The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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January 29, 2007

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

RE: Order on Consent (CSO Order)
DEC Case # CO2-20000107-8
Citywide CSO Program - Quarterly Report

Dear Mr. DiMura:

In accordance with Section IV, Paragraphs A-C of the above referenced proposed Consent Order, the New York City Department of Environmental Protection hereby submits the Citywide CSO Quarterly Report for the period of October 1 through December 31, 2006.

Should you require further information, please contact me at (718) 595-5973.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

Copy to:

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NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENGINEERING DESIGN & CONSTRUCTION
DEC CASE # CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – Fourth Quarter 2006

December 2006

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

CSO Order on Consent
DEC Case # CO2-20000107-8

QUARTERLY PROGRESS REPORT
FOURTH QUARTER 2006
(October 1 – December 31)

January 31, 2007

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Appendix

1.0. Executive Summary

The Combined Sewer Overflow "CSO" Order on Consent, DEC Case # CO2-20000107-8 (the "Order"); was entered into by the City of New York ("City") and the New York State Department of Environmental Conservation ("DEC") on January 14, 2005. Pursuant to Section IV, Paragraph A of the Order, the City shall submit quarterly status reports to DEC ("Quarterly Reports"). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress by the New York City Department of Environmental Protection ("DEP") in complying with the milestones set forth in the Order during the period from October 1, 2006 to December 31, 2006.

Major Actions This Quarter:

Table 1 presents the milestones that were met by DEP this quarter and Table 2 shows milestones that were postponed. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Copies of these certification letters are provided in Appendix A.

Table 1 – Milestones Met (October 2006 - December 2006)

LOCATION/PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	CONSENT ORDER MILESTONE DATE	DATE MILESTONE WAS ACHIEVED
Jamaica Tributaries	Destratification Facility	Final Design Completion	October 2006	October 2006
Outer Harbor	Inline Storage	Final Design Completion	November 2006	DEC approved the elimination of this element in a letter dated October 28, 2005 (Dimura to Mueller)
Outer Harbor	Regulator Automation	Final Design Completion	November 2006	November 2006
Inner Harbor	Inline Storage	Final Design Completion	November 2006	November 2006
Inner Harbor	Regulator Automation	Final Design Completion	November 2006	November 2006
Jamaica Tributaries	Regulator Automation	Final Design Completion	November 2006	November 2006
Alley Creek	Outfall and Sewer System Improvements	Construction Completion	December 2006	December 2006
Alley Creek	CSO Retention Facility	Notice to Proceed to Construction	December 2006	December 2006

Table 2 – Milestones Postponed

LOCATION / PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	REASON FOR POSTPONMENT	DATE OF POSTPONMENT
Flushing Bay	Mechanical Structures	Construction Completion	Force Majeure	September 2004
Paerdegat Basin	Foundations and Substructures	Construction Completion	Request for Modification	October 2006

As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on November 2, 2006. The meeting was held at Hazen and Sawyer's offices in New York, NY to discuss issues related to the Order and review milestones met during the last quarter.

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report.

Major Actions Next Quarter*:*

The following major actions are expected to occur between January 2007 and March 2007:

- Hold the next Quarterly Progress Meeting between DEC and DEP on February 8, 2007 at the offices of DEP in Kingston, NY.
- Submit written notification to DEC on the following upcoming milestones:

Table 3 – Milestones to be Met Next Quarter (January 2007 - March 2007)

LOCATION/PROJECT AREA	ITEM DESCRIPTION	ACTION REQUIRED	DATE TO BE SUBMITTED
Jamaica Bay	26th Ward Drainage Area Sewer Cleaning and Evaluation	Initiate Final Design	January 2007
Jamaica Bay	Hendrix Creek Dredging	Initiate Final Design	January 2007

2.0. Construction Contracts

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

Table 4 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
Alley Creek	Outfall and Sewer System Improvements	Dec 2002	Dec 2006	100%	100%
	CSO Retention Facility	Dec 2006	Dec 2009	-	-
Outer Harbor	Regulator Improvements - Fixed Orifices	Feb 2006	Jul 2008	34%	30%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	Port Richmond Throttling Facility	Jun 2006	Dec 2008	20%	<1%
Inner Harbor	Regulator Improvements - Fixed Orifices	Feb 2003	Apr 2006	100%	100%
	Regulator Improvements - Automation	Nov 2007	Jun 2010	-	-
	In-Line Storage	Aug 2007	Aug 2010	-	-
Paerdegat Basin	Influent Channel	Feb 1999	Feb 2002	100%	100%
	Foundations and Substructures	Jun 2002	Dec 2006	100%	96%
	Structures and Equipment	Sep 2005	Aug 2011	21%	37%
Flushing Bay	Reroute and Construct Effluent Channel	Jun 1995	Jun 1996	100%	100%
	Relocate Ballfields	Apr 1995	Aug 1995	100%	100%
	Storage Tank	Jul 1997	Aug 2001	100%	100%
	Mechanical Structures	Mar 2002	Dec 2004	100%	90%
	Tide Gates	Dec 2000	Apr 2002	100%	100%

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PERCENTAGE OF TIME ELAPSED	PERCENTAGE OF CONSTRUCTION COMPLETED
	Manual Sluice Gates	Feb 2004	Jun 2005	100%	100%
Jamaica Tributaries	Meadowmere & Warnerville DWO Abatement	Mar 2006	Mar 2009	25%	10%
	Expansion of Wet Weather Capacity of Jamaica WPCP	Jun 2012	Jun 2015	-	-
	Destratification Facility	Aug 2007	Dec 2008	-	-
	Regulator Automation	Nov 2007	Jun 2010	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Apr 2011	20%	20%
	Avenue V Force Main	Jul 2007	Jun 2012	-	-
Newtown Creek	Aeration Zone I	Dec 2005	Dec 2008	33%	<1%
	Aeration Zone II	Jun 2011	Jun 2014	-	-
	Relief Sewer / Regulator Modification	Jun 2010	Jun 2014	-	-
	Throttling Facility	Jun 2009	Dec 2012	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Westchester Creek	Phase I (Influent Sewers)	Jun 2011	Jun 2015	-	-
	CSO Storage Facility	Dec 2015	Dec 2022	-	-
Bronx River	Floatables Control	Jun 2009	Jun 2012	-	-
Hutchinson River	Phase I of the Storage Facility	Jun 2011	Jun 2015	-	-
	Future Phases	Dec 2016	Dec 2023	-	-
Jamaica Bay	Spring Creek AWPCP Upgrade	Mar 2003	Apr 2007	92%	86.5%
	26th Ward Drainage Area Sewer Cleaning and Evaluation	Jun 2008	Jun 2010	-	-
	Hendrix Creek Dredging	Jun 2008	Jun 2010	-	-
	26th Ward Wet Weather Expansion	Jun 2011	Dec 2015	-	-

3.0. Detailed Description of Work Performed

3.1. Alley Creek CSO

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

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

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

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

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

Work Performed During This Quarter

Planning

- **DEP submitted the Alley Creek Waterbody/Watershed Plan to DEC in November 2006 for review and comment**

Design

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **The NYSDEC approved the Air Facility Registration Application for Contract ER-AC2.**
  - Work continued on preparation of applications to secure permits and approvals required to implement Contract ER-AC2, including the NYC Department of Business Services

Waterfront Permit, NYSDEC Joint Application for Permit, USACE Nationwide Permits concurrence request, NYSDOS Coastal Federal Consistency Assessment concurrence request, NYCDCP Local Waterfront Revitalization Program Assessment concurrence request, and NYC Art Commission Application including supporting documentation and presentation boards.

Construction Procurement

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **On October 25, 2006, Carp Construction Corporation (Carp) was awarded Contract ER-AC2.**
  - **In compliance with the milestone in the Order, on December 31, 2006, the Notice To Proceed for Contract ER-AC2 was issued. DEP certified compliance with this milestone date in a letter to DEC.**
  - **Conformed sets of drawings and specifications for Contract ER-AC2 were prepared and distributed.**

Construction

- Alley Creek Drainage Area Improvements – Phase I, Stage 1, Contract ER-AC1
  - Construction of Contract ER-AC1 continued. The principal work involved the construction of the south CSO storage facility, 36-inch diameter storm sewer, and miscellaneous chambers, all pile-supported and located north of Northern Boulevard. **In addition, excavation of the jacking pits for installation of piping underneath of Northern Boulevard was initiated. Construction of Contract ER-AC1 is currently about 94.5 percent complete; however this contract includes non-CSO Order related work. Construction of the work required by the Order is 100 percent complete.**
  - **On December 15, 2006, the outfall sewer was activated, thereby meeting the requirements of Milestone No. 3 of Contract ER-AC1 and the requirements of the Order to complete the Outfall and Sewer System Improvement. DEP submitted a certification of construction completion for the Outfall and Sewer System Improvements in compliance with the Order.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Alley Creek Drainage Area Improvements – Phase I, Stage 1, Contract ER-AC1
  - Construction of Contract ER-AC1 will continue. The principal work will include construction of the south CSO storage facility, 36-inch diameter storm sewer, and miscellaneous chambers, all pile supported and located north of Northern Boulevard. **In addition, pipe jacking operations will be performed to install the storage facility drain lines underneath of Northern Boulevard.**
  - **Substantial completion of Contract ER-AC1 is scheduled for March 2007.**

- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
  - **Work will continue to secure the permits and approvals from regulatory agencies and other jurisdictional organizations as required for Contract ER-AC2. A meeting will be held with NYSDEC to discuss the Joint Permit Application.**
  - **Construction of Contract ER-AC2 will continue with the submission of vendors, shop drawings, Health and Safety Plans and CPM schedule.**
  - **A pre-construction meeting, between representatives of the NYCDEP, URS and Carp, will be held on January 10, 2007.**

Table 5 – Alley Creek CSO Project

	Phase I, Stage 1	*Phase I, Stage 2*
Plan Elements:	Alley Creek Drainage Area Improvements	Alley Creek CSO Abatement Facilities
Location:	46th Avenue, 53rd Avenue, 56th Avenue, Bell Boulevard, Luke Place, 214th Street, 215th Street, 216th Street, 217th Street, Springfield Boulevard, Cloverdale Boulevard, Cross Island Parkway, Northern Boulevard and Alley Park in Bayside, Queens	Northern Boulevard and Alley Park in Bayside, Queens
Actions:	Construction of additional watermains, stormwater and combined sewers, catch basins, outfall sewer and outfall structure to effect improved drainage in areas upstream of CSO Outfall TI-008 in Bayside, Queens; construction of 5 MG CSO storage facility for CSO abatement within Alley Creek	Design and construction of modifications to the Old Douglaston Pumping Station including air treatment facilities to treat air exhausted from the CSO storage facility and the pumping station; design and construction of hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1**; rehabilitation of the CSO Outfall TI-008 structure; restoration of a 1.51-acre area surrounding CSO Outfall TI-008**
Cost:	**$97,489,331**	$29,929,929
Status:	Under construction by Carp Construction Corporation, **100% complete with CSO Order related construction, 94.5% complete with all construction activities.**	**Contract to commence in January 2007**

3.2. Outer Harbor CSO

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

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

Work Performed During This Quarter

Design

- Regulator Automation
  - **The final design documents (drawings and specifications) were submitted to DEC and EFC in November 2006, in compliance with the milestone date in the Order.**

Construction

- **Continued shop drawing review and RFI responses for the Phase I Regulator Improvements project and the Phase II Throttling Facility.**
- Monthly construction progress meetings were held for the Regulator Improvements and the Throttling Facility projects.
- Permits and approvals for construction of the Port Richmond Throttling Facility are currently being addressed and procured.
- Throttling Facility Contractor to continue mobilization. Detailed CPM schedule submitted for review.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Continue to address DSDC activities for Phase I and II projects.

Table 6 – Outer Harbor CSO Project

	Phase I	*Phase II*	*Phase III*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	Throttling Facility	In-Line Storage	Regulator Improvements – Automation
Location:	32 regulator sites throughout Brooklyn and Staten Island	Port Richmond WPCP	Owls Head: OH-6C P. Richmond: PR-6W	Regulator sites throughout Brooklyn and Staten Island
Actions:	Conversion to manually operated sluice gates, replacement of stop plank guides, manhole steps, standardization of manhole cover sizes	Installation of throttling facility and sluice gate in Port Richmond east interceptor sewer	Installation of two inflatable dams in the combined sewer system	Conversion to automated regulators
Construction Cost:	$4,390,100	$3,850,000	-	To be determined
Status:	Construction 30% complete.	Construction <1% complete.	Eliminated due to hydraulic issues.	**Final Design 100% Complete**
Other Issues:	-	-	**DEC approved elimination of this phase of work in a letter dated October 28, 2005 (Dimura to Mueller) based on hydraulic analysis conducted by DEP**.	-

3.3. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Water Pollution Control Plants (WPCPs) and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. This section reports on the progress of Phase I – Regulator Improvements and Phase II – In-Line Storage. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

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

Work Performed During This Quarter

Design

- In-line Storage
  - **Work continued on final design of Phase II – In-Line Storage. Final design progressed to 100% complete; a set of drawings, critical path method (CPM) analysis, and a construction cost estimate were submitted. A final design submittal was made to DEC and EFC in November, 2006 in compliance with the Order on Consent. The design package was also sent to the Law Department for review.**
- Regulator Automation
  - **The final design documents (drawings and specifications) for Regulator Automation were submitted to DEC and EFC in November 2006, in compliance with the milestone date in the Order.**

Construction

- Regulator Improvements
  - Work is complete on the construction of Phase I, which was broken up into two contracts: Brooklyn Regulator Improvements (32 regulators) and Manhattan Regulator Improvements (40 regulators). The certification of construction completion was submitted to DEC on January 24 and the final inspection was completed by DEC. In a letter dated March 20, 2006, DEC certified compliance with the construction completion milestone.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- A bid package will be prepared for the In-Line Storage (ILS) project, incorporating comments from the City. Copies of the Contract Documents will be made in preparation for advertisement as soon as comments are received from the Law Department.

Table 7 – Inner Harbor CSO Project

	Phase I	*Phase II*	*Citywide SCADA*
Plan Elements:	Regulator Improvements – Fixed Orifices	In-Line Storage	Regulator Improvements – Automation
Location:	72 regulator sites in Manhattan and Brooklyn	Upstream of regulators B-6 and R-20 in Brooklyn	Regulator sites in Manhattan and Brooklyn
Actions:	Conversion to fixed orifices	Installation of two inflatable dams in the combined sewer systems	Conversion to automated regulators
Construction Cost:	$9,500,000	$**11,200,000**	To be determined
Status:	Construction Complete	**Final Design 100% Complete**	**Final Design 100% complete**

3.4. Paerdegat Basin CSO

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

Phase IA includes construction of a major portion of the influent channels and the relief weir. Phase II entails construction of the CSO tank and dredging of the basin. Phase III includes construction of the aboveground buildings, completion of the remaining influent channels and installation of the CSO tank equipment and start-up of the CSO facility.

Work Performed During This Quarter

Planning

- Submitted to DEC and EFC the Paerdegat Basin Drainage Specific LTCP report in November 2005, in compliance with the milestone date in the CSO Consent Order. Transmitted a response to DEC comments and revised LTCP on June 30, 2006.
- **Prepared a responsiveness summary related to the questions raised by stakeholders during the DEC/DEP Public Meeting for the Paerdegat LTCP.**

Construction

- Work has continued on the construction of Phase II - Foundations and Substructures and is approximately 96% complete.
- Work has continued on the construction of Phase III, Superstructures and Equipment, and is approximately **37%** complete.

Postponed Milestones

- **A written notice of a Request for Modification of a Milestone Date was submitted to DEC on October 31, 2006. NYCDEP requested modification to the current completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion to be modified to February 2008. This modification is based on the Contractor's poor performance and does not affect the final Construction Completion Milestone date of August 2011 under the subsequent phase, Structures and Equipment.**
- **DEC issued a Notice of Violation (NOV) for missed milestone set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion by December 2006.**

Anticipated Activities for Next Quarter

Construction

- Work will continue on the construction of Phase II, Foundations and Substructures to meet **the revised Construction Completion date by February 2008**.
- Work will continue on the construction of Phase III, Superstructures and Equipment in order to meet the milestone date for Construction Completion Date by August 2011.

Table 8 – Paerdegat Basin CSO Project

	Phase IA	*Phase II*	*Phase III*
Construction Phase:	Influent Channels	Foundations and Substructures	Structures and Equipment
Location:	Flatlands and Ralph Avenues, Brooklyn, NY	West Shore of Paerdegat Basin	West Shore of Paerdegat Basin
Actions:	Construction of the influent channels to the CSO facility	Underground structural elements	Aboveground buildings and equipment
Cost:	$9,000,000	**$126,142,890**	$183,390,078
Status:	Construction completed.	NTP issued on 6/24/02. Construction 96% complete.	NPT issued on 9/26/05. Construction **37%** complete.
Other Issues:	-	Dredging of the mouth of the Basin postponed indefinitely due to Belt Pkwy Bridge damage. **A written notice of a Request for Modification of a Milestone Date was submitted to DEC on October 31, 2006. NYCDEP requested modification to the current completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion to be modified to February 2008. This modification is based on the Contractor's poor performance and does not affect the final Construction Completion Milestone date of August 2011 under the subsequent phase, Structures and Equipment.**	-

3.5. Flushing Bay CSO

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

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

Work Performed During This Quarter

Construction

- Site Work: Completed installation of curbs and sidewalks. **Completed asphalt for parking lot and adjacent roadways. Completed Kiosk structure for emergency exits.**
- Comfort Stations: **Completed windows, ceilings and tiles.**
- Recreation and Maintenance Building: Continued the installation of sheetrock for walls. **Continued the installation of ceiling grids for suspended ceilings. Completed the installation of lighting fixtures. Completed the installation of granite tiles for the front lobby area.** Continued the installation of doors and louvers on the south side of the Gymnasium. Continued the installation of Elevator No. 3. **Completed the installation of diffusers and registers, completed the installation of refrigerant, water and drain lines to air conditioners and compressors, and completed insulation on said lines.**
- Screening Building: Continued checkout and start-up of the bar screens and conveyor system. **Completed the installation of sluice gate floor stands and stems.** Continued the installation of stainless steel handrails. **Completed the installation of fire dampers at stationary louvers.** Continued control cable to actuators and terminated same. Continued equipment check-out.
- CSO Facility: **Completed installation of all heating and ventilating units at El -30, air treatment blowers, and cone check valves.** Continued installation of duct work. Continued the installation of the heavy duty concrete topping on floor at El. -13.00. Continued the installation of control and power cables to all sump pump control panels and various field instruments.

  Completed the installation of insulation on HWS & R piping and duct work. Continued the installation of the sprinkler system piping and sprinkler head pressure

testing. Continued the installation of exterior lighting. **Completed boiler installation. Completed seal water system. Completed flushing water system. Completed primary and secondary sewage pump installation. Began checkout of various systems.**

- Regulator No. 9 and Junction Chamber: **Commenced instrumentation work.**

Missed Milestones

- A written notice of a "force majeure" event was submitted to DEC on September 24, 2004. This event has affected compliance with the Construction Completion milestone date of December 2004 for the Flushing Bay CS4-4 (Mechanical Structures) in the Order.
- On September 8, 2004, rainfall at LaGuardia Airport was recorded by the National Weather Service at three inches in a three hour time period. This torrential rain event caused flooding in the basement of the Flushing Bay facility due to a breach in a temporary construction bulkhead in the influent sewer line to the facility. Water levels reached seven to eight feet above the basement floor at the CSO facility which caused damage to various mechanical, HVAC and electrical equipment.
- DEC requested that DEP provide additional information in a formal report concerning the force majeure event and resultant impact upon the facility and construction status. DEP submitted such report on April 1, 2005.

Anticipated Activities for Next Quarter

- Site Work: Place asphalt for road and parking lots. Install flagpole. Complete the installation of wrought iron perimeter fencing.
- Comfort Station: **Install fixtures.**
- Recreation and Maintenance Building: Complete the installation of ceramic tiles in main and secondary lobby and bathrooms. Complete the installation of toilet fixtures. Paint all sheetrock walls. Begin the installation of marlite paneling. Continue the installation of resilient tile and epoxy resin flooring. Begin the installation of cabinetry. Complete the installation of the sprinkler and fire alarm, telephone and building security systems. Complete the installation of Elevator No. 3. Paint the steel beams and ceiling of the Gymnasium. Begin the installation of the curvature ceiling.
- Screening Building: Run bar screens, correct alignments, and grout and patch around frames. Install gas sensors, pull wire and tie into the Gas Sensor Control Panel. Tie in monorails. Complete installation of handrailings.
- CSO Facility: Continue installation of heavy duty concrete flooring type I and begin installation of heavy concrete topping type II in containment areas. Complete installation and repairs to scrubber vessels. Complete start up of secondary pumps, piping, valves and cone check valves. Continue the installation of control cables and perform terminations in control panels and at field instruments. Install roofing at air shaft. Continue start-up and vendor check-out of equipment.

- Botanical Gate Chamber: Place concrete for stairs and roof, install block air shaft, install fan and duct work, install lighting.
- Regulator No. 9: Complete installation of instrumentation, flow sensors, RTU, power and control panels.
- Triple Barrel, Regulator No. 11, Chamber No. 2 and Junction Chamber: Install instrumentation.
- Tie in CSO lines to CSO facility.

Table 9 – Flushing Bay CSO Project

Plan Elements:	Flushing Bay CSO Retention Facility
Location:	Intersection of College Point Boulevard and Avery Avenue, Queens
Actions:	Design and construction of a 43 MG storage facility, which includes a 28 MG, underground storage tank and 15 MG in-line storage in upstream sewers. The facility collects flow from the system tributary to the TI-010 outfall.
Cost:	$291,000,000
Status:	Phase 2 construction started March 2002 and is on-going.
Other Issues:	Damage to mechanical, HVAC and electrical equipment due to a major storm on September 8, 2004 which caused flooding in the facility and delays to construction. Contract change orders for additional work are in progress. **Repair to Scrubber vessels due to non conformance by manufacturer will delay treatment and completion.**

3.6. Jamaica Tributaries CSO

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

- Meadowmere & Warnerville DWO Abatement – Construction of a new pumping station, force main, and sanitary sewer collection system in southeast Queens, NY, to convey flows from the communities of Meadowmere and Warnerville into the Jamaica drainage area collection system, for treatment at the Jamaica WPCP. This project will eliminate the dry weather discharge that is currently occurring in these two communities, which are not connected to NYC's collection system.
- Expansion of Wet Weather Capacity of Jamaica WPCP – An additional 50 mgd of wet weather flow will be treated at the Jamaica WPCP to reduce the CSO discharges to Bergen Basin. Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.
- Destratification Facility – Installation of a permanent diffused-air bubble mixing system at Shellbank Basin. The system is designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills. This element currently has an operating pilot facility, which has produced positive water and air quality results for the past 7 summer seasons.
- Laurelton and Springfield Blvd. Drainage Plan – A drainage plan for 7,000 acres in southeast Queens is being developed to address flooding and to construct high-level storm sewers in a 1,450 acre CSO drainage area tributary to Thurston Basin. The drainage plan identifies the necessary capital sewer projects to alleviate flooding and convert the aforementioned CSO area to a high-level storm sewer system.
- Regulator Automation – Automation of key regulators was recommended in response to the 1988 State Pollution Discharge Elimination System (SPDES) permit requirements that called for telemetry in the regulators to detect dry weather overflows. It was recommended at those regulators contributing the largest flows to the treatment plants, specifically Regulators 2, 3, and 14 in the Jamaica WPCP drainage area. The Citywide Collection Facilities Supervisory Control and Data Acquisition (SCADA) System Project will automate key regulators in the City by installing electro-hydraulic actuators capable of controlling flows to the sewer interceptor.

Work Performed During This Quarter

Planning

- Destratification Facility
  - Continued effort to certify ULURP application and associated land acquisition (coordination effort between DEP, DCP and Law Dept.) for Shellbank Basin

Destratification Facility. **Owner was not willing to co-sign the ULURP application or sell the property identified for the destratification facility. Negotiations with the property owner have identified an alternate location on the same lot for siting the facility. Met with City Councilman J. Addabo and DCP on October 13, 2006 to discuss site selection issues with proposed alternative location. Property owner agreed to sign off on ULURP application for alternate site and grant requisite easement. This may affect compliance with the Notice To Proceed To Construction milestone date of August 2007.**

- Drainage Plan
  - BWSO and its consultant continued the preparation of a drainage plan for southeast Queens.

Design

- Regulator Automation
  - **Final design documents (drawings and specifications) for the Regulator Automation were submitted to DEC and EFC in November 2006, in compliance with the milestone date in the Order.**
- Destratification Facility
  - **Final design documents (drawings and specifications) for the Destratification Facility were submitted to DEC and EFC in November 2006, in compliance with the milestone date in the Order.**
- Meadowmere/Warnerville
  - Continued work on permit applications and approvals for the Meadowmere/Warnerville DWO Abatement project.

Construction

- Meadowmere/Warnerville
  - Continued DSDC activities for the Meadowmere & Warnerville project. **Construction site meetings were held bi-monthly, every 2 weeks. Construction is 10% complete.**
  - **Completed** filing for Storm Water Pollution Prevention Plan (SWPPP) permit.

Anticipated Activities for Next Quarter

Planning

- Certification of Shellbank Basin Destratification Facility ULURP application by DCP, and resolution of site acquisition issues with the property owner.

Design

- **Revise Destratification Facility design documents, contract documents, and construction schedule to reflect new site location.**

Construction

- Continue DSDC activities for the Meadowmere & Warnerville DWO abatement project.

Table 10 – Jamaica Tributaries CSO Project

Plan Elements:	Meadowmere & Warnerville DWO Abatement	Expansion of Wet Weather Capacity of Jamaica WPCP	Destratification	Laurelton and Springfield Blvd. Drainage Plan	Regulator Automation
Location:	Meadowmere and Warnerville – Queens, New York	Bergen Basin	Shellbank Basin	Jamaica WPCP Drainage Area	Regulators 2,3 and 14
Actions:	Construction of a Pumping Station, Sewer Collection System, and Dual Force Main	Provide an additional 50 mgd of wet weather capacity at the Jamaica WPCP.	Conduct Demonstration Construct Permanent Facility	Develop drainage plan for storm sewer buildout	Provide automated regulators
Construction Cost:	$30,648,888	$120 million	$1,000,000	To be determined	To be determined
Status:	**Construction 10% complete.** DSDC activities continued.	Recent analyses indicate that this element has limited water quality benefits. Alternative actions are currently being analyzed in the waterbody/ watershed plan and will be submitted to DEC for discussion and review.	**- Final Design completed October 2006** **- ULURP and land acquisition process delayed, due to complications involving the acquisition plan for the original site selected for the facility.**	Drainage planning underway.	Final design underway, 90% complete.

3.7. Coney Island Creek CSO

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

Work Performed During This Quarter

Design

- Avenue V Pumping Station Upgrade
  - **DEP began the design of the US Army Corps of Engineers, Fort Hamilton pumping station.**
  - **Delon Hampton Associates (DHA) is finalizing any coordination technical issues with the various agencies.**

Construction

- Avenue V Pumping Station Upgrade
  - **The support of excavation has started to be installed.**
  - **The temporary flow around system has been installed.**
  - **The temporary power is being installed.**
  - **Dewatering system subcontractor has been mobilized.**
  - **MOFO's 2-8 the installation of the temporary pumping and piping have been developed in cooperation with Plant Operations, Picone / McCullagh J.V., Hazen and Sawyer and Avenue V Construction Unit.**
  - **Monthly Progress Meetings are held on the first Tuesday of each month.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- **Advertise the Dewatering Permit for public comment.**
- Bid the Force Main Contract PS-79F.

Table 11 – Coney Island Creek CSO Project

	Contracts PS-79G, H, P, E	*Contract PS-79F*
Plan Elements:	Upgrade Avenue V Pumping Station	New Force Mains
Location:	Avenue V PS (Avenue V and West 11th Street)	42-inch to SE-133 (Shore Pkwy. Vic. Verrazano Bridge); 48-inch to vic. Reg. 9A
Actions:	Comprehensive upgrade to automate and increase station capacity to 80 mgd; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey DWF and WWF
Cost:	$68,200,000	$77,600,000
Status:	**Notice to Proceed issued on 12/16/05. Construction is 20% complete.**	Final Design – 100% Complete
Other Issues:		Routing of force main along parkland; Routing of force main in vicinity of Fort Hamilton; Selective replacement of water and sewer utilities along route; possible seawall/ promenade improvements

3.8. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area consists of the areas in Brooklyn and Queens from which wet weather runoff drains to the Newtown Creek waterbody and its branches: English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch. For this CSO planning area, the Waterbody/Watershed Facility Plan currently under development will analyze cost effective CSO control measures for this waterbody and potentially propose modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

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

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

Work Performed During This Quarter

Planning

- The Bureau of Environmental Planning and Assessment (BEPA) continued their review of the revised CSO Storage Facility Environmental Assessment Statement (EAS), the Air Modeling Report and the Remedial Action Plan (RAP) and Health and Safety Plan (HASP) for the remedial work related to the CSO Storage Facility.

Design

- The NYSDEC Joint Permit had expired and a new permit application was submitted to the NYSDEC. Although previously approved, the DEC has revised its review and has determined that the apparent bulkhead is actually a relieving platform and therefore the land beneath the platform is considered wetlands. As a result, the DEC replied to the permit application with a Notice of Incomplete Application (NOIA). A response to the NOIA was prepared was submitted to the DEC on July 18, 2006. The State then issued a second NOIA and a response was prepared and submitted August 25, 2006, with a revised response submitted to the State September 7, 2006. **The NYCDEP BEPA issued a modified Negative Declaration and the NYSDEC issued a Notice of Complete Application (NOCA) to the NYCDEP on October 18, 2006 for advertisement including a public comment period ending November 10, 2006**. **The NYSDEC then**

issued a Notice of Permit Issuance on November 22, 2006 with the effective dates of November 24, 2006 through December 31, 2009.

- **The NOPI contains Special Conditions, including submission of a Habitat Monitoring Plan and a Wetlands Restoration Plan within 30 days and 60 days of the permit's issuance, respectively.**
- **A meeting with DEC was held on December 13, 2006 to discuss the details of the proposed Habitat Monitoring Plan. At that time, the DEP requested a time extension for submittal of the plan to January 17, 2007.**
- **Modifications to Contracts NC-EK11G and E, along with a clarification to Contract NC-EK11H, were issued on November 30, 2006 for the bulkhead realignment to conform to the NOPI.**
- **Upon issuance of the NOCA, the site sewer connection proposal application was submitted to the NYCDEP for approval on November 3, 2006. Work continues to resolve and approve the permit.**
- Kent Avenue Throttling Facility design continued. It has been decided to include construction of this facility under Newtown Creek W.P.C.P. Upgrade Contract NC-36.
- **Proposals for Engineering Services for English Kills Aeration Zone II and St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer were received and are being evaluated. Regulator B-1 Modifications are being performed under a Task Order Contract.**

Construction

- Tracking of vendor approvals for equipment, shop drawing reviews and responses to the contractors' request for information continued for Contracts NC-EK11G, H and E.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

Planning

- Continue coordination with BEPA for finalization of the Air Modeling Report, EAS, RAP and HASP for the CSO Storage Facility.
- Upon approval of EAS, continue coordination with NYCDCP for ULURP.

Design

- Continue design for Kent Avenue Throttling Gate.

- Continue procurement process for Engineering Services procurement for English Kills Aeration Zone II, Regulator B-1 Modifications and St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer.

Construction

- Continue vendor approval, shop drawing review and response to Request for Information for Contracts NC-EK11G, H and E.
- **Submit Habitat Monitoring Plan to the NYSDEC.**
- **Obtain approval for the NYCDEP site sewer connection permit.**
- **Submit Wetlands Restoration Plan.**

Table 12 – Newtown Creek CSO Project

Plan Elements:	Maximize flow through Morgan Ave. Interceptor	Phase I Aeration Facilities	Off-line Storage Tank
Location:	Regulator B1 and WPCP throttling chamber	Head end of English Kills, south of Grand Street	Sewers tributary to CSO outfall discharging to English Kills
Actions:	Raise overflow weir in Regulator B1; increase sluice gate openings to interceptor; provide relief sewer from St. Nicholas weir to Regulator B1; provide throttling gate on Kent Avenue Interceptor.	Provide aeration of English Kills to raise DO concentrations to a minimum of 1.0 mg/l. The facility includes a landside compressor station and an air header and diffuser assembly on the Creek bottom.	Design of an off-line storage facility to control CSO discharge into English Kills. The facility would include the tank, a pumping station, and a new gravity drain to drain the tank for treatment at the Newtown Creek WPCP.
Cost:	$10,000,000	$56,000,000 (total for Zones I and II)	TBD
Status:	Facility plan elements for modifications to regulator and routing of the relief sewer have been completed. A Revised Final Facility Plan Report was submitted to the DEC. The final design of the throttling facility will be performed under the Newtown Creek WPCP upgrade contract. Regulator B1 Modifications will be performed under a Task Order Contract	Contracts G, H and E have been awarded and a pre-construction meeting was held. DEC issued a Notice of Complete Application. Proposals for design of Zone II and for the relief sewer are being reviewed.	Identified preferred site at intersection of Johnson and Morgan Avenues after re-evaluation of siting alternatives. Draft ULURP application submitted to DEP. The EAS, RAP, HASP and Air Modeling Report are under review by BEPA. Preliminary plan and profile drawings and preliminary equipment sizing prepared for construction of tank at preferred location. A Revised Final Facility Plan Report was submitted to the DEC.
Other Issues:	Requires coordination with WPCP planning and design requirements	NYCDEP site sewer permit is required. Submission and approval of Habitat Monitoring Plan by NYSDEC is required.	Site approval (ULURP) and acquisition of property required. **As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan**.

3.9. Westchester Creek CSO

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

The current Westchester Creek CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan recommendations, will be constructed in two phases with Phase I consisting of the facilities to divert the combined sewage to the CSO storage tank, as well as rehabilitation of an existing tide gate chamber, and Phase II consisting of the CSO storage tank. In addition to the facilities required for abatement at CSO Outfall HP-014, the DEP has agreed to provide, as part of the project, amenities for use by the Bronxchester and Van Nest Little Leagues that utilize the baseball fields adjacent to the site of the proposed CSO storage tank on the Bronx Psychiatric Center (BPC) Campus. These amenities consist of restroom facilities, a clubhouse facility, a parking lot to be located on top of the CSO storage tank, and fencing to separate the Little League facilities from the BPC Campus facilities and the DEP facilities. This section reports on the progress of the Little League restroom facilities, and Phases I and II of the Westchester Creek CSO Abatement Facilities Plan.

The Little League restroom facilities will be constructed under a separate contract referred to as the Site Preparation Contract in advance of the Phase I contract. Phase I includes construction of the diversion chamber in Eastchester Road, construction of the 2 MG CSO supply/storage conduit along Waters Place between the diversion chamber and the 10 MG CSO storage tank, and rehabilitation of the existing tide gate chamber located at CSO Outfall HP-014. Phase II includes construction of the 10 MG CSO storage tank in the southwest section of the BPC Campus, including an operations building to house operational units, construction of the Little League clubhouse facility and parking lot, and installation of the required fencing at the site.

Work Performed During This Quarter

Planning

- Site Acquisition at BPC Campus
  - Negotiations continued between New York City Department of City-Wide Administrative Services (DCAS) and the Dormitory Authority of the State of New York (DASNY) regarding acquisition of the site at the BPC Campus by the DEP for the CSO storage tank, and Little League restroom facilities and clubhouse facility.
  - **In late October 2006, the DEP procured services to prepare a metes and bounds description of a permanent easement along the access road into the BPC Campus from Waters Place.** This easement, which will be from DASNY to the DEP, is needed

to serve as an emergency access route onto the northeast section of the project site, and will be included as a stipulation in the Contract of Sale for the site.

- **The findings of the hazardous materials survey performed at the two existing BPC sewage pumping stations on September 11 and 12, 2006, were finalized in early November 2006. This report indicates the existence of asbestos in the interior ceiling panels and exterior window caulking, and lead in the interior/exterior paint. An estimated cost for removal of these hazardous materials, which will be used in determining the negotiated cost for purchasing the project site, is included in the report.**

Design

- Site Preparation
  - Work to prepare the Site Preparation Contract for re-bidding remained on hold until the site at the BPC Campus is acquired by the DEP.
- Phase I – Influent Sewers
  - Design of the diversion chamber, supply/storage conduit and rehabilitation of the tide gate chamber continued.
- Phase II – CSO Storage Facility
  - Design of the CSO storage tank and Little League clubhouse facility continued.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Site Acquisition at BPC Campus
  - Site acquisition negotiations between DCAS and DASNY will continue.
  - The completion of the metes and bounds description of the permanent easement along the access road into the BPC Campus from Waters Place.
- Phase I – Influent Sewers
  - Design of Phase I facilities will continue.
- Phase II – CSO Storage Facility
  - Design of Phase II facilities will continue.

Table 13 – Westchester Creek CSO Project

Plan Elements:	Westchester Creek CSO Supply/Storage Conduit, CSO Storage Tank and Little League Amenities
Location:	Bronx Psychiatric Center Campus, and along Eastchester Road and Waters Place in the Bronx
Actions:	Design and construction of an underground CSO storage tank with a capacity of 12 MG (including the storage capacity within the supply/storage conduit) to provide abatement at CSO Outfall HP-014 on Westchester Creek; design and construction of an operations building; design and construction of amenities for the Bronxchester and Van Nest Little Leagues
Cost:	Under Revision
Status:	Negative Declaration issued for project; ULURP Application approved; design underway for CSO supply/storage conduit, CSO storage tank and clubhouse facility for Little Leagues; design complete for restroom facilities for Little Leagues
Other Issues:	Site needs to be acquired by DEP from the State of New York; licensing agreement between DEP and the Little Leagues needs to be finalized; NYC Building Permit Application, as well as other permit applications, need to be processed for restroom facilities for Little Leagues. As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan

3.10. Bronx River CSO

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

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

Work Performed During This Quarter

Planning

- The draft ULURP Application for the floatables control facilities remained under review by the DEP.
- Preparation of the draft EAS for the floatables control facilities continued.

Design

- Design of the floatables control facilities continued.
- **In early October 2006, drilling of the geotechnical borings at the floatables control facilities sites was completed.**
- **Review and analysis of the results of the geotechnical borings drilled at the floatables control facilities sites were initiated.**

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- *Planning*
  - The draft ULURP Application for the floatables control facilities will be reviewed by the DEP.

- The draft EAS for the floatables control facilities will be completed.

- *Design*
  - Design of the floatables control facilities will continue**; preliminary design will be completed.**
  - **Review and analysis of the results of the geotechnical borings drilled at the floatables control facilities sites will continue.**

Table 14 – Bronx River CSO Project

Plan Elements:	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
Location:	New conduit (West Farms Road) upstream of CSO Outfall HP-004, Regulator 27 (Bronx Park Avenue) and Regulator 27A (Bronx Zoo) upstream of CSO Outfall HP-007, and Regulator 13 (Soundview Park) upstream of CSO Outfall HP-009
Actions:	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
Cost:	Under Revision
Status:	Preparation of EAS for floatables control facilities underway; draft ULURP Application for floatables control facilities under review; design of floatables control facilities underway
Other Issues:	EAS for floatables control facilities needs to be completed, approved and Negative Declaration issued; ULURP Application for floatables control facilities needs to be finalized, certified and approved

3.11. Hutchinson River CSO

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

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

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

Work Performed During This Quarter

Design

- Phase I – 4 MG CSO Storage Tank
  - ♦ Design of the 4 MG CSO storage tank continued.
  - ♦ Review of the geotechnical investigation report presenting the results of the geotechnical borings drilled at the storage tank site continued.
  - ♦ Review of the report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site continued.
- Phase II – 3 MG CSO Storage Tank
  - ♦ Design of the 3 MG CSO storage tank continued.
  - ♦ Review of the geotechnical investigation report presenting the results of the geotechnical borings drilled at the storage tank site continued.
  - ♦ Review of the report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site continued.

Construction

- Construction has not yet been initiated.

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Phase I – 4 MG CSO Storage Tank
  - Design of Phase I facilities will continue.
  - The geotechnical investigation report will be finalized.
  - The report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site will be finalized.
- Phase II – 3 MG CSO Storage Tank
  - Design of Phase II facilities will continue.
  - The geotechnical investigation report will be finalized.
  - The report presenting the results of the laboratory analyses of the samples collected from the environmental borings drilled at the storage tank site will be finalized.

Table 15 – Hutchinson River CSO Project

Plan Elements:	Hutchinson River CSO Storage Facilities
Location:	City-owned property at southern end of Conner Street adjacent to Hutchinson River; privately-owned property along Hutchinson Avenue adjacent to Hutchinson River
Actions:	Design and construction of a 4 MG CSO storage tank and a 3 MG CSO storage tank to provide abatement at CSO Outfalls HP-023 and HP-024, respectively; rehabilitation of existing CSO Outfalls HP-023 and HP-024
Cost:	Under Revision
Status:	Preparation of EAS and ULURP Application being coordinated with the CSO Long-Term Control Plan; design underway
Other Issues:	EAS needs to be prepared, approved and Negative Declaration issued; ULURP Application needs to be prepared, certified and approved; sites for CSO storage facilities need to be acquired. As allowed by the Order, the current plan is subject to modifications by the Waterbody/Watershed Facility Plan

3.12. Jamaica Bay CSO

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

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

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

Work Performed During This Quarter

Planning

- For the Hendrix Street Canal CSO sediment dredging project**, CSO sediment samples were and analyzed by a NYSDEC certified laboratory. Based on analytical results, CSO sediments are classified Class C non-hazardous in accordance with NYSDEC TOGS 5.1.9. Interim dredging design documents are currently being prepared which will include the placement of a cap constructed of clean sand, and/or clean sand and gravel, in accordance with the TOGS 5.1.9 guidance document**.

Design

- **For the 26th Ward Drainage Area Sewer Cleaning and Evaluation project, contract documents to include design drawings and technical specifications are being developed.**

Construction

- Construction activities continued at the Spring Creek Auxiliary WPCP upgrade. **Presently Basins 3 through 6 are operation.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Preparation of Contract Documents associated with both the interim dredging of CSO sediments from the Hendrix Street Canal and the sewer cleaning elements of work.
- **Bathymetric survey of Hendrix Street Canal from head end to open waters of Jamaica Bay.**
- **Basins 1 and 2 at the Spring Creek Auxiliary WPCP upgrade should be operation by February**

Table 16 – Jamaica Bay CSO Project

Plan Elements:	Dredging	Cleaning of Certain Combined Sewers	Expansion of 26th Ward WPCP Capacity	Spring Creek Upgrade
Location:	Phase I- Interim dredging of Hendrix Street Canal	Phase I-Portions of sewers in Williams, Hegeman and Flatlands Avenues	Phase IV- 26th Ward WPCP, Brooklyn	Spring Creek, Brooklyn
Actions:	Contract documents for interim dredging currently being prepared	Contract Documents Complete	Increase wet weather capacity by 50 mgd	Upgrade of existing CSO facility
Project Cost:	$15 million	$4 Million	TBD	$87 Million
Status:	On Schedule.	On Schedule	Final Design Initiated	Under construction – 86.5% complete
Other Issues:	-	-	-	-

3.13. Citywide Comprehensive Floatables Plan

Work Performed During This Quarter

- **During the fourth quarter of 2006, the setup tasks for the pilot floatables monitoring program continued, inclusive of planning, implementation, and completion of an intensive, two-month landside monitoring program.**

- **The intensive landside monitoring program, conducted during November and December 2006, obtained over 100 floatables condition ratings across 15 monitoring sites from vantage points on shore. In addition, waterside monitoring occurred during December in conjunction with regularly scheduled Harbor Water Quality Survey cruises.**

- **An interim progress report for the pilot program was submitted to the NYSDEC on December 29. The report summarized pilot program progress to date, provided updated field protocols and monitoring site reconnaissance, and provided preliminary floatables rating data.**

- **Public participation outreach and planning was performed, but actual participation was delayed due to unforeseen water access problems encountered by the group contacted to conduct volunteer monitoring from water vantage points. Participation is expected to be delayed until the spring of 2007.**

- **The NYSDEC was also kept informed of the pilot program through the provision of progress and intensive monitoring program scheduling information on November 8, 2006, and NYSDEC observations of the pilot program field work on December 18.**

- **Overall, the pilot program has met all scheduled completion dates and is on target to further develop and refine monitoring, investigation, and data management procedures through the spring of 2007.**

Missed Milestones

- There are no missed milestones.

Anticipated Activities for Next Quarter

- Continue pilot floatables monitoring program activities and related public involvement planning.

4.0. Compliance Status

4.1. Unresolved Delays

4.2. Compliance Charts

The following table summarizes the milestone dates developed in the draft Consent Order and updates available through September 2006:

Table 17 – Consent Order Milestone Dates

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
I. Alley Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Approvable Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Alley Creek Waterbody / Watershed Facility Plan Report	-	June 2007	100
2. Submit Approvable East River Waterbody / Watershed Facility Plan Report	-	June 2007	75
C. Outfall and Sewer System Improvements			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 2002	100
3. Notice to Proceed to Construction	Dec. 2002	-	100
4. Construction Completion	-	Dec. 2006	100
D. CSO Retention Facility			
1. Initiate Final Design	May 1996	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2005	100
3. Notice to Proceed to Construction	Dec. 2006	-	100
4. Construction Completion	-	Dec. 2009	-
E. Drainage Basin Specific LTCPs			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Approvable Drainage Basin Specific LTCP for Alley Creek	-	6 mos. after approval of I.B.1.	50
2. Submit Approvable Drainage Basin Specific LTCP for East River	-	6 mos. after approval of I.B.2.	40
II. Outer Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Open Waters Waterbody / Watershed Facility Plan Report	-	June 2007	75
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	April 2005	100
3. Notice to Proceed to Construction	Feb. 2006	-	100
4. Construction Completion	-	July 2008	30
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. Port Richmond Throttling Facility			
1. Initiate Final Design	June 2004	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2005	100
3. Notice to Proceed to Construction	June 2006	-	100
4. Construction Completion	-	Dec. 2008	<1
F. In-Line Storage			
1. Initiate Final Design	July 2005	-	N/A
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	N/A
3. Notice to Proceed to Construction	Aug. 2007	-	N/A

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
4. Construction Completion	-	Aug. 2010	N/A
G. Submit Approvable Drainage Basin Specific LTCP for Open Waters	-	Jan. 2008	40
III. Inner Harbor CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Gowanus Canal Waterbody / Watershed Facility Plan Report	-	June 2007	100
C. Regulator Improvements - Fixed Orifices			
1. Initiate Final Design	Mar. 2000	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2002	100
3. Notice to Proceed to Construction	Feb. 2003	-	100
4. Construction Completion	-	Apr. 2006	100
D. Regulator Improvements – Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
E. In-Line Storage			
1. Initiate Final Design	July 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Aug. 2010	-
F. Submit Approvable Drainage Basin Specific LTCP for Gowanus Canal	-	Jan. 2008	50
IV. Paerdegat Basin CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
3. Submit Form 2A SPDES Application	-	July 2002	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Paerdegat Basin Waterbody / Watershed Facility Plan Report	-	Mar. 2003	100
C. Influent Channel			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Mar. 1997	100
3. Notice to Proceed to Construction	Feb. 1999	-	100
4. Construction Completion	-	Feb. 2002	100
D. Foundations and Substructures			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Aug. 2001	100
3. Notice to Proceed to Construction	June 2002	-	100
4. Construction Completion	-	Dec. 2006	96
E. Structures and Equipment			
1. Initiate Final Design	Oct. 1994	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2004	100
3. Notice to Proceed to Construction	Sept. 2005	-	100
4. Construction Completion	-	Aug. 2011	37
F. Submit Approvable Drainage Basin Specific LTCP for Paerdegat Basin	-	Nov. 2005	100
V. Flushing Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Completed	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
3. Submit Form 2A SPDES Application	-	June 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Flushing Bay Waterbody / Watershed Facility Plan Report	-	June 2007	80
2. Submit Approvable Flushing Creek Waterbody / Watershed Facility Plan Report	-	June 2007	80

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
C. CS4-1 Reroute and Construct Effluent Channel			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	June 1995	-	100
4. Construction Completion	-	June 1996	100
D. CS4-2 Relocate Ballfields			
1. Initiate Final Design	Oct. 1992	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1994	100
3. Notice to Proceed to Construction	Apr. 1995	-	100
4. Construction Completion	-	Aug. 1995	100
E. CS4-3 Storage Tank			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 1996	100
3. Notice to Proceed to Construction	July 1997	-	100
4. Construction Completion	-	Aug. 2001	100
F. CS4-4 Mechanical Structures - Initiate Final Design			
1. Initiate Final Design	Dec. 1993	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2000	100
3. Notice to Proceed to Construction	Mar. 2002	-	100
4. Construction Completion	-	Dec. 2004	90
G. CS4-5 Tide Gates			
1. Initiate Final Design	Aug. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 1999	100
3. Notice to Proceed to Construction	Dec. 2000	-	100
4. Construction Completion	-	Apr. 2002	100
H. CD-8 Manual Sluice Gates			
1. Final Design Completion Including CPM Analysis	-	May 2003	100
2. Notice to Proceed to Construction	Feb. 2004	-	100
3. Construction Completion	-	June 2005	100
I. Drainage Basin Specific LTCPs			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Approvable Drainage Basin Specific LTCP for Flushing Bay	-	6 mos. after apprvl. of V.B.1.	40
2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek	-	6 mos. after apprvl. of V.B.2.	40
VI. Jamaica Tributaries CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	April 2003	100
2. Submit Additional Modified Facility Plan Report	-	Feb. 2004	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Bergen Basin Waterbody / Watershed Facility Plan Report	-	June 2007	80
2. Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report	-	June 2007	80
C. Meadowmere & Warnerville DWO Abatement			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	May 2005	100
3. Notice to Proceed to Construction	Mar. 2006	-	100
4. Construction Completion	-	Mar. 2009	10
D. Expansion of Wet Weather Capacity of Jamaica WPCP			
1. Initiate final Design	June 2007	-	-
2. Submit Form 2A SPDES Application	-	June 2010	-
3. Final Design Completion Including CPM Analysis	-	June 2011	-
4. Notice to Proceed to Construction	June 2012	-	-
5. Construction Completion	-	June 2015	-
E. Destratification Facility			
1. Initiate Final Design	Jan. 2006	-	100
2. Final Design Completion Including CPM Analysis	-	Oct. 2006	100
3. Notice to Proceed to Construction	Aug. 2007	-	-
4. Construction Completion	-	Dec. 2008	-
F. Laurelton and Springfield Blvd.			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Drainage Plan for Storm Sewer Buildout	-	Jan. 2008	75
G. Regulator Automation			
1. Initiate Final Design	Feb. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	Nov. 2006	100
3. Notice to Proceed to Construction	Nov. 2007	-	-
4. Construction Completion	-	June 2010	-
H. Drainage Basin Specific LTCPs			
1. Submit Approvable Drainage Basin Specific LTCP for Bergen Basin	-	Aug. 2012	40
2. Submit Approvable Drainage Basin Specific LTCP for Thurston Basin	-	Aug. 2012	40
VII. Coney Island Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Coney Island Creek Waterbody / Watershed Facility Plan Report	-	June 2007	95
C. Avenue V Pumping Station Upgrade			
1. Initiate Final Design	April 1998	-	100
2. Final Design Completion including CPM Analysis	-	Jan. 2005	100
3. Notice to Proceed to Construction	Nov. 2005	-	100
4. Construction Completion	-	Apr. 2011	20
D. Avenue V Force Main			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Sept. 2006	100
3. Notice to Proceed to Construction	July 2007	-	-
4. Construction Completion	-	June 2012	-
E. Submit Approvable Drainage Basin Specific LTCP for Coney Island Creek	-	Sept. 2007	40
VIII. Newtown Creek CSO			
A. Facility Plan Development			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
1. Submit Modified Facility Plan Report	-	Oct. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Newtown Creek Waterbody / Watershed Facility Plan Report	-	June 2007	60
C. Aeration Zone I			
1. Initiate Final Design	Mar. 2001	-	100
2. Final Design Completion Including CPM Analysis	-	Dec. 2004	100
3. Notice to Proceed to Construction	Dec. 2005	-	100
4. Construction Completion	-	Dec. 2008	<1
D. Aeration Zone II			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2010	-
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2014	-
E. Relief Sewer / Regulator Modification			
1. Initiate Final Design	June 2007	-	-
2. Final Design Completion Including CPM Analysis	-	June 2009	-
3. Notice to Proceed to Construction	June 2010		-
4. Construction Completion	-	June 2014	-
F. Throttling Facility			
1. Initiate Final Design	Dec. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2008	-
3. Notice to Proceed to Construction	June 2009	-	-
4. Construction Completion	-	Dec. 2012	-
G. CSO Storage Facility			
1. Initiate Final Design	Nov. 2010	-	-
2. Submit Form 2A SPDES Application	-	Nov. 2013	-
3. Final Design Completion Including CPM Analysis	-	Nov. 2014	-
4. Notice to Proceed to Construction	Dec. 2015	-	-
5. Construction Completion	-	Dec. 2022	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
H. Submit Approvable Drainage Basin Specific LTCP for Newtown Creek	-	Feb. 2016	30
IX. Westchester Creek CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Apr. 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Westchester Creek Waterbody / Watershed Facility Plan Report	July 2004	June 2007	90
C. Phase I (Influent Sewers)			
1. Initiate Final Design	Jan. 2004	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	20
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. CSO Storage Facility			
1. Notice to Proceed to Construction	Dec. 2015	-	-
2. Construction Completion	-	Dec. 2022	-
E. Submit Approvable Drainage Basin Specific LTCP for Westchester Creek	-	Feb. 2016	40
X. Bronx River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Sept. 2003	100
2. Submit Additional Modified Facility Plan Report	-	Mar. 2004	100
3. Submit Form 2A SPDES Application	-	July 2007	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Bronx River Waterbody / Watershed Facility Plan Report	-	June 2007	75
C. Floatables Control			
1. Initiate Final Design	Jan. 2006	-	100
2. Final Design Completion Including CPM Analysis	-	July 2008	25
3. Notice to Proceed to Construction	June 2009	-	-

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
4. Construction Completion	-	June 2012	-
D. Submit Approvable Drainage Basin Specific LTCP for Bronx River	-	Aug. 2009	30
XI. Hutchinson River CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	July 2003	100
2. Submit Form 2A SPDES Application	-	June 2009	-
B. Comprehensive Watershed Planning			
1. Submit Approvable Hutchinson River Waterbody / Watershed Facility Plan Report	-	June 2007	85
C. Phase I of the Storage Facility			
1. Initiate Final Design	Apr. 2005	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	10
3. Notice to Proceed to Construction	June 2011	-	-
4. Construction Completion	-	June 2015	-
D. Future Phases			
1. Notice to Proceed to Construction	Dec. 2016	-	-
2. Construction Completion	-	Dec. 2023	-
E. Submit Approvable Drainage Basin Specific LTCP for Hutchinson River	-	Feb. 2017	40
XII. Jamaica Bay CSO			
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2003	100
B. Comprehensive Watershed Planning			
1. Submit Approvable Jamaica Bay Waterbody / Watershed Facility Plan Report	-	June 2007	80
2. Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report	-	June 2007	80
3. Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report	-	June 2007	80
4. Submit Approvable Hendrix Creek Waterbody / Watershed Facility Plan Report	-	June 2007	80

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
C. Spring Creek AWPCP Upgrade			
1. Initiate Final Design	Apr. 1998	-	100
2. Final Design Completion Including CPM Analysis	-	Feb. 2002	100
3. Submit Form 2A SPDES Application	-	June 2003	100
4. Notice to Proceed to Construction	Mar. 2003	-	100
5. Construction Completion	-	April 2007	86.5
D. 26th Ward Drainage Area Sewer Cleaning and Evaluation			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	June 2007	92
3. Notice to Proceed to Construction	-	June 2008	-
4. Construction Completion	-	June 2010	-
E. Hendrix Creek Dredging			
1. Initiate Final Design	Jan 2007	-	100
2. Final Design Completion Including CPM Analysis	-	June 2007	60
3. Notice to Proceed to Construction	-	June 2008	-
4. Construction Completion	-	June 2010	-
F. 26th Ward Wet Weather Expansion			
1. Initiate Final Design	June 2006	-	100
2. Final Design Completion Including CPM Analysis	-	June 2010	5
3. Submit Form 2A SPDES Application	-	June 2009	-
4. Notice to Proceed to Construction	June 2011	-	-
5. Construction Completion	-	Dec. 2015	-
G. Drainage Basin Specific Long Term Control Plans			
1. Submit Approvable Drainage Basin Specific LTCP for Jamaica Bay	-	Aug. 2012	30
2. Submit Approvable Drainage Basin Specific LTCP for Spring Creek	-	Aug. 2012	30
3. Submit Approvable Drainage Basin Specific LTCP for Fresh Creek	-	Aug. 2012	30
4. Submit Approvable Drainage Basin Specific LTCP for Hendrix Creek	-	Aug. 2012	30
XIII. Citywide Comprehensive Floatables Plan			

ITEM DESCRIPTION	START DATE	DUE DATE	% COMPLETE
A. Facility Plan Development			
1. Submit Modified Facility Plan Report	-	Dec. 2004	100
XIV. Submit Approvable City-Wide LTCP			
	-	Dec 2017	-

5.0. Community Relations

5.1. Activities During the Reporting Period

The fifth Open Water LTCP CSO CAC meeting was held November 8, 2006. During the meeting, the CAC members were:

- **Updated on Tributary Stakeholder activities,**
- **Updated on DEP Water and Sewer rates,**
- **Given an overview of the Long Term Control Process and Plan,**
- **Updated on the direction for Best Management Practice Planning and Regulation,**
- **Updated on LTCP modeling,**
- **Given an overview of the Open Waters Waterbody/Watershed Report and a description of the Open Waters Waterbody/Watershed Plan, and**
- **Updated on the CSO control alternatives evaluation.**

Several Stakeholder Team meetings were held this quarter:

- **The second Bronx River Stakeholder Team Meeting was held October 12, 2006.**
- **The third and final Alley Creek Stakeholder Team Meeting was held October 18, 2006.**
- **The first Newtown Creek Stakeholder Team Meeting was held October 25, 2006.**
- **The second Westchester Creek/Hutchinson River Stakeholder Team Meeting was held October 26, 2006.**

The public participation program will continue to be consistent with EPA's CSO Control Policy which requires public participation and input to the process.

5.2. Activities Anticipated for Next Quarter

- **The sixth Open Water LTCP CSO Citizens Advisory Committee meeting will be held January 10, 2007.**
- **The seventh Open Water LTCP CSO Citizens Advisory Committee meeting will be held March 14, 2007.**
- **The third Jamaica Bay Stakeholder Team Meeting will be held January 11, 2007.**
- **The third Bronx River Stakeholder Team Meeting will be held February 8, 2007.**

6.0. Key Personnel Changes

At this time, there are no major changes in key project personnel to report.

7.0. Other Issues

As identified in the report, the following issues may materially affect the work required by this Order:

1. Paerdegat Basin CSO

DEP submitted a written request for modification of a milestone date related to the construction completion date of December 2006 as set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. The request was made 60 days prior to the milestone, as requested by the Order. The request was based on poor performance by the contractor and a new milestone date of February 2008 was proposed. In early January, DEC issued an NOV for this milestone.

2. Flushing Bay CSO

DEP submitted a written notice of a "force majeure" event to DEC on September 24, 2004. This event has affected compliance with the construction completion milestone date of December 2004 for Flushing Bay CS4-4 contract work (Mechanical Structures).

3. Jamaica Tributaries CSO

The property owner for the Destratification Facility refused to move forward on the site identified and would not co-sign the ULURP application or sell the site identified for the destratification facility. Negotiations continued with the owner on an alternative site identified on the same lot upon which to locate the facility. A revised ULURP and final design contract documents will need to be prepared. This will lead to a delay in the bidding and construction of this work.

4. Jamaica Bay CSO

Sluice Gates – The sluice gates installed in Basins 1 and 2 and are in the closed position. The base plates, stems and operators have not been installed as the replacement stems will not be available for several months. The replacement stems are being provided to address the under sizing of the original stems that were provided. However, once the testing of the basins is complete within the next week and the bulkheads are removed within the next two weeks, the basins can be put into service. Basins 1 and 2 will store CSO flow along with Basins 3 through 6. The sluice gates in Basins 3 through 6 will operate allowing the facility to overflow when the volume of the facility is exceeded. The operation of Basins 1 and 2 along with Basins 3 through 6 will provide the full plant storage capacity. With all 6 basins in operation, flows will enter and be held within the basins up to elevation 1.0. At this elevation, the sluice gates in Basins 3 through 6 will open to allow flow out. Flow from Basins 1 and 2 can flow back through the barrels to Basins 3 through 6. Once the flow in the collection system drops, the stored flow within the basins and barrels flows back by gravity to the Autumn Avenue regulator and is directed to the 26th Ward WPCP. Flow below elevation -7.0 is retained within the basins and is pumped back to the Autumn Avenue regulator during cleaning operations. The six basins will be cleaned after each storm to provide the maximum storage within the basins.

Pipe Rehabilitation – The existing stainless steel spray water piping has signs of corrosion, as confirmed by two independent laboratories that performed tests on coupons cut off from a section of the piping. At this time the full extent of the corrosion is not known. To determine the condition of the piping, the main header and the first and last drop pipe on one side of the header will be inspected by close circuit TV to try to document the extend of the corrosion.. Based upon the findings of this investigation, two alternatives will be investigated to address the corrosion, lining of the pipe or replacement. However, the existing cleaning system is operational and the City can continue to operate it.

8.0. Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific LTCP development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved. The Order specifies that the following elements shall be addressed: (1) Characterization, Monitoring, and Modeling of the Combined Sewer System; (2) Public Participation; (3) Consideration of Sensitive Areas; (4) Evaluation of Alternatives; (5) Cost/Performance Considerations; (6) Operational Plan; (7) Maximizing Treatment at the Existing WPCP Treatment Plant; (8) Implementation Schedule; and (9) Post Construction Compliance Monitoring.

APPENDIX A

CONSENT ORDER CERTIFICATION LETTERS

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
Corona, New York 11368

Emily Lloyd
Commissioner

Alfonso R. Lopez, P.E.
Deputy Commissioner

Bureau of Engineering Design & Construction

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Fax (718) 595-5999
alopez@dep.nyc.gov

October 30, 2006

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

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Design Completion - Jamaica Tributaries/ Destratification Facility

Dear Mr. DiMura:

In accordance with Section III F of the above referenced Consent Order for Combined Sewer Overflow (Order), this letter is to certify completion of a final design milestone contained in Appendix A (Milestone VI, E, 2) for the Destratification Facility, by the New York City Department of Environmental Protection (DEP).

In accordance with the definition of design completion set forth in Section III, paragraph H (1) of the Order, approvable plans and specifications are enclosed for your review. These documents are for review purposes only; they are not for public release and therefore are stamped "confidential."

Also included in this submittal is a preliminary CPM schedule diagram for the Destratification Facility, as shown on drawing number G-3.

Approvable plans and specifications are also being provided to Timothy Burns of the NYS Environmental Facilities Corporation and DEC's Region 2 office. Any necessary addenda to these plans and specifications will be provided as they become available. Please contact me at (718) 595-5973 if you have any questions regarding this submittal.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv
Enclosures

cc: w/attachments
Timothy Burns, P.E.
New York State Environmental
Facilities Corporation
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Albany, New York 12207

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New York State Department of Environmental Conservation
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Robert Elburn, P.E.
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New York State Department of Environmental Conservation
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Long Island City, New York 11101

w/out attachments:
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New York City Law Department
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DEP: E. Rogak, M. Klein, G. Tang, P. Young (H&S), File

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
Corona, New York 11368

Emily Lloyd
Commissioner

Alfonso R. Lopez, P.E.
Deputy Commissioner

Bureau of Engineering Design & Construction

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November 17, 2006

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

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Design Completion of Inner Harbor CSO/
In-Line Storage Facilities

Dear Mr. DiMura:

In accordance with Section III F of the above referenced Consent Order for Combined Sewer Overflow (Order), this letter is to certify completion of a final design milestone contained in Appendix A (Milestone III, E, 2) for the Inner Harbor CSO In-Line Storage Facilities, by the New York City Department of Environmental Protection (DEP).

In accordance with the definition of design completion set forth in Section III, paragraph H (1) of the Order, approvable plans and specifications are enclosed for your review. These documents are for review purposes only; they are not for public release and therefore are stamped "confidential." A basis of design report is enclosed to facilitate the review of the drawings and specifications.

Also included in this submittal is a preliminary CPM schedule diagram for the Inner Harbor CSO In-Line Storage Facilities, as shown on drawing number G-3.

Approvable plans and specifications are also being provided to Timothy Burns of the NYS Environmental Facilities Corporation and DEC's Region 2 office. Any necessary addenda to these plans and specifications will be provided as they become available. Please contact me at (718) 595-5973 if you have any questions regarding this submittal.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv
Enclosure

cc: w/attachments
Timothy Burns, P.E.
New York State Environmental
Facilities Corporation
625 Broadway
Albany, New York 12207

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

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

w/out attachments:
Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500

Scott Crisafulli, Esq.
Water Compliance Counsel
New York State Department of Environmental Conservation
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William Plache, Esq.
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007

DEP: E. Rogak, M. Klein, P. O'Connor, N. Federici, G. Tang,
P. Young (H&S), File

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
Corona, New York 11368

Emily Lloyd
Commissioner

Alfonso R. Lopez, P.E.
Deputy Commissioner

Bureau of Engineering Design & Construction

Tel. (718) 595-5050
Fax (718) 595-5999
alopez@dep.nyc.gov

November 29, 2006

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

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Design Completion of:
Outer Harbor CSO/Regulator Improvements - Automation
Inner Harbor CSO/Regulator Improvements -Automation
Jamaica Tributaries CSO/Regulator Improvements - Automation

Dear Mr. DiMura:

In accordance with Section III F of the above referenced Consent Order for Combined Sewer Overflow (Order), this letter is to certify completion by the New York City Department of Environmental Protection (DEP) of the following final design milestones contained in Appendix A:

- Milestone II, D, 2 for the Outer Harbor CSO Regulator Automation
- Milestone III, D, 2 for the Inner Harbor CSO Regulator Automation
- Milestone VI, G, 2 for the Jamaica Tributaries CSO Regulator Automation

In accordance with the definition of design completion set forth in Section III, paragraph H (1) of the Order, approvable plans and specifications are enclosed for your review. These documents are for review purposes only; they are not for public release and therefore are stamped "confidential." A basis of design report is enclosed to facilitate the review of the drawings and specifications.

Also included in this submittal is a preliminary CPM schedule for the Regulator Automation work, as shown in the basis of design report.

Mr. Joseph DiMura, P.E.
Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8

Approvable plans and specifications are also being provided to Timothy Burns of the NYS Environmental Facilities Corporation and DEC's Region 2 office. Any necessary addenda to these plans and specifications will be provided as they become available. Please contact me at (718) 595-5973 if you have any questions regarding this submittal.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

Enclosures

cc: w/attachments
Timothy Burns, P.E.
New York State Environmental
Facilities Corporation
625 Broadway
Albany, New York 12207

Gary E. Kline, P.E.
Division of Water
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625 Broadway 4th Floor
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Robert Elburn, P.E.
Regional Water Engineer
Division of Water, Region 2
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, New York 11101

w/out attachments:
Sandra Allen,
Director, Division of Water
New York State Department of Environmental Conservation
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New York City Law Department
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New York, NY 10007

DEP: E. Rogak, M. Klein, S. Rozelman, F. Kulcsar, S. Sewgobind, G. Tang, P. Young (H&S), File

The City of New York

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96-05 Horace Harding Expressway
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Emily Lloyd
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December 22, 2006

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

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Construction Completion for
Alley Creek CSO/Outfall and Sewer System Improvements

Dear Mr. DiMura:

In accordance with Section III-F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter is to certify the compliance with a milestone contained in the Order by the New York City Department of Environmental Protection (DEP). Specifically, construction has been completed for the Alley Creek CSO Outfall and Sewer System Improvements work, in conformance with Milestone I, C, 4 in Appendix A of the Order.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

cc: Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500

Scott Crisafulli, Esq.
Water Compliance Counsel
New York State Department of Environmental Conservation
Division of Environmental Enforcement
625 Broadway, 14th Floor
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Robert Elburn, P.E.
Regional Water Engineer
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Timothy Burns, P.E.
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625 Broadway
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William Plache, Esq.
Assistant Corporation Counsel
New York City Law Department
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DEP: E. Rogak, M. Klein, M. Osit, J. Romano, R. Marandi, G. Tang
P. Young (H&S), File

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

96-05 Horace Harding Expressway
Corona, New York 11368

Emily Lloyd
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Alfonso R. Lopez, P.E.
Deputy Commissioner

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December 29, 2006

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

Re: Order on Consent (CSO Order)
DEC Case #CO2-20000107-8
Certification of Notice to Proceed to Construction for
Alley Creek CSO/CSO Retention Facility

Dear Mr. DiMura:

In accordance with Section III-F of the above referenced Consent Order for Combined Sewer Overflow (the Order), this letter is to certify the compliance with the milestone contained in the Order by the New York City Department of Environmental Protection (DEP). Specifically, notice to proceed to construction has been transmitted to the general contractor for the Alley Creek CSO Retention Facility, in conformance with Milestone I, D, 3 in Appendix A of the Order. A copy of the order to commence work is attached.

Please contact me at (718) 595-5973 if you have any questions regarding this certification.

Very truly yours,

James G. Mueller, P.E.
Director
Facilities Planning and Design

JGM:jv

Attachment

cc: Sandra Allen
Director, Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3500

Scott Crisafulli, Esq.
Water Compliance Counsel
New York State Department of Environmental Conservation
Division of Environmental Enforcement
625 Broadway, 14th Floor
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625 Broadway
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DEP: E. Rogak, M. Klein, M. Osit, J. Romano, R. Marandi, G. Tang
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The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION

59-17 Junction Boulevard
Flushing, New York 11373

Emily Lloyd
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Carol E. Fenves
AGENCY CHIEF CONTRACTING OFFICER
Tel (718) 595-3225
Fax (718) 595-3278
CFENVES@DEP.NYC.GOV

December 31, 2006

Carp Construction Corporation
77 Bloomfield Avenue
Staten Island, New York 10314

Re: **ORDER TO COMMENCE WORK FOR CONTRACT ER-AC2**

Dear Contractor:

Transmitted herewith is your duly executed contract ER-AC2 for furnishing all labor and materials necessary and required for the Alley Creek CSO Abatement Facilities Phase I – Stage 2.

The Contract was:

Awarded to you on	October 25, 2006
Executed on	November 15, 2006
Registered by the comptroller on	December 29, 2006

The Contract was awarded in the amount of $29,929,929.29 and the registration number is CTC 826 20070020922.

The commence work date is December 31, 2006. You must complete the work within 912 consecutive calendar days as fixed in the General Conditions, or within the time such completion may be extended. The date to complete all work is June 30, 2009.

Please be advised that construction activities and access to the Old Douglaston Pumping Station and adjacent areas will be restricted due to the ongoing permitting issues with both City and State agencies. When the required approvals have been obtained, you will be informed by the Engineer of the availability of the site.

Very truly yours,

Carol E. Fenves

DEP