:

DEP Police observed a dumping consisting of primarily household garbage but including a case containing a hack saw, two knives, shears and a sharpener. Traceable evidence led to a former college student not in attendance since Spring 2011. When contacted by phone, subject stated that friends still in the area would be contacted to assist with clean-up of the bags. Officer advised subject that he would be issued ticket if clean-up did not occur within three days. Clean-up was completed; all garbage removed. DEP Police involved.

Name: Strauss Lane **CG-677-11, SJS 31970**
Location: Denning
Type of Use: Rural
Type of Violation: Stream Disturbance
Date Discovered: 10/25/11
Status: Closed

Overview and Action:

DEP Police observed excavators working in a stream making repairs to a private bridge, but no DEC permit was posted at the work site. Workers stated they thought permit was in effect and that DEC had been at the site the previous day. Officer contacted DEC and determined that the permit had expired 10/1/11, but DEC had given a verbal ok. for work to continue. Officer subsequently confirmed that DEC will extend 13 work permits issued for the location which suffered extensive damage as a result of recent flooding. DEP Police and DEC involved.

Name: Peekamoose Road **CG-017-12, SJS 33263**
Location: Denning
Type of Use: Rural
Type of Violation: Haz Mat
Date Discovered: 1/7/12
Status: OPEN

Overview and Action:

DEP Police received a complaint regarding a propane tank in a stream on city property. Investigation revealed a propane tank approximately ¼ full, positioned well above the high water mark most likely deposited there during very high flood conditions. Officers secured the tank to prevent leaking and contacted DEP Haz Mat for removal. DEP Police and DEP Haz Mat involved.

Name: 3634 Pine Swamp Road **CB-072-12, SJS 34448**
Location: Masonville
Type of Use: Residential
Type of Violation: Stream Violation
Date Discovered: 3/23/12
Status: Closed

Overview and Action:

DEP Police investigated a complaint of an individual knocking down a garage and pushing it over into the stream. Upon arrival, officer observed subject outside working to clean up his property and saw no remains from the garage in the stream. Subject advised officer that a current work order from Town Building Code Enforcement Officer was in place to permit the clean-up and an extension of that work order would be issued to allow completion of the project. No violations noted. DEP Police involved.

Name: 91 Farmland Drive **CB-184-11, SJS 30372**
Location: Middletown
Type of Use: Residential
Type of Violation: Sewage
Date Discovered: 8/1/11
Status: Closed

Overview and Action:

DEP Police investigated a complaint of a failed septic in which the tenant stated that his septic system had failed four weeks ago and other tenants in the trailer court were dealing with similar septic failures but the landlord advised them not to say anything. Officer took photos at two separate locations; on the side and across the road from the complainant's address showing raw sewage emerging from exposed pipes. DEP Land Management notified. Officer conducted follow-up visit to determine if any illegal work had begun beyond liming the raw sewage discharge areas and pumping the septic tanks. Worker on scene preparing for necessary repairs once proper permits obtained from DEP. Excavated area was fenced off and no further work was being done at that time. DEP will continue monitoring the site. Location closed due to damage from severe flooding at the location. DEP Police and DEP Haz Mat involved. Closed.

Name: 642 Small Road **CB-327-11, SJS 32217**
Location: Middletown
Type of Use: Residential
Type of Violation: Dumping
Date Discovered: 11/8/11
Status: Closed

Overview and Action:

DEP Police investigated a dumping complaint which initially did not yield traceable evidence but on follow up, homeowner advised that during clean-up he had found evidence with a name and address. Officer attempted to contact subject at the address that appeared to be a vacant residence with negative results. Homeowner advised to re-contact Police if any new dumping occurs. DEP Police involved.

Name: Ben Meeker Road **CB-021-12, SJS 33589**

Location: Middletown
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 1/30/12
Status: Closed

Overview and Action:

DEP Police observed a desk and several computer components with some identifiable (SUNY) markings discarded over an embankment. Officer contacted local SUNY University Police to inquire if the items were stolen but none were in their database probably due to their age (pre-1988). DEP Land Management notified for removal. DEP Police and DEP Land Management involved.

Name: Hasbrouck Road **CG-531-11, SJS 30744**
Location: Neversink
Type of Use: Rural
Type of Violation: Haz Mat
Date Discovered: 8/22/11
Status: Closed

Overview and Action:

DEP Police observed a plastic, one quart container bearing a black and white Hazmat Placard indicating #8 Corrosive still containing fluid and marked as Battery Fluid Acid dumped over the guiderail onto city property. DEP Haz Mat notified and arrived on scene to conduct soil samples of the surrounding dump site area with negative results. Haz Mat neutralized the remaining fluid inside the container before removal for proper disposal. Case remains open pending further information regarding the dumped material. Incident report completed. No further leads were located in regards to this complaint. DEP Police and DEP Haz Mat involved.

Name: State Route 55 **CG-635-11, SJS 31557**
Location: Neversink
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 10/3/11
Status: Closed

Overview and Action:

DEP Police observed a large amount of household trash scattered on city property near the Neversink Dam which did yield traceable evidence. Officer will attempt to trace the name and locate subject. DEP Police involved.

Name: State Route 55 **CG-637-11, SJS 31564**
Location: Neversink
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 10/3/11
Status: Closed

Overview and Action:

DEP Police observed and were able to remove a 100 pound propane tank from the Neversink

Reservoir. Officer contacted the propane company named on the tank for removal. DEP Police involved.

Name: Sundown Road **CG-646-11, SJS 31679**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 10/9/11
Status: Closed

Overview and Action

DEP Police observed a dumping of household trash which did yield traceable evidence including a pay stub from a local market which eventually led officer to two subjects. After interview, one subject was issued a ticket for Depositing Refuse on Highway or Adjacent Land (NYS VTL). DEP Police involved.

Name: Hunter Road **CG-674-11, SJS 31943**
Location: Neversink
Type of Use: Rural
Type of Violation: Dumping
Date Discovered: 10/23/11
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse which did yield traceable evidence. Officers located subject and after questioning, issued a ticket for Depositing Refuse on Highway or Adjacent Land (NYS VTL). DEP Police involved.

Name: County Route 27 **CB-257-11, SJS 31558**
Location: Sidney
Type of Use: Residential
Type of Violation: Sewage
Date Discovered: 10/3/11
Status: Closed

Overview and Action:

DEP Police investigated a complaint of an inadequate septic system in a new structure whose owner had failed to follow up with DEP Engineering during the construction process and was using a 300 gallon tank for septic. Complainant stated that owner intended to tie the septic system in with a neighboring structure which he also owns but was denied by DEP. When contacted, DEP Engineering stated that they had no record or information regarding this dwelling and the matter would be addressed. As this is a civil issue at this time, the case was turned over to DEP Engineering. DEP Police and DEP Engineering involved.

Name: County Route 18 **CS-066-12, SJS 34465**
Location: Stamford
Type of Use: Rural
Type of Violation: Sewage Discharge
Date Discovered: 3/24/12

Status: Closed

Overview and Action:

DEP Police investigated a complaint stating that a septic truck from a local company had discharged septic into a field adjacent to the West Branch of the Delaware River. Foot patrol of the field for any signs of recent septic discharge yielded negative results. Company was contacted and when owner met with officer at location he provided a copy of the pump ticket (invoice) which stated that 5,500 gallons of farm tank waste was pumped from a nearby farm and land spread on field in question. DEP Police involved.

Name: State Route 10 **CB-042-12, SJS 34028**
Location: Tompkins
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 3/4/12
Status: OPEN

Overview and Action:

DEP Police observed one large box filled with fabric material which ultimately yielded some traceable evidence. Further investigation revealed that primary subject was deceased but numerous family members and relatives reside in the area and officer will attempt to contact one of them for inquiry and resolution. DEP Police involved.

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

Name: Reservoir Road **CE-690-10, SJS 22389**
Location: Carmel
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/4/10
Status: Closed

Overview and Action:

DEP Police found a large dumping of household refuse with traceable evidence which was logged and photographed. Officer will attempt to locate responsible party. Officer was able to locate responsible party and clean-up was completed by responsible party. DEP Police involved.

Name: 837 Route 6 **CE-366-12, SJS 34116**
Location: Carmel **Spill # 1113718**
Type of Use: Commercial
Type of Violation: Haz Mat
Date Discovered: 3/8/12
Status: Closed

Overview and Action:

DEP Police responded to the scene of a gasoline spill at a commercial gas station where DEP Haz Mat was already on scene assessing the spill area for any potential drainage into NYC water supply. Also on scene was an Environmental Waste representative from the Putnam County Department of Health who had already removed 10-15 gallons of gasoline from the drain. It was determined that there was no impact to the watershed. DEP Police, DEP Haz Mat and Putnam

County Department of Health involved.

3.3.4. Kensico Basin

Name: West Lake Road CE-0607-10, SJS 22195
Location: Mt. Pleasant
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 3/25/10
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse and brush on a parcel of NYC property located across from Shaft 18 between West Lake Road and the Kensico Screening Chamber. Homes located on Colonial Drive have been dumping refuse over the NYC boundary stone wall and into the small waterway/wetland area below. Homes located on the far end have encroached through the stone wall and built two small sheds and another home has dismantled the stone wall and used the city wall stones in their backyard. DEP Watershed Land & Community Planning (WL & CP) provided a map of the area to assist with this ongoing joint investigation by the Detective Bureau and Patrol. After Detectives surveyed the area and consulted maps of NYC boundary line, it was determined that the dumping in question is actually on the property owner's residence with no encroachment observed. DEP Police & DEP WL & CP involved.

Name: Catskill Upper Effluent Chamber, West Lake Drive CE-815-10, SJS 22696
Location: Mt. Pleasant
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 4/23/10
Status: Closed

Overview and Action:

DEP Police found an open bag of household refuse on NYC property that did yield traceable evidence which was logged and secured. Detective Bureau will obtain further information on the two subjects, with interview to follow for possible ticketing. Detective Bureau is assisting patrol working on identifying and locating the responsible subjects. Subjects were located and clean-up was completed. DEP Police involved.

Name: West Lake Drive CE-1510-10, SJS 24392
Location: Mt. Pleasant
Type of Use: Residential
Type of Violation: Dumping
Date Discovered: 7/29/10
Status: Closed

Overview and Action:

DEP Police responded to a dumping complaint in the area of Shaft 18 which consisted of construction debris and other traceable evidence. Photos taken and investigation is continuing to contact subjects responsible. Detective Bureau assisting in investigation locate/contact subjects responsible. All attempts to locate the suspect in this case have been unfounded. Case closed.

DEP Police involved.

Name: Swanson Drive & Nannyhagen Road **CE-119-11, SJS 27051**
Location: Mt. Pleasant
Type of Use: Residential
Type of Violation: Haz Mat
Date Discovered: 1/19/11
Status: **OPEN**

Overview and Action:

DEP Police were dispatched to a spill of an unknown substance leading into a sewer drain. On scene, officers noticed a "yellowish substance" along the side of the roadway flowing toward a drain at the above intersection. Interview with homeowner indicated no testing underway and no septic tank present as property is connected to the local sewer system. DEP Haz Mat advised conducting follow-up along with DEC. As of this date, no further information has been obtained as part of a criminal investigation; follow up to be completed by DEP Hazmat and DEC. DEP Police, Hazmat, and DEC Involved. OPEN

Name: West Lake Drive **CE-1674-11, SJS 31659**
Location: North Castle
Type of Use: Municipal
Type of Violation: Haz Mat
Date Discovered: 10/9/11
Status: Closed

Overview and Action:

DEP Police vehicle's lower radiator coolant hose got caught on curb causing it to come loose spilling approximately 2-3 gallons of anti-freeze on the road. Spill was cleaned up using spill kit absorbent pads which were properly disposed of once all fluids had been absorbed. DEP Haz Mat notified and Incident Report filed. DEP Police and DEP Haz Mat involved.

Name: Route 22 **CE-516-12, SJS 34481**
Location: North Castle
Type of Use: Municipal
Type of Violation: Dumping
Date Discovered: 3/25/12
Status: Closed

Overview and Action:

DEP Police observed a dumping of household debris which did yield traceable evidence. Officer located subject at the address on shipping label and he stated that he had transported garbage for proper disposal but must have lost a bag of garbage off of vehicle. Subject followed officer back to dumping site where he cleaned up garbage and was given a verbal warning regarding proper actions for disposal. DEP Police involved.

Name: 1305 Old Orchard **CE-552-12, SJS 34595**
Location: North Castle **Spill # 1114528**
Type of Use: Residential
Type of Violation: Haz Mat

Date Discovered: 3/31/12

Status: Closed

Overview and Action:

DEP Police investigated a complaint of a minor oil spill which occurred during an oil delivery. A small undetermined amount of oil spilled onto the ground and possibly into a storm drain. Police Officer from North Castle was on scene. Inspection of the storm drain and the surrounding area showed no sign of oil being present. DEP Police and North Castle Police Department involved.

4. Kensico Spill Response Program

Program Description

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

There were no spills reported for the period 10/1/11 to 3/31/12.