



**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 – Third Quarter 2007



October 2007



DEPARTMENT OF
ENVIRONMENTAL
PROTECTION

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

Dear Mr. DiMura:

In accordance with Section IV, Paragraphs A-C of the above referenced Consent Order, the New York City Department of Environmental Protection hereby submits the Citywide CSO Quarterly Report for the period of July 1 through September 30, 2007.

Also enclosed are the meeting minutes from our August 9th CSO Quarterly Meeting held in New York City. Our next Quarterly Meeting is scheduled for November 13th, 1:00 PM at the Hunts Point WPCP.

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

Very truly yours,

James G. Mueller, P.E.
Director
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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
THIRD QUARTER 2007
(July 1 – September 30)

October 30, 2007

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Appendix A – Consent Order Certification Letters

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 July 1, 2007 to September 30, 2007.

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 (July 2007 - September 2007)

| LOCATION/PROJECT AREA | ITEM DESCRIPTION | ACTION REQUIRED | CONSENT ORDER MILESTONE DATE | DATE MILESTONE WAS ACHIEVED |
|-----------------------|---------------------------|-----------------------------------|------------------------------|-----------------------------|
| Coney Island Creek | Avenue V Force Main | Notice to Proceed to Construction | July 2007 | July 2007 |
| Inner Harbor | In-Line Storage | Notice to Proceed to Construction | August 2007 | August 2007 |
| Bronx River | Facility Plan Development | Submit Form 2A SPDES Application* | July 2007 | July 2007 |

* DEC has indicated that a Form 2A application is not necessary for the planned floatables control facilities

Table 2 – Milestones to be Considered for Potential Modification

| LOCATION / PROJECT AREA | ITEM DESCRIPTION | ACTION REQUIRED | REASON FOR POSTPONMENT |
|-------------------------|---|--|-----------------------------------|
| Paerdegat Basin | Foundations and Substructures | Construction Completion | Request for Modification to Order |
| Flushing Bay | Mechanical Structures | Construction Completion | Force Majeure |
| Jamaica Tributaries | Expansion of Wet Weather Capacity of Jamaica WPCP | Initiate Design | Request for Modification to Order |
| Jamaica Tributaries | Destratification Facility | Final Design Completion Including CPM Analysis & Notice to Proceed to Construction | Siting Issues |
| Coney Island Creek | LTCP Development | Submit Approvable LTCP | Request for Modification to Order |

As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on August 9, 2007. The meeting was held at Hazen and Sawyer's office 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 October 2007 and December 2007:

- ◆ Hold the next Quarterly Progress Meeting between DEC and DEP on November 13, 2007 in New York City.
- ◆ Execute the negotiated modification to Consent Order to modify milestones included in Table 2.
- ◆ Submit written notification to DEC on the following upcoming milestones:

Table 3 – Milestones to be Met Next Quarter (October 2007 - December 2007)

| LOCATION/ PROJECT AREA | ITEM DESCRIPTION | ACTION REQUIRED | DATE TO BE SUBMITTED |
|-----------------------------------|--|-----------------------------------|---------------------------------|
| Outer Harbor | Regulator Improvements - Automation | Notice to Proceed to Construction | November 2007 |
| Inner Harbor | Regulator Improvements - Automation | Notice to Proceed to Construction | November 2007 |
| Jamaica Tributaries | Regulator Improvements- Automation | Notice to Proceed to Construction | November 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 | 25% | 8% |
| Outer Harbor | Regulator Improvements - Fixed Orifices | Feb 2006 | Jul 2008 | 66% | 75% |
| | Regulator Improvements - Automation | Nov 2007 | Jun 2010 | - | - |
| | Port Richmond Throttling Facility | Jun 2006 | Dec 2008 | 50% | 20% |
| 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 | 3% | <1% |
| Paerdegat Basin | Influent Channel | Feb 1999 | Feb 2002 | 100% | 100% |
| | Foundations and Substructures | Jun 2002 | Dec 2006 | 100% | 97% |
| | Structures and Equipment | Sep 2005 | Aug 2011 | 34% | 60% |
| 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% | 100% |
| | Tide Gates | Dec 2000 | Apr 2002 | 100% | 100% |
| | Manual Sluice | Feb 2004 | Jun 2005 | 100% | 100% |

| WATERBODY | ITEM DESCRIPTION | NOTICE TO PROCEED | CONSTRUCTION COMPLETION | PERCENTAGE OF TIME ELAPSED | PERCENTAGE OF CONSTRUCTION COMPLETED |
|----------------------------|---|--------------------------|--------------------------------|-----------------------------------|---|
| | Gates | | | | |
| Jamaica Tributaries | Meadowmere & Warnerville DWO Abatement | Mar 2006 | Mar 2009 | 50% | 40% |
| | Expansion of Wet Weather Capacity of Jamaica WPCP | Jun 2012 | Jun 2015 | - | - |
| | Destratification Facility | Aug 2007 | Dec 2008 | 6% | - |
| | Regulator Automation | Nov 2007 | Jun 2010 | - | - |
| Coney Island Creek | Avenue V Pumping Station Upgrade | Nov 2005 | Apr 2011 | 34% | 25% |
| | Avenue V Force Main | Jul 2007 | Jun 2012 | 3% | <1% |
| Newtown Creek | Aeration Zone I | Dec 2005 | Dec 2008 | 58% | 25% |
| | 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 | 100% | 100% |
| | 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 | - | - |

*Note, Percentage Construction Completion is sometimes tracked based on cost incurred

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 reduce street flooding and sewer surcharging; and to abate CSO discharges into Alley Creek within the CSO Outfall TI-008 drainage area.

Phase I, Stage 2 (Contract ER-AC2) includes activation of the 5 MG CSO storage facility, upgrading the Old Douglaston Pumping Station to enhance the station's reliability to pump the captured combined sewage to the interceptor system for conveyance to the Tallman Island 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

Construction

- Alley Creek Drainage Area Improvements – Phase I, Stage 1, Contract ER-AC1
 - ◆ **Construction phase activities continued for Contract ER-AC1. The principal work included completing the installation of roof hatch and manhole appurtenances in the CSO storage facility, construction of the foundation for the DOT cantilevered sign on Northern Boulevard for re-installation of the existing sign and installation of a larger sign in the future (change order), installing the electrical feed for the DOT cantilevered sign (change order), installing electrical conduits across Northern Boulevard for future installation of electrical cables to provide power to the CSO**

- storage facility (change order), restoring Northern Blvd. pavement with a 2” asphalt overlay and new striping, completing construction of the Old Douglaston Pumping Station (ODPS) force main and chambers, miscellaneous cleanup and restoration work, and punch list items.** Construction of Contract ER-AC1 is currently about **97** percent complete and 100 percent of the Order related work has been completed.
- ◆ Implementation of the post-construction erosion monitoring plan entitled “Erosion Monitoring Plan, Alley Creek CSO Facility,” dated May 24, 2002 for the CSO storage facility and new outfall continued.
 - ◆ **A modification to the existing Joint Application for Permit for Contract ER-AC1 was prepared to revise the required topsoil limits and depths north of Northern Boulevard.**
 - ◆ **Construction progress meetings were held on July 6, 2007, August 3, 2007 and September 7, 2007 at the Engineer’s field office.**
 - ◆ **Issues and tasks meetings were held on July 27, 2007 and September 28, 2007 at the Engineer’s field office.**
- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
- ◆ **Construction phase activities continued for Contract ER-AC2. The principal work included submittal of shop drawings by Carp Construction Corporation (Carp), obtaining permits and approvals from regulatory/approval agencies, general mobilization work by Carp, excavation for the interim pumping station and soil removal from the site, construction of the temporary nursery for the DPR, and planning for rehabilitation of existing Outfall TI-008 including planning for construction of the temporary access roadway and restoration of wetlands. Construction of Contract ER-AC2 is currently about 8 percent complete.**
 - ◆ In early July 2007, the NYSDEC issued the Joint Application for Permit for the work located north of Northern Boulevard under Contract ER-AC2.
 - ◆ **In mid-July 2007, the DPR issued the forestry permit to Carp to perform work under Contract ER-AC2.**
 - ◆ **On August 9, 2007, a meeting was held at the Engineer’s field office for Contract ER-AC1, between representatives of the DEP, URS, HAKS Engineering and Carp, to discuss demolition and rehabilitation of existing Outfall TI-008, with the focus of the meeting on the requirements for the temporary timber mat access roadway and the wetlands restoration. DEP has contacted DEC regarding a potential change in the construction approach.**
 - ◆ **Construction progress meetings were held on July 2, 2007, August 3, 2007 and September 7, 2007 at the Engineer’s field office for Contract ER-AC1.**
 - ◆ **Issues and tasks meetings were held on July 27, 2007 and September 28, 2007 at the Engineer’s field office for Contract ER-AC1.**

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 the re-installation of the DOT cantilevered sign on Northern Boulevard , backfilling and placing of topsoil over the site, planting trees, miscellaneous cleanup, demobilization from the Cloverdale Blvd. site, restoration work, and punch list activities.**
 - ◆ **Modification to the existing Joint Application for Permit to revise the required topsoil limits and depths. Pending approval by the NYSDEC.**
 - ◆ Implementation of the post-construction erosion monitoring plan for the CSO storage facility and new outfall will continue.
 - ◆ Monthly construction progress meetings and issues and tasks meetings will be held at the Engineer’s field office.
 - ◆ Substantial completion of Contract ER-AC1 is scheduled for **December 2007. The consent ordered work was completed in December 2006.**
- Alley Creek CSO Abatement Facilities – Phase I, Stage 2, Contract ER-AC2
 - ◆ Construction of Contract ER-AC2 will continue. The principal work will include providing the Engineer’s field office, construction of the Interim Pumping Station, soil sampling and characterization, construction of a water main and chambers, construction of the sampling chamber, obtaining permits and approvals from regulatory/approval agencies, submittal of shop drawings, **and planning for rehabilitation of existing Outfall TI-008 including planning for construction of the temporary access roadway and restoration of wetlands.**
 - ◆ The U.S. Army Corps of Engineers and DCP will issue their respective permits and approvals.
 - ◆ **The modification to Contract ER-AC2 to revise the alignment of the temporary timber mat access roadway to existing Outfall TI-008 will be approved by the NYSDEC.**
 - ◆ **The monitoring plan for the wetland/upland areas to be created/restored under Contract ER-AC2 will be approved by the NYSDEC.**
 - ◆ Monthly construction progress meetings and issues and tasks meetings will be held at the Engineer’s field office.

Table 5 – Alley Creek CSO Project

| | <i>Phase I, Stage 1</i> | <i>Phase I, Stage 2</i> |
|----------------|--|---|
| Plan Elements: | Alley Creek Drainage Area Improvements | Alley Creek CSO Abatement Facilities |
| Location: | 46th Avenue, 53rd Avenue, 56th Avenue, Bell Boulevard, Luke Place, 214th Street, 215th Street, 216th Street, 217th Street, Springfield Boulevard, Cloverdale Boulevard, Cross Island Parkway, Northern Boulevard and Alley Park in Bayside, Queens | Northern Boulevard and Alley Park in Bayside, Queens |
| Actions: | Construction of additional water mains, stormwater and combined sewers, catch basins, outfall sewer and outfall structure to effect improved drainage in areas upstream of CSO Outfall TI-008 in Bayside, Queens; construction of 5 MG CSO storage facility for CSO abatement within Alley Creek | Design and construction of modifications to the Old Douglaston Pumping Station including air treatment facilities to treat air exhausted from the CSO storage facility and the pumping station; design and construction of hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; rehabilitation of the CSO Outfall TI-008 structure; restoration of a 1.51-acre area surrounding CSO Outfall TI-008 |
| Cost: | \$97,139,240 | \$29,929,929 |
| Status: | Under construction by Carp Construction Corporation, 100% complete with CSO Order related construction, 97% complete with all construction activities. | Under construction by Carp Construction Corporation, 8% complete with construction activities |

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 sewer 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 and Kill Van Kull, Upper New York Bay waters to the boundary of the Inner Harbor CSO Project, the Narrows, Gravesend Bay, Lower New York Bay, Richmond Creek and Lemon Creek. This section reports on the progress for Phase I – Regulator Improvements (Fixed Orifices) and Phase II – Throttling Facility. In addition, the automation of key regulators will be accomplished under the Citywide SCADA Project.

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
 - ◆ **Based on the bids received in March, which exceeded the budgeted construction cost estimate, DEP has requested and recently received a budget modification from the Office of Management & Budget (OMB). DEP is working toward awarding the regulator automation contract to the apparent low bidder.**

Construction

- Phase I Regulator Improvements
 - ◆ Continued shop drawing reviews and RFI responses. **Contractor (Delaney) has received the slide gates from Fontaine Corp. and is in the process of installing them. The contractor is in the final stages of construction, aiming for an early finish.**
 - ◆ **A monthly construction progress meeting was held on September 11, 2007.**
- Phase II Throttling Facility
 - ◆ Continued shop drawing reviews and RFI responses. **The contractor (Angelakis Construction Corp.), has partially completed the shoring and excavation for the main excavation pit using steel sheeting driven by vibratory hammer. The contractor has excavated to the top of the interceptor, and has chosen to temporarily backfill the excavation with sand to stabilize the interceptor and the sheeting (since the surrounding soil around it has been removed) while drilling the 4 main dewatering wells around the pit.**
 - ◆ **Drilling of the dewatering wells was temporarily halted due to difficulties with the equipment in reaching the desired depths for the 30" diameter caissons. The**

machinery was unable to advance past boulders encountered approximately 25 feet into the stratum. A letter was sent to the DEP CM by the contractor on 9/27 requesting assistance and further direction. The dewatering wells have been installed and the contractor is getting ready to begin the dewatering operation/testing by next week, 10/31/07.

- ◆ **Monthly construction progress meetings were held 8/22/07 and 9/11/07**

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

Construction

- Phase I Regulator Improvements
 - ◆ Continue to address DSDC activities for the ongoing construction.
- Phase II Throttling Facility
 - ◆ Continue to address DSDC activities for the ongoing construction. **Contractor to continue main pit excavation activities and installation of dewatering system.**

Table 6 – Outer Harbor CSO Project

| | <i>Phase I</i> | <i>Phase II</i> | <i>Phase III</i> | <i>Citywide SCADA</i> |
|--------------------|---|---|---|---|
| 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 | - | \$2,842,000 |
| Status: | Construction 75% complete. | Construction 20% complete. | Eliminated due to hydraulic issues. | Bids received, budget modification approved by OMB |
| 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. The EAS was approved and a negative declaration was issued. Work on the discharge permit to the combined sewer continued.**
 - ◆ **Notice to Proceed to Construction was granted to the contractor on August 27, 2007.**
- Regulator Automation
 - ◆ **Based on the bids received in March, which exceeded the budgeted construction cost estimate, DEP has requested and recently received a budget modification from the Office of Management & Budget (OMB). DEP is working toward awarding the regulator automation contract to the apparent low bidder.**

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.
- **In-line Storage**
 - ◆ **A preconstruction conference with the contractor was held on September 14, 2007.**

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

Design

- In-line Storage
 - ◆ **Continue work on the Long Island Well permit and the discharge permit to the sewer.**

Construction

- In-line Storage
 - ◆ **Contractor to start activities. The contractor submitted a HASP and subconsultant approval documents. A change order will be prepared to satisfy DEC requirements of no dewatering for the R-20 site; a ground water cut-off system will be used to avoid dewatering.**

Table 7 – Inner Harbor CSO Project

| | <i>Phase I</i> | <i>Phase II</i> | <i>Citywide SCADA</i> |
|--------------------|--|---|---|
| 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 | \$13,737,000 |
| Status: | Construction Complete | Notice to Proceed was granted in August | Bids Received, budget modification obtained from OMB |
| Other Issues: | | | |

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

Work Performed During This Quarter

Planning

- ◆ Submitted to DEC and EFC the Paerdegat Basin Drainage Specific LTCP report in November 2005, in compliance with the milestone date in the CSO Consent Order. Transmitted a response to DEC comments and revised LTCP on June 30, 2006.
- ◆ DEP approved the Paerdegat Basin LTCP in a letter dated February 1, 2007 (DiMura to Mueller).

Design

- Phase I A – Influent Channels
 - ◆ 100% complete
- Phase II – Foundations and Substructures
 - ◆ Underground CSO Tank design 100% complete.
- Phase III – Superstructures and Equipment
 - ◆ Construction of the facility buildings (Pump Back, Odor Control, Screenings Building and Collection Facilities South headquarters) design 100% complete.

Construction

- Phase I A – Influent Channels
 - ◆ Construction completed in 2002.
- Phase II – Foundations and Substructures
 - ◆ Construction work has continued and is approximately 97% complete.

- ◆ **The 4B Contractor installed reinforcing steel dowels, concrete formwork and placed concrete for CSO Tank Nos. 1 and 2 training walls, flush storage wall, and dividing walls. Installed, hydrostatically tested and concrete encased the 12-inch diameter flush water pipe for CSO Tank No. 1. Formed and placed concrete for observation platforms in the CSO Tank Corridor. Performed corrective work for the CSO Tank stop log guide concrete box-outs. Completed placement of Geotextile Bentonite waterproofing on the roof of the CSO Tanks. Completed applying capillary water proofing on the walls of the Pump Back Building's wet well. Continued plugging and patching concrete formwork snap-tie holes in the CSO Tanks.**
- ◆ **DEP has repeatedly requested and directed the contractor to furnish a revised CPM schedule reflecting the current status of the project, correct logic and duration for the remaining work to be performed because previous CPM schedules have been unacceptable to DEP. The 4B contractor staffing of the job has been erratic and at times there have been no workers reporting to the construction site. NYCDEP is still strongly considering a default of the contractor unless these issues can be resolved.**
- ◆ **Due to contractual scheduling conflicts between Contract CSO-4B and Contract CSO-5G and to ensure Contract CSO-5G's Intermediate Milestone Dates and the August 2011 DEC Consent Order date are met, the transferal of specific mechanical and civil work to be performed contractually under Contract CSO-4B to Contract CSO-5G would be beneficial to the DEP. The DEP has evaluated various options and has determined that this approach is the most expeditious method of ensuring the earliest possible completion of these contracts and avoiding jeopardizing the 2011 milestone for Construction Completion. The transfer of the work reflects uncompleted contract work, which Contract CSO-4B is unable to complete in a timely fashion due to the contractor's limited manpower. Under the transfer of work, Contract CSO-5G has completed the installation eight (8) stainless steel slide gate extension stems; completed the installation of twelve (12) sets of stainless steel stop log guides; completed rubbing and patching the Pump Back Building's dry well concrete walls and in the process of constructing the Pump Back Building's baffle wall.**
- **Phase III - Superstructures and Equipment**
 - ◆ **Construction work has continued and is approximately 60% complete.**
 - ◆ **The 5G Contractor continued to install masonry blocks, stainless steel structural batten seam roofing, soffit and fascia on the Collection Facility South (CFS), Pump Back Building (PBB), Odor Control Building (OCB) and Screenings Building (SB); continued to install wet and dry fire suppression systems in the CFS and PBB; began work activities for the Five (5) Barrel Influent Channel; completed work activities for the Two (2) Barrel Influent Channel, continued installation of RCP site drainage on the CSO Tank Roof; continued installation of windows, louvers, stainless steel and aluminum doors and frames in the CFS, PBB, OCB and SB; and completed installation of the gypsum sheetrock system in the CFS. Contractor also began installation of Activated Carbon Odor Control Units in the OCB; Stop Logs in the SB and CSO Tanks and acoustical ceiling tiles in the CFS.**

- ◆ **The 5E Contractor completed installation of two low voltage switchgears in the PBB and 4 MCC's in the PBB, OCB and CFS; continued pulling and terminating conductors for power, fire alarm, lighting, telephone and intercom in the CFS and PBB; continued installation of lighting fixtures in the CFS and PBB; continued installation of the lightning protection and grounding systems; continued installation of conduit and conduit racks in the CSO Tank Corridor, PBB and OCB. Contractor also powered up the temporary generator for all contracts to perform testing of mechanical equipment in the CFS.**
- ◆ **The 5H Contractor continued installation of concrete anchors, hanger rods, and stainless steel ductwork in Tank No. 3; continued installation of stainless steel ductwork in the CSO Tank Corridor; continued installation of stainless steel ductwork, HWS & HWR piping and insulation for piping and ductwork in the PBB and OCB; continued pulling and terminating control wiring in the CFS and PBB; continued installation of various pieces of mechanical equipment in the CFS, PBB, OCB and SB and continued installation of the temporary boiler system and associated interim piping. Contractor also began testing various pieces of mechanical equipment in the CFS Building.**
- ◆ **The 5P Contractor continued installation of sanitary, storm drain and city water piping in the OCB and SB, continued installation of mechanical equipment in the CFS Building and completed installation of fixtures in the CFS Building.**

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) on January 26, 2007 for a missed milestone set forth in Appendix A, IV. Paerdegat Basin CSO, D. Foundations and Substructures, 4. Construction Completion by December 2006. The NYC Law Department responded to the NOV in a letter dated February 22, 2007 (Plache to Crisafulli). DEP and DEC Legal continued negotiations to modify this milestone date.

Anticipated Activities for Next Quarter

Construction

- Phase II - Foundations and Substructures

- ◆ Work will continue on the construction of to meet DEP's proposed revised Construction Completion date by March 2008. DEP and DEC Legal are negotiating the proposed revised milestone date.
- ◆ **Upcoming future work will consist of completing installing reinforcing steel, concrete formwork and placing concrete for the training walls and flushing walls in CSO Tank No. 1; continuing plugging and patching for the concrete formwork snap-tie holes throughout the CSO Tanks and Screenings Building influent channel; continuing installation and testing of the instrumented tie-down anchors in the CSO Tanks and Pump Back Building; and complete the construction of the CSO Tank access manhole platforms. Under the transfer of specific mechanical and civil work to Contract CSO-5G upcoming future work will consist of completing the construction of the Pump Back Building's baffle wall; installation of the Pump Back Building's 30-inch suction piping; complete the Pump Back Buildings floor drain piping; complete the construction of the stop log storage compartment; and install and test four (4) 12-inch diameter sluice gates.**
- Phase III - Superstructures and Equipment
 - ◆ Work will continue on the construction in order to meet the milestone date for Construction Completion Date by August 2011.
 - ◆ **The 5G Contractor will complete punch list masonry work and ceramic tiles in the CFS and continue installation in the PBB, OCB and SB; complete punch list work on the gypsum sheetrock system, windows, stainless steel and aluminum doors in the CFS and continue installation in the PBB, OCB and SB; will complete installation of fire protection sprinkler system in the CFS and continue in the PBB, OCB and SB; will continue installation of Stainless Steel Structural Batten Seam Roofing on the PBB, OCB and SB; will continue painting walls and piping in the PBB, OCB and SB; will complete installation of Service Water System in the PBB and OCB. Contractor will also continue testing of various pieces of mechanical equipment in the CFS and perform training of DEP personnel.**
 - ◆ **The 5E Contractor will energize the Low Voltage Switchgears and the CFS MCC. Contractor will also complete installation of RGS conduit, conduit racks and sleeves in the CFS and continue in the PBB, OCB and SB; will continue installation of card reader junction boxes in the PBB, OCB and SB; will continue installation of security systems and site lighting; will begin installation of telephones and equipment for the telemetry room in the CFS, will pull and terminate conductors from various pieces of equipment to the PBB and OCB MCCs; will complete installation of electrical concrete duct banks in the yard area.**
 - ◆ **The 5H Contractor will continue to install stainless steel ductwork in the PBB, OCB, CSO Tank Corridor and CSO Tanks No. 1, No. 2 and No. 3; will complete installation of HWS & HWR piping, insulation and fire stopping in the CFS and continue in the PBB, OCB, and SB. Contractor will also install various pieces of HVAC equipment in the CFS, PBB, OCB and SB; perform hydrostatic leak tests, dye test and x-ray test on piping in the CSO Tanks, CSO Tank Corridor, CFS, PBB,**

OCB and SB. Contractor will also complete testing of various pieces of HVAC equipment in the CFS and begin providing temporary heating for one (1) heating cycle.

- ◆ **The 5P Contractor will complete insulation of various piping in the CFS, PBB and OCB and continue in the SB; will complete installation of piping and hangers in the OCB and SB. Contractor will also complete installation of washers, dryers and electric water coolers in the CFS and flush all piping in the CFS building.**

Table 8 – Paerdegat Basin CSO Project

| | <i>Phase IA</i> | <i>Phase II</i> | <i>Phase III</i> |
|---------------------|---|--|---|
| 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 | \$123,291,328 | \$184,240,589 |
| Status: | Construction completed. | NTP issued on 6/24/02. Construction 97% complete. | NTP issued on 9/26/05. Construction 60% 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 has 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

- DEP certified construction completion of the Flushing Bay CSO Retention Facility on May 31, 2007.
- Site Work
 - ◆ Completed site perimeter fencing and gates.
 - ◆ Completed bulkhead gate chamber automated controls.
 - ◆ **Completed all construction in the Queens Botanical Garden.**
- Comfort Stations
 - ◆ **Turned ownership of Fowler Ave recreation Center Comfort Station over to NYCDPR**
- Recreation and Maintenance Building:
 - ◆ **Completed** the installation of sheetrock for walls.
 - ◆ **Continued installation of architectural finishes including flooring, wall coverings and ceilings.**
 - ◆ Continued the installation of doors.
 - ◆ Continued the installation of Elevator No. 3.
 - ◆ **Neared completion of Electrical and HVAC systems at NYCDPR facilities**
- Screening Building

- ◆ Started plant operations on May 17, 2007.
- ◆ Continued the installation of stainless steel handrails.
- ◆ Continued equipment check-out, **start up and training**
- ◆ Continued equipment maintenance.
- CSO Facility
 - ◆ Started up facility operations on May 17, 2007.
 - ◆ Continued the installation of control and power cables to various field instruments.
 - ◆ **Completed all work on Odor Control systems except for instrumentation and control wiring, which is pending registration of an electrical change order. The chemical bulk storage permit as part of this system can not be applied for until certain change order work is complete.**
 - ◆ Continued the installation of the sprinkler system piping and sprinkler head pressure testing.
 - ◆ **Continued checkout of various systems.**
- Regulator No. 9, Junction Chamber and Triple Barrel Outfall
 - ◆ **Installed flow monitoring devices and panels at Regulator 9 and Triple Barrel CSO outfall. Completed antenna system for monitoring and control.**

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:
 - ◆ Complete the installation of gate controls and security systems.

- Recreation and Maintenance Building:
 - ◆ Complete 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.
 - ◆ Complete the installation of the curvature ceiling.
 - ◆ Complete specialty flooring systems.
 - ◆ Complete specialty rooms; i.e. basketball court, racquetball court and dance studio.
- Screening Building
 - ◆ Complete monorails.
 - ◆ Complete installation of hand railings.
- CSO Facility
 - ◆ **Start up secondary pumps.**
 - ◆ Continue the installation of control cables and perform terminations in control panels and at field instruments.
 - ◆ Continue start-up and vendor check-out of equipment as they are commissioned
- Regulator No. 9
 - ◆ Commission instrumentation, flow sensors, RTU, power and control panels.
- Triple Barrel, Regulator No. 11, Chamber No. 2 and Junction Chamber
 - ◆ Complete instrumentation.

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. Interim milestone to accept flow, store and pump to Tallman Island WPCP was met on 5/17/07 |
| Other Issues: | <p>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.</p> <p>Contract change orders for additional work are in progress.</p> <p>Repair to Scrubber vessels due to non conformance by manufacturer has delayed treatment and completion.</p> <p>Change Order to instrumentation and control of odor control system has delayed start up of the air treatment system and registration of the chemical storage tanks</p> |

3.6. Jamaica Tributaries CSO

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

- ◆ Meadowmere & Warnerville DWO Abatement – Construction of a new pumping station, force main, and sanitary sewer collection system in southeast Queens, NY, to convey flows from the communities of Meadowmere and Warnerville into the Jamaica drainage area collection system, for treatment at the Jamaica 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

- ◆ **ULURP application for the new site was approved by City Planning on July 9, 2007. Site acquisition was initiated by DECAS.**
- ◆ **An application for Water Quality Certification and Tidal Wetlands permit was submitted to the DEC on August 15, 2007.**
- Drainage Plan
 - ◆ BWSO and its consultant continued the preparation of a drainage plan for southeast Queens.

Design

- Regulator Automation
 - ◆ **Based on the bids received in March, which exceeded the budgeted construction cost estimate, DEP has requested and recently received additional budget from the Office of Management & Budget (OMB). DEP is working toward awarding the regulator automation contract to the apparent low bidder.**
- Destratification Facility
 - ◆ **Continued revisions to contract drawings and specifications.**
 - ◆ **A preliminary presentation to the Art Commission was held on September 10, 2007.**
 - ◆ **Design progress meeting held with DEP in July and September 2007.**
- Expansion of Wet Weather Capacity of the Jamaica WPCP
 - ◆ **DEP has identified a more cost-effective alternative for CSO reduction that is documented in the Jamaica Bay and CSO Tributaries Waterbody/Watershed Plan, submitted to DEC on June 30, 2007.**

Construction

- Meadowmere/Warnerville
 - ◆ Continued DSDC activities for the Meadowmere & Warnerville project. Construction site meeting were held on 7/11, 8/8, 9/12. **Construction is 40% complete.**
 - ◆ **Contractor has continued pumping station foundation work, sewer work in the communities, and HDD force main work.**
 - ◆ **Initiated contact with NYSDOT and NYCDOT OCMC Highways offices for street work permit associated with micro-tunneling activities on Rockaway Boulevard. A permit package with the requested information was sent to both agencies on 9/28.**

Anticipated Activities for Next Quarter

Design

- Destratification Facility
 - ◆ **Submit final design to DEP for review.**

◆ **NYC Art Commission approval on Final Architectural Design of Destratification Facility.**

Construction

- Meadowmere/Warnerville
 - ◆ Continue DSDC activities for the continuing construction of the Meadowmere & Warnerville DWO abatement project.
 - ◆ **Secure NYS DOT permit for street work associated with micro-tunneling activities on Rockaway Boulevard.**

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 build out | Provide automated regulators |
| Construction Cost: | \$30,648,888 | \$120 million | \$1,900,000 | To be determined | \$1,421,000 |
| Status: | Construction 40% complete. DSDC activities continued. | Recent analyses indicate that this element has limited water quality benefits. Alternative actions are recommended in the Waterbody/Watershed Plan now under review by DEC. | ULURP approved 7/9/07. NTCP date of 8/2007 affected, new schedule drafted. Revising Final design documents to reflect new site location. | Drainage planning underway. | Bids received, budget modification approved by OMB |

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 continues the design of the US Army Corps of Engineers, Fort Hamilton pumping station.**
 - ◆ **A modification request was submitted to DEC to increase the flow rate associated with the Long Island Well/Discharge permit and NYCDEP is awaiting their response.**
- New Force Mains
 - ◆ **The Notice to Proceed to Construction was granted to the G contractor in compliance with the milestone in the Order**
 - ◆ **The first Issues and Tasks meeting was held for the Force Main construction work.**
 - ◆ **BWSO group issued comments on the connection manholes.**
 - ◆ **BEDC issued comments regarding the ductile Iron force Main renewable coating system.**
 - ◆ **Permits for the street DOT work have been obtained.**
 - ◆ **A Long Island Well/Discharge permit was submitted to the NYSDEC but the NYSDEC has indicated that they'd like to break this permit into smaller segments. Awaiting official direction from the NYSDEC regarding processing multiple well/discharge permits associated with this force main work.**

Construction

- Avenue V Pumping Station Upgrade
 - ◆ **The wet well extension has continued construction up and beyond elev. -7.00.**
 - ◆ **Monthly Progress Meetings were held on the first Monday of each month.**
 - ◆ **Change Order #4, Bypass Manhole Modification is underway.**

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

Construction

- Avenue V Pumping Station Upgrade
 - ◆ **Completion of the construction of the wet well extension and installing pumps.**
 - ◆ **Complete the change order #4 work**
 - ◆ **Lead abatement work in the Main Building**
- New Force Mains
 - ◆ **Test pits to locate utilities will be dug.**

Table 11 – Coney Island Creek CSO Project

| | <i>Contracts PS-79G, H, P, E</i> | <i>Contract PS-79F</i> |
|----------------|---|--|
| Plan Elements: | Upgrade Avenue V Pumping Station | New Force Mains |
| Location: | Avenue V PS (Avenue V and West 11th Street) | 42-inch to SE-133 (Shore Pkwy. Vic. Verrazano Bridge); 48-inch to vic. Reg. 9A |
| Actions: | Comprehensive upgrade to automate and increase station capacity to 80 mgd; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance | New force mains to convey DWF and WWF |
| Cost: | \$68,200,000 | \$97,756,000 |
| Status: | Notice to Proceed issued on 12/16/05. Construction is 25% complete. | Notice to Proceed to Construction granted. |
| Other Issues: | None | None |

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

- Off-line Storage Tank
 - ◆ The Bureau of Environmental Planning and Assessment (BEPA) continued their review of the Remedial Action Plan (RAP) and Health and Safety Plan (HASP) for the remedial work related to the CSO Storage Facility. BEPA completed their review of the revised CSO Storage Facility Environmental Assessment Statement (EAS) and the Air Modeling Report and has requested additional work, including a traffic waterbody/watershed analysis. **However, since the WB/WS Plan for Newtown Creek was submitted in June 2007, the DEP directed URS to postpone this analysis until the WB/WS Plan for Newtown Creek is reviewed and approved.**

Design

- Maximize Flow to Morgan Ave. Interceptor
 - ◆ **The Department award and registered a contract with URS Corporation for Engineering Services for St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer.**

- Phase 1 & 2 Aeration Facilities
 - ◆ **The Department awarded and registered a contract for Engineering Services for English Kills Aeration Zone II. A kick-off meeting was held and alternative properties for siting the require blower buildings have been identified.**

Construction

- Phase 1 Aeration Facilities
 - ◆ **The construction of the Phase I Aeration Facilities is 25 percent complete. During the quarter, drainage piping that would lie within the floor slab was completed and installation of the conduits that would lie within the floor slab and preparation of the floor slab commenced.**
 - ◆ The NYSDEC Joint Application Permit had expired and a new permit application was submitted to the NYSDEC. The NYSDEC reviewed 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 NYSDEC replied to the NYCDEP with a Notice of Incomplete Application (NOIA). A response to the NOIA was prepared and submitted to the NYSDEC on July 18, 2006. The NYSDEC then issued a second NOIA and a response was prepared by the NYCDEP and submitted to the NYSDEC on August 25, 2006, with a revised response submitted to the NYSDEC on September 7, 2006. The NYCDEP BEPA issued a modified Negative Declaration on October 4, 2006 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 NYSDEC Joint Application Permit was modified by the DEC on September 11, 2007 to incorporate changes to the construction contract.**
 - ◆ 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.
 - ◆ **The special condition for the Wetlands Restoration Plan has been approved by the NYSDEC on April 24, 2007.**
 - ◆ A Habitat Monitoring Plan was submitted to the NYSDEC in January 2007 for their review. The NYSDEC reviewed and submitted comments to the Plan on March 20, 2007. The NYSDEC's comments included requests for much more extensive sampling. The magnitude of the Plan recommended by the NYSDEC is far beyond the scope needed to satisfy the intent of the Permit Condition. A meeting with the NYSDEC, NYCDEP and URS was held on April 13, 2007 to discuss the NYSDEC comments. The Habitat Monitoring Plan was revised based upon discussions at this meeting and forwarded to the NYSDEC on June 27, 2007. **The Habitat Monitoring Plan remains under review by the NYSDEC.**

- ◆ **A change order was issued for electrical work affected by the bulkhead realignment. Change order negotiations have commenced with the NC-EK11E contractor for this work.**
- ◆ **The site sewer connection application was approved by the DEP on August 3, 2007. The design of the site sewers is under Departmental review.**
- ◆ **A Maintenance and Protection of Traffic (MPT) Plan was submitted to the New York City Department of Transportation for review and approval on July 3, 2007. The MPT Plan will be used for the installation of the sewers within Grand Street.**
- ◆ 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.
- Maximize Flow to Morgan Ave. Interceptor
 - ◆ 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.

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

Design

- Maximize Flow to Morgan Ave. Interceptor
 - Continue design for Kent Avenue Throttling Gate.
 - **Continue design of the Regulator B-1 Modifications.**
 - **Continue design of St. Nicholas Avenue Weir to Regulator B-1 Relief Sewer.**
- **Phase 1 & 2 Aeration Facilities**
 - **Continue evaluation of alternative properties identified for require blower buildings.**

Construction

- Phase 1 & 2 Aeration Facilities
 - ◆ Continue tracking vendor approval for equipment Contracts NC-EK11G, H and E. Continue shop drawing review for Contracts NC-EK11H and E. Continue responding to any Request for Information submitted by Contracts NC-EK11G, H and E.
 - ◆ **Obtain approval from the NYCDEP for the site sewer design.**
 - ◆ Continue coordination with DEC for Habitat Monitoring Plan.
 - ◆ **Approval of the Maintenance and Protection of Traffic (MPT) Plan to the New York City Department of Transportation.**
 - ◆ **Negotiate Change Order NC-EKE-1 for the electrical changes affected by the bulkhead realignment.**

Table 12 – Newtown Creek CSO Project

| | | | |
|----------------|--|---|---|
| | | | |
| Plan Elements: | Maximize flow through Morgan Ave. Interceptor | Phase 1&2 - 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 are being performed under a Task Order Contract. | Construction is 25% complete. The Habitat Monitoring Plan is under review by the NYSDEC. Coordination between the Department's Bureaus continues for the site sewer connection. Initiated design of the Aeration of Dutch Kills and East Branch under a new Contract NC-EK-IV. | A Draft ULURP application submitted to DEP. The RAP and HASP are under review by BEPA. BEPA submitted comments to the EAS and the Air Modeling Report. The Department directed URS to await the submission of the Newtown Creek LTCP prior to performing the additional work requested by BEPA. |
| Other Issues: | Requires coordination with WPCP planning and design requirements | Approval of the site sewer design and MPT plan 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 **review by the NYSDEC analyzes** cost effective CSO control measures for this waterbody and proposes modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

The current Westchester Creek CSO Abatement Facilities Plan, subject to modifications by the Waterbody/Watershed Facility Plan recommendations, will be constructed in two phases with Phase I consisting of the facilities to divert the combined sewage to the CSO storage tank, as well as rehabilitation of an existing tide gate chamber, and Phase II consisting of the CSO storage tank. 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.
 - ◆ A Job Hazard Analysis Form to perform the required surveying to prepare a metes and bounds description of a permanent easement along the access road into the BPC Campus from Waters Place remained under review by the DEP. 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.

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 surveying will be performed and the metes and bounds description will be prepared for 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 mechanical screens within Regulators 27 and 27A located upstream of the outfall. For CSO Outfall HP-009, which is located on the east bank of the Bronx River near the confluence with the East River and serves a drainage area of approximately 436 acres, the recommended floatables control facility consists of providing in-line netting within Regulator 13, located within Soundview Park upstream of the outfall.

Work Performed During This Quarter

Planning

- ◆ **At the request of DEP, representatives from URS and HydroQual, Inc. made a visit on August 21, 2007 to the Bureau of Planning and Development, Office of the Bronx Borough President to determine if there are mapped sewer easements between the DPR and DEP for Regulator 27A (Outfall HP-007) and Regulator 13 (Outfall HP-009) located on parkland. Based on this visit, there are no recorded sewer easements for these two regulators.**
- ◆ **Based on the August 7th and 13th meetings, the ULURP Application for the floatables control facilities for Outfalls HP-004, HP-007 and HP-009 was revised. The principal revision was to the Fair Share Analysis, which was changed based on the floatables control facilities being considered regional in lieu of local as requested by the DCP.**
- ◆ The draft EAS for the floatables control facilities remained under review by the DEP.
- ◆ **The Phase I – Environmental Site Assessment Report for the floatables control facilities was finalized.**

Design

- ◆ **Design of the floatables control facilities continued. In mid-August 2007, the 60 percent complete contract drawings and specifications were completed for review.**

- ◆ The draft Geotechnical Investigation Report for the floatables control facilities, based on the geotechnical borings drilled at the project sites, remained under review.
- ◆ **El Taller Colaborativo prepared the draft traffic impact study report for Regulator 27 (Outfall HP-007), entitled “Bronx Floatables Expansion of Regulator CSO 27, Traffic Impact Study of Local Detour Route,” and in early September 2007, initiated revisions to the report based on review comments provided to them.**

Construction

- ◆ Construction has not yet been initiated.

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

▪ *Planning*

- ◆ A meeting will be scheduled with the DCP to review the revised ULURP Application for the floatables control facilities.
- ◆ The draft EAS for the floatables control facilities will continue to be reviewed by the DEP.
- ◆ **DEP will schedule a meeting with the Office of the Corporation Counsel of the City of New York to discuss the siting of the proposed floatables control facilities within parkland at Regulator 27A and Regulator 13.**

▪ *Design*

- ◆ Design of the floatables control facilities will continue.
- ◆ Review of the draft Geotechnical Investigation Report for the floatables control facilities sites will be completed.
- ◆ **DEP will schedule a meeting with the DPR regarding the proposed floatables control facilities at CSO Outfalls HP-007 and HP-009.**
- ◆ **The traffic impact study report for Regulator 27 (Outfall HP-007) will be finalized.**

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: | \$23,219,000 |
| Status: | Draft EAS for floatables control facilities under review; 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 **review by the NYSDEC**, **analyzes** cost effective CSO control measures for this waterbody and proposes modifications to the scope of the existing CSO facilities plan, as permitted in the Order in Section III, Paragraph A, Section 3.

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

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

Work Performed During This Quarter

Design

- Phase I – 4 MG CSO Storage Tank
 - ◆ Design of the 4 MG CSO storage tank continued.
- Phase II – 3 MG CSO Storage Tank
 - ◆ Design of the 3 MG CSO storage tank 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.
 - ◆ Review of the Geotechnical Investigation Report presenting the results of the geotechnical borings drilled at the storage tank site will be completed.
 - ◆ 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.
 - ◆ Review of the Geotechnical Investigation Report presenting the results of the geotechnical borings drilled at the storage tank site will be completed.
 - ◆ 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 each 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

Design

- Cleaning of Certain Combined Sewers
 - ◆ **For the 26th Ward Drainage Area Sewer Cleaning and Evaluation Project, pre-bid conferences were held with prospective bidders in July 2007. Bids were received by the Department for this work on August 7, 2007.**
 - ◆ **The DEP received approval of the Final Design Documents for the 26th Ward Drainage Area Sewer Cleaning from the NYS Department of Environmental Conservation (NYSDEC) in August of 2007.**
 - ◆ **The DEP responded to comments received from the NYSDEC in September 2007.**
- Dredging
 - ◆ **The DEP issued a Request for Proposals to professional engineering firms interested in providing construction management services during the Interim Dredging of the Hendrix Street Canal in July 2007.**
 - ◆ **The DEP held a pre-proposal conference with professional engineering firms interested in providing construction management services during the Interim Dredging of the Hendrix Street Canal in September 2007.**

- ◆ **The DEP received approval of the Final Design Documents for Interim Dredging of the Hendrix Street Canal from the NYSDEC in September of 2007.**
- ◆ **A meeting was held in September 2007 with US Army Corps of Engineers (USACE) and NYSDEC representatives to review and discuss the Interim Dredging of the Hendrix Street Canal Project.**
- ◆ **The DEP has received comments from both the ACOE and NOAA Fisheries regarding the joint application permit but have still not received any comments from the NYSDEC regarding this permit.**
- ◆ **The US Army Corps of Engineers (USACE) released the Public Notice for the Interim Dredging of the Hendrix Street Canal Project. The Public Notice comment period ends October 24, 2007.**
- Expansion of 26th Ward WPCP Capacity
 - ◆ **Design work for the 50 mgd increase in wet weather capacity continued.**

Construction

- Spring Creek Upgrade
 - **Construction activities are nearing completion with minor items left to complete at the Spring Creek Auxiliary WPCP upgrade. The odor control system, generator, boilers, and disinfection system have all been started up and the certification of construction completion was sent to the NYSDEC meeting the April 30th milestone. All basins are operational. Miscellaneous contract work and punch list work is ongoing.**
 - **Wet Weather Operating Plan comments received from DEC are being addressed.**

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

- Dredging
 - ◆ **Respond to comments provided by the NYSDEC associated with the Interim Dredging of the Hendrix Street Canal. Respond to comments from the USACE/NYSDEC associated with Joint Permit Application, as necessary.**
- Cleaning of Certain Combined Sewers
 - ◆ **Award Contract and Issue Notice to Proceed to National Main Water Cleaning Co. for Contract CSO-HC; Improvement of Flow Capacity to Fresh Creek CSO 26th Ward Drainage Area.**
- Spring Creek Upgrade

- ◆ **The Contractor is completing the work on the scavenger waste station.**
- ◆ **The electrical contractor is completing the work on the security system and permanent control room.**
- ◆ **The barrel leak inspection has been completed. The report will be submitted to DEC.**

Table 16 – Jamaica Bay CSO Project

| Plan Elements: | Dredging | Cleaning of Certain Combined Sewers | Expansion of 26 th 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- 26 th 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 | \$4.3 million | Estimate Construction Costs: <ul style="list-style-type: none"> ▪ 26W- 13: \$26 million ▪ 26W-20: \$232 million¹ ▪ 26W-22: \$424 million¹ ▪ 26W-23: \$58 million¹ ▪ 26W-24: TBD ¹ Conceptual estimate | \$87 million |
| Status: | On Schedule. | On Schedule | Final Design Initiated | 100% complete |
| Other Issues: | - | - | - | - |

3.13. Citywide Comprehensive Floatables Plan

Work Performed During This Quarter

- ◆ During the **third** quarter of 2007, data collection tasks for the pilot floatables monitoring program continued, as did data analysis related to the **four sets of** site-specific investigations conducted in late February, April, **and July**. Monitoring data collected by the Harbor Water Quality Survey crews during the reporting period was also incorporated into the program database.
- ◆ **The program also initiated its transition from a pilot phase to a full scale program as scheduled to occur over the course of the fall of 2007. Floatables monitoring activities will be further incorporated into existing programs (listed below) to expand the number of sites monitored.**
 - 1) **Long Term Control Plan post construction compliance monitoring (PCM) – Floatables monitoring will be conducted as part of the PCM as sites come on line.**
 - 2) **Harbor Water Quality Survey – Floatables monitoring will be incorporated into existing cruise schedules to cover sites in addition to those already monitored as part of the pilot program.**
 - 3) **Public Participation – Additional volunteer monitoring sites will be added to the sites tested under the pilot program in anticipation of the 2008 monitoring season (i.e., 2008 bathing season).**
 - 4) **Environmental Benefit Shoreline Cleanup Program – Additional monitoring will be conducted in conjunction with this DEP cleanup program scheduled for the summer of 2008.**
- ◆ The **fourth** round of site-specific investigations for the three pilot program sites with the most persistent poor ratings (head of Dutch Kills, inlet east of Whale Creek on Newtown Creek, and Kill Van Kull off of Van Name Avenue) was conducted **during wet weather on July 23. The investigation included field investigations and comparisons with previous, dry weather observations.** The purpose of the investigations was to characterize site conditions that may contribute to floatables and characterize the floatables and non-CSO debris present at the sites in order to gain insight as to the sources of debris.
- ◆ The New York City Beach Floatables Survey Program (Survey Program), a volunteer group that has been performing counts of beach floatables for several years, **conducted floatables monitoring at approximately 10 sites** as a public participation group. Coordination with the Survey Program occurred **throughout the third** quarter of 2007, and volunteer training and data collection **continued through the summer.**

- ◆ As part of the CSO LTCP project, Waterbody/Watershed reports have incorporated general language describing the floatables monitoring program and the likely inclusion of floatables monitoring as part of the post construction monitoring program for relevant LTCP waterbodies.
- ◆ Overall, the pilot program has met all scheduled completion dates and is on target to **transition to a full scale program through the fall of 2007.**

Missed Milestones

- ◆ There are no missed milestones.

Anticipated Activities for Next Quarter

- ◆ Continue floatables monitoring program activities, including monitoring by the Harbor Water Quality Survey and monitoring by the public participation group (New York City Beach Floatables Survey Program).
- ◆ **Continue implementation of** the transition of the pilot program to a full scale program.

4.0. Compliance Status

4.1. Unresolved Delays

See Section 7.0, Other Issues.

4.2. Compliance Charts

The following table summarizes the milestone dates developed in the draft Consent Order and updates available through September 2007:

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 | 100 |
| 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 | 8 |
| 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. | 50 |
| 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 | 100 |
| 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 | 75 |
| 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 | 20 |
| 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 | 50 |
| 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 | - | 100 |
| 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 | 97 |
| 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 | 60 |
| 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 | 100 |
| 2. Submit Approvable Flushing Creek Waterbody / Watershed Facility Plan Report | - | June 2007 | 100 |

| 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 | 100 |
| 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. | 50 |
| 2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek | - | 6 mos. after apprvl. of V.B.2. | 50 |
| 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 | 100 |
| 2. Submit Approvable Thurston Basin Waterbody / Watershed Facility Plan Report | - | June 2007 | 100 |
| 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 | 40 |
| 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 | 90 |
| 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 | 50 |
| 2. Submit Approvable Drainage Basin Specific LTCP for Thurston Basin | - | Aug. 2012 | 50 |
| 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 | 100 |
| 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 | 25 |
| 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 | - | 100 |
| 4. Construction Completion | - | June 2012 | - |
| E. Submit Approvable Drainage Basin Specific LTCP for Coney Island Creek | - | Sept. 2007 | 50 |
| 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 | 100 |
| 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 | 25 |
| D. Aeration Zone II | | | |
| 1. Initiate Final Design | June 2007 | - | 100 |
| 2. Final Design Completion Including CPM Analysis | - | June 2010 | <5 |
| 3. Notice to Proceed to Construction | June 2011 | - | - |
| 4. Construction Completion | - | June 2014 | - |
| E. Relief Sewer / Regulator Modification | | | |
| 1. Initiate Final Design | June 2007 | - | 100 |
| 2. Final Design Completion Including CPM Analysis | - | June 2009 | <5 |
| 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 | 50 |
| 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 | 100 |
| 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 | 50 |
| 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 | 100 |
| C. Floatables Control | | | |
| 1. Initiate Final Design | Jan. 2006 | - | 100 |
| 2. Final Design Completion Including CPM Analysis | - | July 2008 | 60 |
| 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 | 50 |
| 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 | 100 |
| 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 | 50 |
| 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 | 100 |
| 2. Submit Approvable Spring Creek Waterbody / Watershed Facility Plan Report | - | June 2007 | 100 |
| 3. Submit Approvable Fresh Creek Waterbody / Watershed Facility Plan Report | - | June 2007 | 100 |
| 4. Submit Approvable Hendrix Creek Waterbody / Watershed Facility Plan Report | - | June 2007 | 100 |

| 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 | 100 |
| 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 | 100 |
| 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 | 100 |
| 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 | 10 |
| 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 | 50 |
| 2. Submit Approvable Drainage Basin Specific LTCP for Spring Creek | - | Aug. 2012 | 50 |
| 3. Submit Approvable Drainage Basin Specific LTCP for Fresh Creek | - | Aug. 2012 | 50 |
| 4. Submit Approvable Drainage Basin Specific LTCP for Hendrix Creek | - | Aug. 2012 | 50 |
| 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

There were no Waterbody Stakeholder Team Meetings or Open Water LTCP CSO CAC meetings this quarter.

Additional public meeting will be held once NYSDEC comments are received and incorporated into the WB/WS Plans which are currently under review.

6.0. Key Personnel Changes

No changes this quarter.

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. On January 2, 2007, DEC issued an NOV for this milestone. **A modification to the Consent Order has been drafted between DEP and DEC Legal to revise the milestone date.**

2. 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 has been **approved by City Planning**. Final design contract documents are being prepared to reflect the new site. This will lead to a delay in the bidding and construction of this work. **A modification to the Consent Order has been drafted between DEP and DEC Legal to revise the milestone date.**

3. Jamaica Bay CSO

DEP submitted the Jamaica Bay and CSO Tributaries Waterbody/Watershed Plan to DEC on June 30, 2007, as required by the Order. This report documents a more cost-effective CSO management strategy, as compared to the expansion of the wet weather capacity of the Jamaica WPCP. This alternative to treatment plant expansion relies on system improvements to maximize the use of the plant's 200 mgd wet weather capacity. Design of the expansion of the wet weather capacity has been delayed until DEC has reviewed and approved the alternate strategy being proposed.

4. Additional Waterbody/Watershed Modification Requests

In accordance with the CSO Consent Order; the DEP proposed modifications to the Newtown Creek, Westchester Creek, and Hutchinson River CSO plans as part of the June 30, 2007 - Waterbody/Watershed Plans submittal. These revised plans would require modifying particular milestones currently contained in the CSO consent order and that NYCDEP believes would achieve equivalent or better water quality benefits. It is important to resolve this issue as soon as possible, as many of these consent order milestones that the WB/WS Plans proposed to modify have already commenced or are scheduled to commence in the near future.

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.

| Waterbody | Percent Completion of Each LTCP Element | | | | | | | | |
|--------------------|---|------------------------------|-------------------------|---------------------------------|----------------------------|--------------------------|-----------------------------------|---------------------------------|--------------------------------------|
| | 1 CSS Characterization | 2 Public Participation | 3 Sensitive Areas | 4 Alternatives Evaluation | 5 Cost / Performance | 6 Operational Plan | 7 Maximizing WPCP Treatment | 8 Implementation Schedule | 9 Post-Construction Monitoring |
| Alley Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Bergen Basin | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Bronx River | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Coney Island Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| East River | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Flushing Bay | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Flushing Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Fresh Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Gowanus Canal | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Hendrix Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Hutchinson River | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Jamaica Bay | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Newtown Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Open Waters | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Paerdegat Basin | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Spring Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Thurston Basin | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| Westchester Creek | 100 | 98 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |

APPENDIX A
CONSENT ORDER CERTIFICATION LETTERS



**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

59-17 Junction Boulevard
Flushing, New York 11373

Emily Lloyd
Commissioner

Tel. (718) 595-6565
Fax (718) 595-3525
elloyd@dep.nyc.gov

Steven W. Lawitts
First Deputy Commissioner

Tel. (718) 595-6576
Fax. (718) 595-3557
slawitts@dep.nyc.gov



www.nyc.gov/dep

DIAL 311 Government Information
and Services for NYC

July 30, 2007

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
Coney Island Creek CSO/ Avenue V Force Mains

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, notice to proceed to construction has been transmitted to the general contractor for the Avenue V Force Main work, in conformance with milestone VII, 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

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
Albany, NY 12233-5500

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

Timothy Burns, P.E.
New York State Environmental
Facilities Corporation
625 Broadway
Albany, New York 12207

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

DEP: E. Rogak, K. Mahoney, D. Chao, K. Clarke, S. Joseph
P. Young (H&S) File



July 20, 2007

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

59-17 Junction Boulevard
Flushing, New York 11373

Emily Lloyd

Commissioner

Tel: (718) 595 - 6565

Fax: (718) 595 - 3557

ELloyd@DEP.NYC.GOV

John P.Picone Inc.
31 Garden Lane
Lawrence, NY 11559

RE: ORDER TO COMMENCE WORK FOR CONTRACT PS-79F

Dear Contractor:

Transmitted herewith is your duly executed contract PS-79F for furnishing all labor and materials necessary and required for the **Upgrading of the Force Main Pumping Station of Avenue V, Brooklyn NY.**

Carol E. Fenves

AGENCY CHIEF CONTRACTING OFFICER

Tel: (718) 595-3225

Fax: (718) 595-3278

CFenves@DEP.NYC.GOV

The Contract was:


| | |
|----------------------------------|---------------|
| Awarded to you on | May 25, 2007 |
| Executed on | June 11, 2007 |
| Registered by the Comptroller on | July 18, 2007 |

The Contract was awarded in the amount of \$97,756,000.00 and the registration number is CTC 826 20070043067.

The commence work date is July 23, 2007. You must complete the work within 1280 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 January 22, 2011.

Upon receipt of this order please contact **Reza Marandi**, located at 96-05 Horace Harding Expressway, 4th Floor, (718) 595-5932.

Yours truly,


Debra E. Butlien

Deputy Agency Chief Contracting Officer





**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

59-17 Junction Boulevard
Flushing, New York 11373

**Emily Lloyd
Commissioner**

Tel. (718) 595-6565
Fax (718) 595-3525
elloyd@dep.nyc.gov

**Steven W. Lawitts
First Deputy Commissioner**

Tel. (718) 595-6576
Fax. (718) 595-3557
slawitts@dep.nyc.gov

August 31, 2007

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
Inner Harbor CSO/ In-Line Storage

Dear Mr. DiMura:

The New York City Department of Environmental Protection (DEP) appreciates the time extension that NYS DEC has granted for the above referenced milestone and is pleased to inform you that 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.

Specifically, notice to proceed to construction has been transmitted to the general contractor for the Inner Harbor In-Line Storage work, in conformance with milestone III, E, 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

Attachment



www.nyc.gov/dep

DIAL 311 Government Information
and Services for NYC



August 21, 2007

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

69-17 Junction Boulevard
Flushing, New York 11375

Emily Lloyd
Commissioner
Tel: (718) 595 - 6565
Fax: (718) 595 - 3557
ELloyd@DEP.NYC.GOV

JR Cruz Corp.
675 Line Road
Aberdeen, NJ 07747

RE: ORDER TO COMMENCE WORK FOR CONTRACT CSO-IH-12

Dear Contractor:

Transmitted herewith is your duly executed contract CSO-IH-12 for furnishing all labor and materials necessary and required for the Construction of Inner Harbor In-Line Storage Facilities.

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

The Contract was:

| | |
|----------------------------------|-----------------|
| Awarded to you on | July 06, 2007 |
| Executed on | July 18, 2007 |
| Registered by the Comptroller on | August 16, 2007 |

The Contract was awarded in the amount of \$12,954,128.00 and the registration number is CTC 826 20080007447.

The commence work date is August 27, 2007. You must complete the work within 675 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 July 02, 2009.

Upon receipt of this order please contact Reza Marandi, located at 96-05 Horace Harding Expressway, 4th Floor, (718) 595-5932.

Yours truly,

Debra E. Butlien
Deputy Agency Chief Contracting Officer

