

**New York City Department of Environmental Protection  
Bureau of Water Supply**

**Filtration Avoidance 6.1 Enforcement Actions  
For the period April 1, 2019 through September 30, 2019**

**October 2019**

*Prepared in accordance with Section 6.1 of the NYSDOH  
Revised 2017 Filtration Avoidance Determination*



Prepared by: DEP, Bureau of Water Supply

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## 1. Introduction

Encompassing eight counties and 71 towns and villages, the New York City watershed is a politically, economically and geographically diverse landscape, covering nearly 2,000 square miles. Protecting this watershed is the responsibility of the New York City Department of Environmental Protection's Bureau of Water Supply (the Bureau). To ensure that the high quality of the water is sustained and the sources of the water are protected, the Bureau has developed an aggressive enforcement program both in the field and through the legal system. Enforcement activities of the engineers, inspectors, police and attorneys responsible for the protection of the watershed are detailed in the following report.

This semi-annual report on enforcement actions for the period April 1, 2019 through September 30, 2019 has been submitted as required by the 2017 FAD and provides valuable information about the implementation of *New York City's Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). The report first presents is an overview of the responsibilities of the Regulatory and Engineering Programs Section (REP) which administers Bureau enforcement activities and the associated City entities that assist in those efforts. Next, the report addresses new enforcement actions that have been undertaken during the above-mentioned reporting period and includes updates to ongoing violations.

The report is divided into sections relative to applicable FAD watershed areas. The **West of Hudson** (WOH) area is comprised of the following reservoir basins: Ashokan and Schoharie in the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Further included are those portions of the **East of Hudson** (EOH) area which is comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.<sup>1</sup> Within each of these sections of the report, enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), or in connection with subsurface sewage treatment systems (SSTs) and active construction sites, as well as with other regulated activities, such as solid waste management facilities. In addition, individual actions of the DEP police are included.

## 2. Enforcement Responsibilities

The Bureau is charged with implementation of the Watershed Regulations which identify activities that are prohibited in the watershed as well as those that require New York City Department of Environmental Protection (DEP) review and approval. Among activities that require such review and approval are the construction of new or the alteration of existing

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<sup>1</sup> As used in this report, the term East of Hudson (EOH) refers only to projects, permits or approvals for activities located in the West Branch, Boyd Corners, Croton Falls, Cross River or Kensico basins, the reservoir basins relevant to the 2017 Filtration Avoidance Determination. This report does not describe the Bureau's activities in the basins of other EOH reservoirs that serve exclusively as portions of the New Croton water supply system.

WWTPs, new or altered SSTSs, construction activities that require stormwater pollution prevention plans (SWPPPs) and the construction of impervious surfaces within certain limiting distances to surface water features.

Following the approval of planned regulated activities, those activities are monitored to assure compliance with the conditions of the approval, the Watershed Regulations and any applicable state or federal standards. The Bureau also conducts inspections throughout the watershed to ensure that any violations of the Watershed Regulations or of local, state or federal law are identified and reported; citizen complaints are also routinely investigated. When an enforcement action is commenced, the Bureau works with DEP's Bureau of Legal Affairs and the New York City Law Department to resolve the identified violations. The Bureau will monitor the activity for compliance with the terms of any consent order or other enforcement document such as a Notice of Violation (NOVs).

The first portion of this report provides an overview of the responsibilities of REP and the duties specific to the identified groups within REP. In addition to the REP groups mentioned, the Bureau's Water Quality (WQ) Directorate supports enforcement efforts by monitoring water quality throughout the watershed and alerting other Directorates of any adverse water quality conditions. Also, the Bureau coordinates with various other agencies on violations and enforcement actions; including the New York State Department of Health (DOH), the New York State Department of Environmental Conservation (DEC), the United States Environmental Protection Agency (EPA), the office of the Watershed Inspector General (WIG), as well as county and municipal regulatory entities.

## **2.1. The Regulatory & Engineering Programs Section**

REP is divided into two (2) sections: Wastewater and Stormwater Programs.

### **2.1.1. Wastewater Programs**

The Wastewater Programs section reviews and approves sewer systems, WWTPs and SSTSs in accordance with the Watershed Regulations and applicable New York State standards. Engineering reports and facility plans are reviewed and technical standards are applied to all new and/or modified facilities prior to approval. Wastewater Programs staff are also responsible for the investigation of WWTP non-compliance events, sewer system overflows, and residential and commercial SSTS failures. Upon determination of an SSTS failure, as an example, a formal NOV procedure is initiated which includes review by DEP's Bureau of Legal Affairs and the New York City Law Department who remain involved should further legal steps become necessary.

There are several programs sponsored by DEP that fund the remediation of SSTSs that are documented to be in failure within certain areas of the watershed. The Catskill Watershed Corporation (CWC) "Septic Rehabilitation and Replacement Program" funds design and construction of such remedial actions. CWC solicits property owners within eligible areas, inspects the site and ensures the necessary SSTS improvements are completed as designed. The review and approval of these repairs is performed and tracked by DEP. Program details and progress are reported in the FAD Report 3.1 "Septic Rehabilitation and Replacement Program." DEP, thru the NYS Environmental Facilities Corporation, sponsors a similar SSTS repair program in the watershed areas of the East of Hudson FAD reservoirs.

As the above programs are voluntary, DEP does not pursue enforcement actions on failing SSTs where the owners are eligible for funding under in order to encourage property owners to participate and to self-report failing systems. DEP believes that pursuing enforcement actions in such cases would reduce the overall number of failing SSTs being detected or repaired and thus minimize water quality benefits and reduce the overall effectiveness of these programs. DEP will issue an NOV and pursue appropriate enforcement on a case by case basis where significant progress within these program has not been made.

### **2.1.2. Stormwater Programs**

The Stormwater Programs section reviews and approves Stormwater Pollution Prevention Plans (SWPPPs); Individual Residential Stormwater Permits; Crossing, Piping or Diversion Permits and the construction of impervious surfaces within certain limiting distances. For all regulated construction activities, Stormwater Programs reviews engineering reports, drainage calculations and site plan drawings in accordance with DEP and NYS technical stormwater standards prior to approval.

Stormwater Programs staff conduct weekly inspections of all approved active construction sites from commencement of construction through final stabilization and file written reports of findings. Stormwater Programs staff are also responsible for investigating possible violations of water quality standards including turbid discharges, illicit solid waste disposal, and discharges from improperly stored winter highway maintenance materials (road salt). Upon determination of non-compliance at any DEP permitted SWPPP or other stormwater-related site or confirmation of other sources of contamination to the Water Supply, a formal NOV procedure is initiated which includes review by DEP's Bureau of Legal Affairs and the New York City Law Department who remain involved should further legal steps become necessary.

### **2.2. DEP Police**

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

DEP Police Environmental Enforcement Division, is responsible for all patrol operations, protective functions and short-term investigations relating to environmental and criminal complaints. Additionally, the Detective Bureau and Intelligence Division is responsible for all long-term investigations relating to pollution, crime and terrorism.

Where necessary, close coordination between REP and these DEP Environmental Police divisions is crucial to ensuring that swift, proper and appropriate actions are taken when violations of environmental laws or regulations are discovered.

### **2.3. DEP's Bureau of Legal Affairs**

The Bureau of Legal Affairs (BLA) provides legal support for enforcement of the Watershed Regulations. As noted previously, , BLA reviews all NOV's in advance to ensure that all pertinent issues have been addressed and fully documented and proper steps have been taken.

### **2.4. New York City Law Department**

The New York City Law Department, in conjunction with BLA, may enter into formal negotiations with alleged violators, and, when necessary, undertake legal action. NYC can take actions under, among other laws: the State Public Health Law, to enforce the Watershed Regulations; and, the federal Clean Water Act, to bring SPDES violators into compliance. The New York City Law Department also defends, where necessary, regulatory decisions rendered by REP and renders legal opinions, interpretations and advice on enforcement matters, as necessary.

### 3. Specific Enforcement Actions

#### 3.1. Subsurface Treatment Systems and Stormwater

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

#### Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	39	1	33	1	34	
CONESVILLE	13		10		10	
GILBOA	19		15		17	
HUNTER	117		88		96	
HUNTER (V)	17		9		10	
HURLEY	49		48		47	
JEWETT	51		47		51	
LEXINGTON	48		45		46	
OLIVE	197	1	167	1	173	
PRATTSVILLE	33		24		33	
ROXBURY	31		23		27	
SHANDAKEN	145		132		140	
TANNERSVILLE (V)	7		2		7	
WINDHAM	84	1	66		81	
WOODSTOCK	61		53		51	
<b>Total</b>	<b>911</b>	<b>3</b>	<b>762</b>	<b>2</b>	<b>824</b>	<b>0</b>

#### Delaware District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ANDES	83		75		74	
ANDES (V)	4		2		2	
BOVINA	36		33		34	
COLCHESTER	5		5		7	
DELHI	71		65		74	
DELHI (V)	3		2		2	
DENNING	34		33		31	
FALLSBURGH	6		4		4	
FLEISCHMANN'S (V)	1		1		1	1
FRANKLIN	6		4		4	
HALCOT	7		7		7	
HAMDEN	33		30		29	
HARDENBURGH	12		10		12	
HARPERSFIELD	8		6		6	
JEFFERSON	6		6		6	
KORTRIGHT	64		54		61	

LIBERTY	1		1		1	
MASONVILLE	13		11		11	
MEREDITH	22		20		19	
MIDDLETOWN	119		106		112	1
NEVERSINK	223		188		202	
ROCHESTER	1		1		1	
ROXBURY	34		29		37	
STAMFORD	36		34		36	
TOMPKINS	42		37		40	
WALTON	93		86		84	
WALTON (V)	1		1		1	
WAWARSING	35		32		31	
<b>Total</b>	<b>999</b>	<b>0</b>	<b>883</b>	<b>0</b>	<b>931</b>	<b>2</b>

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

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
CARMEL	11		10		13	
EAST FISHKILL	1		0		0	
KENT	4		4		4	
PUTNAM VALLEY	0		0		0	
<b>TOTAL</b>	<b>16</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>17</b>	<b>0</b>

**Kensico Basin**

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
GREENWICH CT.	0		0		0	
HARRISON	1		0		0	
MT. PLEASANT	0		0		0	
NEW CASTLE	1		1		0	
NORTH CASTLE	4		1		1	
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>



### 3.1.1. Catskill District

Project Name: 3680 Route 10 (2018-SC-0185)  
Town: Ashland  
Basin: Schoharie  
Type of Use: Stormwater (SP)  
Type of Violation: RE-Likely to Fail-Cesspool-CWC - 60%; SP.1 - Property Disturbance of 3+ acres. DEP NOV for land clearing of greater than 2 acres without an approved SWPPP.  
Discovery Date: 4/23/19  
Status: **New/Approved**

#### Overview and Action:

DEP initiated an Enforcement Action on 4/23/19. DEP issued an NOV to the owner on 4/23/19. DEP received a call from the property owner on 4/29/19 acknowledging the NOV. DEC issued an NOV on 5/03/19. DEP received a call from the project engineer on 5/15/19 setting up an onsite meeting to discuss the SWPPP. A meeting to discuss stormwater issues was held with the project engineer on 5/17/19. DEP received an e-mail from the engineer on 5/28/19 regarding the temporary erosion and sediment control plan. DEP performed a site visit on 5/31/19. There were deficiencies. There was a discharge. The site was vacant. DEP observed that construction commenced on or before 5/31/19. DEP received the Draft Certificate of Compliance from DEC on 5/31/19. DEP received an e-mail from the engineer on 6/4/19 with a temporary Erosion & Sediment Control (E&SC) plan. DEP responded to the engineers' email on 6/6/19 with comments on the interim E&SC plan. DEP exchanged emails with the engineer on 6/7/19 regarding the flagged areas that were done by DEP staff of the same day. DEP performed a site visit on 6/21/19. There were deficiencies. There was a discharge. The site was vacant. DEP exchanged emails with the engineer on 7/02/19 regarding the Interim E&SC plan. DEP performed a site visit on 7/16/19. There were deficiencies. There was a discharge. The site was vacant. DEP sent an e-mail to the owner and the engineer on 7/23/19 regarding the need for the surveyor's map of the disturbed area. DEP sent an e-mail to the applicant, engineer and DEC on 7/31/19 regarding the 7/30/19 site visit and the need for a SWPPP to be prepared. DEP received an e-mail from the owner on 8/1/19 regarding the site visit on 7/30/19. DEP received a letter from DEC on 8/16/19 acknowledging receipt of the NOI. DEP received the general planting plan, maintenance plan and the SWPPP Permit from the engineer on 8/19/19. DEP received plans from the engineer on 8/19/19. DEP sent an e-mail to the engineer on 8/22/19 with application to be filled out and comments on the plans received. DEP received an Application for a SWPPP on 8/26/19 from the engineer with plans. DEP issued a NOCA on 8/28/19. DEP issued an Approval Determination letter on 9/4/19. DEP performed site visits on 9/11 and 9/26/19. There were no deficiencies. There was no discharge. The site was occupied.

Project Name: 231 Bear Kill Road (2005-SC-1143)  
Town: Conesville  
Basin: Schoharie  
Type of Use: Septic System (SS)  
Type of Violation: New SSTS; NOV for failure to construct an SSTS.  
Discovery Date: 12/11/2012  
Status: Under Construction

#### Overview and Action:

DEP performed a site visit on 2/24/16; septic failure was not observed; there is no sign of the trailer being used. DEP performed a site visit on 9/9/16; septic failure was not observed and there is no sign that the trailer is being used; the lawn is unkept and there are no tracks in the field. DEP performed a site visit on 3/8/17; septic failure was not observed and there was no sign of inhabitation. DEP performed a site visit on 9/6/17; septic failure was not observed. There was no sign of anyone using the dwelling. DEP emailed Schoharie County Health Department (SCHD) on 12/19/17 with a summary of this project to date, and an inquiry how they would handle the site if it was inhabited year-round vs. seasonal. DEP has resolved the Enforcement Action on 12/19/17 per enforcement meeting same day. DEP exchanged emails with SCHD regarding enforcement history of this site. DEP field staff will be checking on the status of the Certificate of Occupancy (CO) with the town, then DEP will update SCHD. DEP acquired a copy of the CO issued by the town on 11/26/17 for the trailer used for living quarters. DEP issued an email to SCDOH on 1/17/18 including copy of CO and DEP's Approval of the SCHD SSTS design. DEP performed a site visit on 3/12/18; septic failure was not observed. The driveway was plowed and there was no visible effluent. DEP performed a site visit on 4/9/18; septic failure was not observed. There was no visible effluent or signs of pumping or of recent use. DEP performed a site visit on 5/1/18. There was no sign of recent inhabitation and the skirting has not been repaired. DEP performed a site visit on 5/15/18. There was some indication that the property was visited recently. The trailer skirting has been repaired and there were vehicle tracks in the access to the property. DEP performed a site visit on 9/6/18. The trailer appears to be used periodically. The grass was mowed at least once this summer. The septic tank has not been exposed. DEP performed a site visit on 5/28/19; septic failure was not observed; no sign of inhabitation.

Project Name: Windy Ridge Rd (2016-SC-0250)  
Town: Hunter  
Basin: Schoharie  
Type of Use: Stormwater (SP)  
Type of Violation: OT.2: DEP NOV for a new impervious surface; also DEC NOV.  
Discovery Date: 7/8/16  
Status: On Hold

**Overview and Action:**

DEP issued an NOV to four owners on 7/8/16 for a new impervious surface violation. DEP received a phone call from an owner responding to the NOV on 7/11/16. DEP returned the call to an owner on 7/13/16 to discuss the NOV. DEP received a request for a pre-application meeting from the engineer on 7/17/16. A meeting was held with the project applicant and engineer on 7/27/16. DEP performed a site visit on 8/18/16; there were no deficiencies; there was no discharge; the site was occupied. DEP exchanged e-mails with the engineer on 10/24/16; the owner is awaiting information from DEP Legal; the engineer is preparing a letter addressing the NOVs, which was received by DEP on 10/31/16. DEP received a call from the engineer on 12/14/16 regarding the offset distance between the new building and the existing watercourse; the engineer stated that the new building is over 100 feet from the watercourse and therefore is not subject to an individual NOV. DEP informed the engineer that because the building is within the disturbance envelope of the rest of the site, it is required to be included in the SWPPP. DEP received a survey from the engineer on 1/12/17. DEP called the engineer on 3/7/17; a meeting is scheduled on 3/15/17 to discuss the proposed SWPPP. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 to set up a meeting at the gravel pit site on 4/10/17. DEP exchanged e-mails with the engineer between 3/30 and 4/4/17 regarding setting up a meeting at the gravel pit

site on 4/10/17. A meeting was held with the project applicant and engineer on 4/10/17. As of 6/17/17, this NOV is satisfied and will not be closed until the others NOVs on the parcel are closed. This was based on a survey from the Engineer showing adequate setback greater than 100 feet to creek for the new impervious surface. DEP issued a comment letter on 4/6/18 to the engineer requesting copies of the final report and drawings for Approval. DEP received a letter and revised plans from the engineer on 4/25/18 to DEP's letter 4/6/18. DEP issued an Approval Determination letter on 5/1/18. DEP was informed on 6/8/18 that construction will start on 6/11/18. DEP sent an e-mail to the owner on 8/9/18 asking for a time frame for completing the stormwater controls at the site. DEP met with the applicant and engineer on the site for a pre-construction meeting on 9/14/18. DEP observed that construction commenced on or before 10/12/18. DEP performed site visits on 10/12 and 11/9/18. There were deficiencies, there was no discharge and the site was occupied. Construction for this project is on hold as of 11/16/18 due to winter. DEP exchanged emails with the owner on 11/16/18 regarding the winter shutdown of the retention pond and water bar. DEP sent an e-mail to the owner and engineer on 3/26/19 regarding setting up a meeting to go over the plan for this season. A site meeting is scheduled for 4/12/19 to discuss the work being performed this season. DEP, CWC, the engineer and applicant will attend. DEP held a meeting with the applicant, original engineer and the new engineering firm on 4/12/19, which E&S inspections were performed. The applicant anticipates restarting within the next two weeks. DEP performed site visits on 6/5, 7/9 and 7/16/19; there were no deficiencies and there was no discharge. The site was vacant. DEP sent an e-mail to the owner on 7/24/19 regarding no further progress noticed at site visits. DEP would like to see this closed out by the end of summer. DEP received an e-mail from the owner on 7/25/19 stating that the project should be completed by the first part of September 2019. DEP spoke with the engineer and the applicant said they should be starting work next week. DEP performed a site visit on 9/10/19; there were deficiencies and there was no discharge. The site was vacant.

Project Name: 120 Wase Road (2007-SC-0887)  
Town: Hunter  
Basin: Schoharie  
Type of Use: Individual Residential SPPP (IR)  
Type of Violation: New SSTS requiring an IRSP. NOV for failure to obtain an IRSP approval.  
Discovery Date: 12/29/08  
Status: Ongoing

DEP exchanged e-mails with the engineer on 12/5 and 12/6/16 regarding the IRSP status; the owner will be sending the agreement with a retainer to the engineer; the engineer will alert DEP of receipt and will provide a schedule. DEP hopes that the project can be reviewed and approved in time for spring 2017 construction. DEP received a call from the engineer on 1/26/17; the engineer has left two messages for the owner and has not received a response. Thus, the engineer has not continued with any work and is wondering if the owner hired a different engineer. DEP sent an e-mail to the owner on 2/7/17 requesting an update on when the NOV will be satisfied. DEP's Bureau of Legal Affairs issued a letter to the owner on 5/5/17 regarding the outstanding NOV and the need to submit an approvable IRSP plan by 5/31/17. DEP received an e-mail from the owner on 6/10/17 regarding the letter from DEP Legal. He stated financial difficulties are holding him back from moving forward; he will contact his engineer. DEP exchanged emails with the owner on 8/01/17 regarding the status of the project. The owner responded the same day that they are looking into CWC assistance, but will work with the engineer to move forward by

the end of the summer. DEP received an e-mail from the engineer on 9/20/17 stating that he received the retainer to do the stormwater modification. DEP sent an e-mail to the owner and engineer on 11/8/17 regarding the completion of the design and construction schedule. The engineer replied the same day that he would have something by mid-January 2018. DEP sent an e-mail to the engineer on 11/16/17 regarding the need to for the redesign to be submitted immediately. A general criteria for delaying Legal action is to show steps being taken to resolve the violation. DEP exchanged emails with the engineer on 2/9/18 regarding submission of plans. DEP received an e-mail from the engineer on 2/27/18 regarding temporary measures addressing the fluffing off with straw mulch and the installation of a stone check dam to prevent sediment runoff. DEP received an e-mail from the engineer on 2/27/18 regarding the SWPPP. The plans should be ready by mid-March. DEP received revised plans from the engineer on 3/29/18. The SWPPP is approvable however the DEP is still waiting for copies to stamp. A meeting was held with the project applicant on 6/6/18 to discuss the status of the IRSP by the Engineer. DEP exchanged emails with the engineer on 6/15/18 regarding the approved plans; waiting for owner to send to DEP. DEP received an e-mail from the owner on 6/28/18 asking how many plans to send and the address. He also asked about the Stormwater re-imburement process. DEP replied to the owners e-mail on 6/28/18. DEP sent an e-mail to the owner on 8/7/18 again requesting the final SWPPP be sent to DEP so that construction can be completed this year. DEP received the signed plans from the engineer on 8/24/18. DEP sent an e-mail to the owner on 9/20/18 regarding a timeframe for completing the work. DEP issued a Modified Approval Determination letter on 10/2/18 to the engineer along with the approved plans. DEP called the CWC on 3/26/19 regarding the project. CWC indicated now that the reimbursement program rules have changed and that the applicant is eligible for reimbursement. DEP sent an e-mail to the owner on 3/26/19 regarding CWC's program and asked him to reach out to them directly to see if he is eligible for a refund. DEP exchanged emails with the owner on 7/2/19 regarding a date when the rain gardens will be constructed. The owner responded that hopefully next month when it is dryer. DEP received an e-mail from the owner on 9/24/19 regarding the status of the work. He is looking for estimates, but is having difficulties finding someone.

Project Name: 245 Watson Hollow (2019-AS-0188)  
Town: Olive  
Basin: Ashokan  
Type of Use: Individual Residential SPPP (IR)  
Type of Violation: DEP NOV for the construction of a new single family home within 100 feet of a perennial stream without obtaining a DEP approved IRSP.  
Discovery Date: 5/1/19  
Status: **New/Approved**

Overview and Action:

DEP performed a site visit on 4/25/19. It appears that a one bedroom house to replace a two bedroom trailer with existing tank. New building is less than 100 feet from the stream. DEP initiated an Enforcement Action on 5/1/19. DEP issued an NOV to the owner on 5/1/19. DEP received the preliminary engineers' report on 5/7/19. DEP performed a site visit on 5/8/19; there were no deficiencies and there was no discharge. The site was vacant. DEP called the engineer on 5/10/19 to discuss minor revisions to the IRSP. DEP received an Application for an IRSP on 5/13/19 from the engineer. DEP issued a NOCA on 5/15/19. DEP issued an Approval Determination letter on 5/15/19. DEP observed that construction commenced on or before 6/3/19. DEP performed site visits on 6/3, 6/7, 6/21, 7/9, 7/22, 8/12 and 9/3/19; there were no

deficiencies and there was no discharge. The site was vacant.

Project Name: 79-81 West Shokan Hgts Rd (2014-AS-0181)  
Town: Olive  
Basin: Ashokan  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failing SSTS - CWC - surfacing - 60% (Rental). DEP NOV for failed cesspool and the unapproved Alteration/Modification of the SSTS.  
Discovery Date: 5/2/14  
Status: Approved

Overview and Action:

DEP emailed the owner on 11/20/17 requesting a reply to work out an acceptable schedule before further referral to DEP Legal. The owner responded stating that the project is in the hands of the engineer. DEP called the engineer on 11/21/17, there is nothing they are aware of stopping this project from moving forward. The owner did ask for convenience toilet in garage. DEP mentioned that this should be on revised plans, and if a new septic tank is necessary, that also needs to be on revised plans. The owner also asked for updated trench detail on the plans to include non septic related items. The engineer stated that they needed some elevation information to finish some of their planning, but again indicated that the SSTS could be installed as per the approved design at any time. The engineer also stated that the owner plans to do the work himself. They are concerned because he doesn't have all the right equipment. DEP emailed the owner on 11/21/17, requesting when his start date of construction will be. DEP emailed the owner on 12/15/17 regarding project schedule and the need to resubmit plans for the convenience toilet in the garage. DEP sent email to the owner on 1/16/17, stating that DEP Legal will contact him in the near future, as he has not communicated with DEP in two months. DEP called the engineer on 1/16/18 for status update. They recently sent the owner a copy of the plans including trenchwork unrelated to SSTS design, but on the same drawing. DEP exchanged emails with the owner on 1/22/18 and requested a date when the plans would be submitted to DEP for review/approval and if he can start construction as soon as weather permits. DEP called the engineer on 2/28/18. The engineer stated that the owner emailed the comments on preliminary plans and said he'd mail them marked up drawings. DEP sent the owner an email on 3/15/18 requesting an update on when the plans will be submitted and when construction will commence (after the approval). DEP performed a site visit on 3/16/18; septic failure was not observed. The owner sent DEP an email on 3/19/18 stating he hired an engineer to handle the project. DEP sent an email to the owner on 3/20/18, again, requesting plan submission, construction, and contractor information. The owner replied the same day with no additional information, he's putting all of the schedule in the engineer's hands. DEP called the engineer on 4/25/18 who stated that she needs to meet with her boss to discuss, and then send revisions to the owner for his approval. Engineer stated that she will update DEP when revised plans have been sent to the owner. DEP called the engineer on 6/19/18 who reported that a design was agreed upon, and they need to submit plans after getting surveyor on the property. DEP sent the owner an email on 7/16/18 requesting a date when plans will be submitted, and when construction will be ready to start. DEP performed a site visit on 7/18/18. Septic failure was observed. Collapsed/poor condition septic tank, cesspool, drywell. Cesspool exposed on one side to relieve itself into a ditch dug by the owner/caretaker. Level in ditch is letting higher with what appears to be solids. Nothing appears to be leaving the ditch or getting into a watercourse at this time. DEP called the engineer on 8/17/18 and left message with receptionist. DEP received a return phone call from the

engineer on 8/20/18. Engineer left message that the water/sewer design for the outbuilding on the property is holding up the design. They are trying to complete the design and satisfy the owner's desires. DEP performed a site visit on 10/23/18. Septic failure was observed. The ditch is full of sewage coming from the cesspool. The level in the ditch is the highest it's ever been but still not to the surface or leaving the ditch. A very strong odor was observed. DEP's Assistant Counsel issued a letter to the owner on 11/21/18 regarding the NOV and the lack of response. DEP received an email from the owner on 12/17/18 stating he is waiting for drawings from engineer to approve before submittal to DEP. DEP called the engineer on 12/18/18 who stated that the previous approved design could be implemented without impacting the future addition of a courtesy toilet to the existing garage, which may not happen for years. This possible improvement is what has been holding up revised plans from being submitted. DEP stated a construction commencement date will probably be required come spring. On 1/8/19 DEP REP, Legal, and NYC Law Department discussed and determined that stipulation agreement is a reasonable approach at this time. DEP Legal will draft a document for review, with milestone dates for construction commencing and completion/receiving DEP's construction approval. DEP received the Stipulation letter from the Bureau of Legal Affairs (BLA) on 6/19/19. DEP received a copy of the signed Certified Receipt from BLA on 7/24/19.

Project Name: 37 Albert Slater Road (2006-SC-0779)  
Town: Prattsville  
Basin: Schoharie  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS; DEP NOF. Also DEP NOV for unapproved use of a holding tank.  
Discovery Date: 7/5/06  
Status: Ongoing

Overview and Action:

DEP issued an NOV to the owner on 1/28/14. DEP performed a site visit on 2/5/14; no activity. DEP received a response to the NOV on 2/12/14 with a call from the owner. The owner stated that the property is winterized and still for sale, and that no wastewater is generated there, which satisfies the NOV. However, DEP reminded the owner that the generation of wastewater in the future could result in further action by DEP. The owner acknowledged and hopes to sell property soon. DEP will continue periodic inspections to ensure wastewater is not being generated. DEP performed a site visit on 2/20/14 to inspect the septic tank. DEP performed a site visit on 2/21/14 and inspected the system layout and the gravity effluent pipe. DEP performed a site visit on 2/27/14; the house is still vacant. DEP performed a site visit on 2/28/14; no activity. DEP performed a site visit on 8/1/14 for septic failure; none was observed. The house is still vacant with no signs of use. DEP performed a site visit on 12/1/14; septic failure was not observed. The property is vacant and posted for sale. DEP performed a site visit on 6/30/15; septic failure was not observed and the "For Sale" sign is gone. DEP performed a site visit on 12/17/15; septic failure was not observed; there was no sign of inhabitation and no realty sign posted. DEP performed a site visit on 6/27/16; septic failure was not observed; the house is vacant and is posted for sale; there is no sign of use. DEP performed site visits on 12/27/16 and 1/3/17; septic failure was not observed; the house remains vacant and appears to be abandoned, as of the latter date. DEP performed a site visit on 7/12/17; septic failure was not observed. There was no sign that the house is being used. DEP has put the Enforcement Status on hold as of 9/22/17 due to the property not being inhabited. Project will be monitored by tasks every six months for re-

inhabitation and will deal with possible loss of NCRA status and compliance with regulations time of re-inhabitation. DEP is monitoring this project site for inhabitation/failure. DEP performed a site visit on 1/11/18. The house is abandoned and boarded. DEP performed a site visit on 7/10/18. Septic failure was not observed. It appears that the residence has not been accessed and the house is in disrepair. DEP performed a site visit on 1/4/19. Septic failure was not observed. The property still appears to be abandoned. DEP performed a site visit on 7/9/19; septic failure was not observed. The house appears to be vacant and in disrepair.

Project Name: 5564 State Route 23 (2019-SC-0142)  
Town: Windham  
Basin: Schoharie  
Type of Use: Stormwater (SP)  
Type of Violation: DEP NOV for the clearing and grading of approximately 5.4 acres on steep slopes.  
Discovery Date: 4/9/19  
Status: **New**

**Overview and Action:**

DEP issued an Incident Referral Report to DEC on 4/4/19 with a map of the parcels and the area of disturbance. DEP initiated an Enforcement Action on 4/9/19. DEP issued an NOV to the owner on 4/16/19. DEP received a call from the land owner responding to the NOV on 4/22/19. A meeting was held with the landowner on 4/22/19. He acknowledged the NOV and suggested the next step of have a meeting with DEP, engineer and CWC to discuss the SWPPP. DEC issued a NOV on 5/3/19. DEP exchanged emails with DEC on 5/31/19 regarding the SWPPP and temporary stabilization. DEP received an e-mail from the engineer on 7/02/19 regarding target dates for the project. DEP received the site stabilization plan from the engineer on 7/23/19. DEP sent an e-mail to the engineer and DEC on 7/25/19 regarding comments on the interim stabilization plan. No check dams in the roadside swale have been installed.

Project Name: 4924/44/48 State Rt. 23 (2014-SC-0628)  
Town: Windham  
Basin: Schoharie  
Type of Use: Stormwater (SP)  
Type of Violation: IS.1: Intermediate SSTS. SP.1: DEP NOV and DEC NOV. Greater than two acres of disturbance within 100 feet of a watercourse.  
Discovery Date: 9/17/15  
Status: Under Construction

**Overview and Action:**

DEP exchanged emails with the owner and CWC on 12/08/17 regarding the re-design. CWC stated that they will not pay for a re-design as it isn't being requested by DEP. DEP performed a site visit on 12/13/17. There were deficiencies, there was no discharge and the site was vacant. A meeting was held with the project applicant on 12/22/17 to discuss the next steps in preparation for spring. DEP received an e-mail from the owner on 1/8/18 regarding his schedule as to how he will complete the SWPPP. No construction materials were observed on site. DEP sent an e-mail to the owner on 3/6/18 regarding an on-site meeting with DEP to discuss how the stockpile materials are being prepared. DEP assessed the site and no construction materials for the stormwater controls were observed. DEP received a response e-mail from the owner on 3/9/18 stating that he will transfer the materials and requested a meeting be set for March. DEP sent

emails to the owner on 3/9, 3/15 and 4/6/18 regarding setting up a meeting. DEP sent an e-mail to the owner on 4/25/18 regarding the need for a site meeting to discuss the next steps in building the stormwater controls as DEP Legal is advising further action. DEP performed a site visit on 5/3/18. There were deficiencies, there was no discharge and the site was vacant. DEP exchanged emails with DEC on 5/8/18 regarding spills at the site. DEP performed site visits on 5/10 and 5/25/18. There were deficiencies, there was no discharge and the site was vacant. DEP's Bureau of Legal Affairs (BLA) issued a letter to the applicant/owner on 5/29/18 regarding the NOV and the outstanding issues at the site. They stated that several actions are required, including the cessation of all activities, immediate stabilization of disturbed soils, and the submittal of a proposed SWPPP within 30 days. DEP performed site visits on 6/6, 6/15 and 6/19/18. There were deficiencies, there was no discharge and the site was vacant. DEP Attorney, BLA, called the owner and left a message on 6/27/18 requesting status of the project. DEP performed a site visit on 6/29, 7/6 and 7/10/18. There were deficiencies, there was no discharge and the site was vacant. DEP BLA Attorney called the owner on 7/10/18 regarding lack of follow up to the NOV. The owner said he wants to set up an on-site meeting with DEP Stormwater staff and the new owner of site, who the current owner claims is going to do less with the site. DEP performed a site visit on 8/2/18. There were deficiencies, there was no discharge and the site was vacant. DEP received a call from the owner on 8/2/18 regarding scheduling a time to visit the site. A meeting is schedule at the site on 8/16 with the DEP, DEC, the current owner and perspective buyer. DEP performed a site visit on 8/16/18. There were deficiencies, there was no discharge and the site was occupied. A meeting to discuss what is reimbursable was held with the project applicant, CWC and DEP on 8/17/18. DEP performed a site visit on 8/29/18. There were deficiencies, there was no discharge and the site was occupied. A meeting was held with the new project applicant on 8/29/18. DEP performed site visits on 9/4 and 9/19/18. There were deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 10/3/18. There were deficiencies, there was no discharge and the site was vacant. DEP received a call from the engineer on 10/18/18 regarding modifications to the site plan. DEP performed site visits on 10/19 and 10/30/18. There were deficiencies, there was no discharge and the site was vacant. DEP received a letter of Intent to purchase the property from the new owners on 11/8/18. Their plan is to change the purpose of the property from a gas station/convenience store, to an Equipment Rental Facility and a home heating delivery service. They plan to finish the rain gardens and the concrete loading dock with the 500-gallon oil/water separator tank. DEP performed a site visit on 11/19/18. There were no deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 11/30/18 regarding plans for the SWPPP. The engineer is not ready to stamp the SWPPP plans as he is not sure what changes he wants to make. DEP received a call from the engineer on 11/30/18 regarding modifications to the stormwater controls. The engineer will work on reducing the size of the practices due to less impervious cover over the winter. DEP performed a site visit on 2/22/19. There were deficiencies, there was no discharge and the site was occupied. DEP exchanged emails with the engineer on 3/7/19 regarding the revised SWPPP. The engineer replied that he didn't want to revise the entire plans but to wait until spring and propose some tweaks to the approved plans. DEP performed a site visit on 3/15/19. There were deficiencies, there was no discharge and the site was occupied. DEP sent the latest field report to the engineer on 3/26/19. The engineer responded the same day that they should have something soon that addresses the deficiencies. DEP performed a site visit on 4/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP exchanged emails with the engineer on 4/9/19 regarding items discussed at the last meeting. DEP sent an e-mail to the engineer on 4/16/19 regarding the need for



stabilization work to be completed. DEP received an e-mail from the engineer on 4/16/19 stating that most of the items in DEP's email of the same day have been completed. DEP performed a site visit on 4/19/19; there were deficiencies and there was no discharge. The site was occupied. A meeting was held with the project applicant and engineer on 5/03/19 to discuss site stabilization. DEP performed site visits on 5/10 and 5/24/19; there were deficiencies and there was no discharge. The site was occupied. DEP issued a letter to the owner on 5/30/19 regarding un-resolved issues at the site. A meeting was held with the project applicant on 5/31/19. There is a hold up with the engineer and NYS DOT. DEP will discuss the project with the engineer on 6/3/19. DEP performed a site visit on 6/5/19; there were deficiencies and there was no discharge. The site was occupied. DEP received a call from the engineer on 6/13/19 regarding the redesign of the bioretention cells. DEP received modified plans and drainage sketch from the engineer on 7/2/19. DEP received Final Plans for approval by DEP from the engineer on 7/11/19 regarding SWPPP revisions. DEP issued a Modified Approval Determination letter on 7/15/19 to the engineer along with the approved plans. DEP performed a site visit on 8/15/19; there were deficiencies and there was no discharge. The site was occupied. A meeting was held with the project engineer on 9/3/19 to discuss the project. The permit from NYSDOT has been issued. The engineer will stake out the stormwater controls in the next two weeks and construction will commence after. DEP performed a site visit on 9/12/19; there were deficiencies and there was no discharge. The site was occupied.

### **3.1.2. Delaware District**

Project Name: Miller Hollow Road (2018-PE-0180)  
Town: Colchester  
Basin: Pepacton  
Type of Use: Intermediate Repair (CR)  
Type of Violation: Campground; failing SSTS; DEP NOV for a discharge from a septic tank surfacing on the ground. Eight unapproved sewer connections to campers and mobile homes, and eleven greywater discharges from seasonal campers.  
Discovery Date: 5/4/18  
Status: No Application

#### **Overview and Action:**

DEP issued an NOV to the owner on 5/4/18. DEP sent DOH an e-mail with a copy of the NOV attached on 5/4/18. DOH confirmed that they closed the bathrooms and the camp sites that discharged to the septic tanks. DOH will do a follow up inspection next week, send us a copy of their inspection report and copy us on the AT10. DOH also had no objection to the requirements listed in DEP's NOV. DEP received a copy of DOH's inspection report of 5/2/18 on 5/7/18. DEP exchanged e-mails with the owner on 5/9/18 regarding the status of the tank pump out and disconnecting the greywater discharges. DEP will inspect the site on 5/11/18. On 5/11/18 DEP performed an inspection of the property. The bathrooms and laundry had been closed. All but two greywater discharges were disconnected. Septic tank had not been pumped and sewage was still surfacing on the ground. DEP advised owners to have tank pumped. DEP sent an e-mail to DOH on 5/16/18 regarding status of campground enforcement. DEP sent an e-mail to the owner on 5/16/18 regarding the status of the pump out of the septic tank. Owner stated that the tank has not been pumped out. Pump out is now scheduled for 5/22/18. DEP performed a watercourse determination on 5/17/18. DEP called DOH on 5/18/18 and left a message for a call back

regarding the email sent to DOH on 5/16/18. The failure is on-going. Raw sewage continues to flow in the ditch from the septic tank. On 5/30/18 DEP performed a site visit. Sewage is still surfacing on the ground from the septic tank. A septic hauler was onsite pumping out campers. DEP called and left a message for DOH on 6/4/18 regarding past emails and phone calls to DOH which have gone unanswered. The failure at the campground is on-going, sewage continues to flow in the ditch below the septic tank. The owner is trying her best to stop the flow. She has ensured all campers are disconnected and pump out as needed. She minimizes water use in her home and has closed the public restrooms and put in a port of jon. DEP received an e-mail from DOH on 6/12/18 regarding a phone call that they received from the owner that the tank was pumped again. DEP was asked to contact DOH after their onsite meeting and discuss the failure as DOH will be unable to meet at the site. On 6/13/18, DEP inspected the site. Access covers to the septic tank have been exposed. The tank had been pumped and the sewage was below the outlet. Sewage from the tank was no longer surfacing on the ground. DEP exchanged e-mails with DOH on 6/13/18 regarding plans for the SSTS. DOH forwarded DEP a copy of record plans. DEP exchanged e-mails with the owner on 6/25/18 regarding site inspection of the system. Owner stated an engineer had told them the existing SSTS was unusable. DEP provided the owner with plans from DOH. DEP received a call from an engineer working on a proposal for the potential buyers on 6/27/18. DEP explained the history of the NOV to the engineer. The engineer inquired if repair would fall under new CWC program for commercial properties. DEP advised the engineer to speak to CWC. DEP also advised the engineer to speak to DOH regarding how many campsites the current property is permitted for. DEP received a call from an engineer for the potential buyers on 7/19/18 regarding the NOV. Engineer had not been hired yet and wanted to know if a temporary repair could be made in the interim while a permanent repair is designed and constructed. DEP sent an e-mail to the engineer on 7/19/18 regarding a temporary repair for the SSTS. DEP indicated a temporary repair cannot be approved for the SSTS. On 7/20/18 DEP performed a site visit. Septic tank covers were accessible for inspection. Tank level was below the outlet. Some sewage was observed in portions of the hand dug trench. DEP received a call from the owner on 8/3/18 regarding the sale of the property. Owner said the buyers wanted to have solutions for the SSTS before moving forward with purchase of property. On 8/30/18 DEP conducted a site visit. Septic tanks were accessible and inspected. Liquid levels were slightly below outlet inverts. Some sewage was observed ponded in the hand dug trench. DEP called DOH on 9/4/18 regarding the SSTS. DOH advised that an AT10 would be issued soon for the failing SSTS. They also advised that the DOH campground permit expires mid-October. DEP called DOH on 9/25/18 regarding a status update. DEP requested whether the AT 10 has been issued. District Director was not in, DEP left a message. DEP exchanged emails with BLA, and DOH regarding the site on 10/11/18. DEP received an e-mail from DOH on 10/12/18 advising that the district office fined the facility and is requiring engineering plans for a new SSTS. On 11/28/18 DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic tank was inspected and is full. Sewage was ponded in the hand dug trench. Sewage was migrating over the bank and absorbing into the ground. DOH has told the owners they must have a plan in place for a repair by May 2019. DEP exchanged emails with the owners on 12/4/18 regarding the owners meeting with CWC. The owners stated that they are waiting until after February 2019 to initiate the paperwork for the repair because CWC funding will increase to 100%. DEP received an e-mail from the engineer to schedule soil testing on 12/7/18. A soil/site evaluation was performed on 12/13/18. DEP called the engineer on 1/3/19 regarding the design. The engineer advised that his company did the soil testing, but another engineering company is preparing the design. The engineer further advised that they

were working with the CWC and this project was going to be funded by the CWC commercial repair program. DEP sent an e-mail to the Engineer on 2/25/19 requesting a design status update. DEP received an e-mail from the Engineer on the same day indicating that a wetland delineation is needed when the weather improves in order to proceed with the SSTS location and design. On 2/27/19, DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic tank was inspected and is full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP's Stormwater staff issued a letter to the engineer on 3/13/19 stating that the cabins are considered mini camper trailers on wheels and are not considered impervious surfaces and, therefore, no SWPPP review and Approvals are required. This project is funded under CWC Septic Repair Program. On 3/14/19 DEP received CWC's notice of failure. DEP sent an e-mail to the Owner on 3/19/19 to schedule a site visit follow-up on 3/21/19. On 3/21/19, DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic tank was inspected and is full after being pumped out on 3/20/19. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP received an e-mail from the owner on 3/22/19 asking if the septic holding tank option is a permanent fix or temporary solution. DEP replied the same day that DEP does not have approval authority for septic holding tanks and advised the owner to contact DOH regarding the matter. DEP received a request for a pre-application meeting from the engineer on 4/16/19. DEP sent an e-mail to the engineer on 4/18/19 to schedule the pre-application meeting for 4/26/19. DEP sent an e-mail to DOH on 4/23/19 regarding the pre-application meeting scheduled for 4/26/19 and status of the DOH permit. DEP received an e-mail from DOH on 4/23/19 with the 2019 Operating Plan Proposal Review Comments. DEP received an e-mail from the Engineer on 4/24/19 requesting to postpone the pre-application meeting scheduled for 4/26/19. On 4/26/19 DEP performed a site visit. The camp is closed for the season and only the owners remain on the site. The septic and graywater tanks were inspected and are full with infiltration of groundwater observed. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP received an e-mail from the engineer on 4/26/19 regarding the 2019 Operating Plan Proposal Review Comments issued by DOH. DEP received DOH approval to operate for the 2019 season using porta johns on 5/14/19. DEP sent an e-mail to the owner on 5/14/19 requesting a copy of their 5/3/19 letter to DOH. DEP sent an e-mail to the owner on 5/20/19 regarding their proposal letter to DOH and to schedule a site visit for 5/22/19. On 5/22/19 DEP performed a site visit. The camp is currently closed and will open for the 2019 season on Memorial Day weekend. The septic and graywater tanks were inspected and are full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. Present for Inspection: Owner. Property Status: Currently inhabited, Full time use. DEP received an e-mail from the owner on 6/10/19 regarding a conference call with DOH scheduled for 6/12/19. DEP held a call with DOH, the current owner, the prospective buyer, and the buyer's engineer on 6/12/19 regarding plans to advance the SSTS design. The buyer's engineer will continue the SSTS design and submit a progress letter to DOH by 7/30/19. The property sale closing date is tentatively scheduled for September 2019. DEP sent an e-mail to the owner on 6/25/19 to schedule a site visit on 6/28/19. On 6/28/19 DEP performed a site visit. An alarm float was installed in the septic tank. The septic and graywater tanks were inspected and were half full. Sewage was ponded in the hand dug trench. Sewage was migrating near the bank and absorbing into the ground. DEP sent an e-mail to the engineer on 7/22/19 requesting an update on their involvement. DEP received a letter from the engineer on 7/29/19 regarding an update on their involvement and stated that plans for a new SSTS would be submitted prior to 9/30/19.

DEP received an e-mail from the engineer on 7/29/19 with a letter to DOH regarding the current state of the onsite wastewater disposal system. On 8/01/19 DEP performed a site visit. The camp is currently open with customers using the onsite slop sinks and porta- johns. The alarm float was in the septic tank. The septic and graywater tanks were inspected and about one quarter full. Sewage was ponded in the hand dug trench. Some tank effluent was migrating near the bank and absorbing into the ground. On 8/22/19 DEP performed a site visit. The camp is currently open with customers using the onsite slop sink and porta- johns. The alarm float was in the septic tank. The septic and graywater tanks were inspected and about half full. Little evidence of sewage was present in the hand dug trench compared to previous visits. The trench dried significantly and there is no evidence of sewage migrating away from the septic tank and trench area.

Project Name: 1245 Main St. (2014-PE-0670)  
Town: Village of Fleischmanns  
Basin: Pepacton  
Type of Use: Stormwater (SP)  
Type of Violation: DEP NOV for failure to obtain approval of a SWPPP prior to construction of an impervious surface within 100 feet of a watercourse.  
Discovery Date: 12/2/14  
Status: **Closed**

Overview and Action:

DEP exchanged e-mails with the engineer on 1/9/18 regarding the gravel being considered a disturbance. DEP responded that it does not. DEP used the opportunity to address the completion of the bioretention cell and requested a letter of intent. DEP received an e-mail from the engineer on 1/19/18 regarding finishing the rain garden. DEP sent an e-mail to the owner and engineer on 3/26/18 requesting the status of the plans. DEP received an e-mail from the engineer on 4/24/18 stating that they are procuring plants and will contact DEP for a meeting when they come in. DEP sent an e-mail to the engineer on 5/24/18 stating that the threat of frost has past so the bio-retention cell must be completed as soon as possible. DEP requested to be informed when the planting will be done. DEP received an e-mail from the engineer on 5/25/18 stating that the nursery where they ordered the plants does not have them and requested assistance in obtaining a number for a nursery that is familiar with planting a rain garden. DEP responded to the engineer on 5/30/18 regarding finding nurseries for rain garden plants. DEP performed site visits on 6/21 and 7/2/18. There were no deficiencies, there was no discharge and the site was vacant. DEP has still not heard back in regards to finishing the bioretention cell from the applicant or the engineer. DEP performed site visits on 7/19, 7/26, 8/22 and 9/11/18. There were no deficiencies, there was no discharge and the site was vacant. DEP's Bureau of Legal Affairs issued a comment letter to the owner on 10/2/18 regarding the NOV. DEP performed site visits on 10/19 and 11/13/18. There were deficiencies, there was no discharge and the site was vacant. DEP received an e-mail from the engineer on 3/20/19 stating that they have tracked down a nursery that will plant the rain-garden. DEP performed site visits on 4/8 and 4/19/19; there were deficiencies and there was no discharge. The site was vacant. DEP received an e-mail from the engineer on 4/30/19 stating that the plants have been ordered. DEP exchanged emails with the engineer and the landscaper between 4/30 and 5/20/19 regarding scheduling a planting day. DEP performed a site visit on 5/24/19; there were deficiencies and there was no discharge. The site was vacant. DEP received an e-mail from the landscaper on 5/30/19 regarding final planting being done by 6/7/19. DEP performed a site visit on 5/31/19; there were no deficiencies and there was no discharge. The site was occupied. DEP completed construction inspections on

6/5/19. DEP issued a letter of Construction Compliance on 6/12/19. The violation was resolved and the case was closed on 6/12/19 with DEP Closure letter dated 6/12/19. DEP has resolved the Enforcement Action on 6/12/19.

Project Name: 1324 Coles Clove Rd (2010-PE-0797)  
Town: Hamden  
Basin: Pepacton  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failing SSTS - CWC - surfacing - DEP NOV for sewage surfacing onto the ground  
Discovery Date: 5/4/17  
Status: Approved

Overview and Action:

DEP received an Application for a conventional individual SSTS on 10/31/2017. This system may be an Alteration/Modification to an existing SSTS. DEP issued a NOCA on 11/09/2017. DEP performed a watercourse determination on 11/21/2017. DEP issued a comment letter on 11/28/2017 to the engineer requesting additional information. DEP issued a comment letter to the engineer on 4/25/18 regarding the NOV and the need for the Engineer to respond to DEP's letter of 11/28/17. On 4/26/18, DEP performed a site visit. There was no sign of failure. DEP called the Engineer on 6/28/18 regarding submission of the revised design. He is working on the redesign now and should be submitting in the near future. DEP received revised plans in response to the NOV/NOV comment letter on 8/8/18. DEP sent an e-mail to the Engineer on 8/9/18 requesting soils testing data for the proposed reserve area. DEP called the Engineer on 10/9/18 regarding additional soils data. DEP received a letter from the engineer on 11/21/18 regarding the additional soils data. This system may be an Alteration/Modification to an existing SSTS. DEP issued an Approval Determination letter on 11/26/18. DEP performed a site visit on 12/5/18, septic failure was not observed. DEP issued a letter to the owner on 3/20/19 stating that construction has not yet commenced. DEP performed a site visit on 4/30/19; septic failure was not observed. DEP issued a letter to the owner on 8/14/19 stating that construction has not yet commenced.

Project Name: McMurdy Brook Rd (2010-CN-0500)  
Town: Kortright  
Basin: Cannonsville  
Type of Use: Stormwater (SP)  
Type of Violation: Lot number of the proposed 15 lot subdivision. Failure to obtain prior approved SWPPP - DEP NOV.  
Discovery Date: 1/13/11  
Status: Ongoing

DEP received an e-mail from the engineer on 4/19/18 stating that they have provided a proposal on the project. DEP has exchanged multiple calls with the applicant regarding the site. DEP received a call from the applicant on 7/10/18 regarding the stormwater controls. A meeting will be scheduled with the contractor to discuss the driveway grading and rain garden. A site meeting with the contractor to discuss the stormwater plan is scheduled for 7/17 at 10am. The contractor never showed to the meeting. A meeting was held with the project contractor on 7/26/18. The estimate from the contractor was submitted to CWC for the September meeting. DEP has not heard back from CWC or the applicant if the estimate was accepted. DEP sent an e-mail to the

owner on 10/2/18 regarding moving forward with the project. DEP received an e-mail from CWC on 10/2/18 stating that the estimate was approved and will send the paperwork when they get the contract back from being reviewed. DEP called the CWC on 3/26/19 regarding project status. CWC sent the applicant a contract but never heard back. CWC is going to reach out to the applicant again. DEP exchanged emails with the owner on 7/2/19 requesting a completion date.

Project Name: 46 Batavia Hgts Cir (2017-PE-0196)  
Town: Middletown  
Basin: Pepacton  
Type of Use: SSTS Repair (RE)  
Type of Violation: RE - Complaint - DEP NOV for sewage surfacing onto the ground.  
Discovery Date: 5/8/17  
Status: **Closed**

Overview and Action:

DEP issued an NOV to the owner on 6/6/17. DEP called and left a message for the owner on 6/7 and again on 6/12/17 regarding the property. A Notice of Violation has been issued due to a septic failure found at this property. DEP asked for a call back to discuss this issue. DEP re-issued the NOV to the applicant on 8/4/17 via return receipt. DEP called the tenant on 9/21/17 regarding the mailing address for the owner. The tenant does not have any other address; the address provided is what was listed on the lease agreement. DEP performed a site visit on 9/25/17; surfacing effluent was unchanged from prior site visit. DEP Legal called the owner on 9/29/17 and discussed the NOV, which the owner never received. The owner stated that the home is going to foreclosure. DEP asked the owner to provide foreclosure party information so they can be contacted with status of SSTS. DEP performed site visits on 10/26, 12/4/17, 1/29 and 3/12/18. Septic failure was observed in the absorption field. The property is currently inhabited, full time use. DEP re-sent the NOV to owner on 10/30/17 (regular mail). DEP called the owner on 12/15/17. She confirmed that she is letting the house go into foreclosure. She believes it will go to auction in July 2018. However, she offered to bring the NOV to the Sherriff's office and ask for assistance evicting the tenant who has no right to be there. DEP contacted the owner on 3/16/18 who confirmed the house in going up for tax auction in July of this year. She supplied DEP with the name of her plumber and proposed septic hauler who she has given permission to pump out the septic tank. She does not live there and the tenants are still not paying rent. DEP received a call from the owner's representative who is overseeing the situation for the owner regarding the status. He stated that the tenants have vacated the property and assured there will be no further inhabitation. DEP performed site visits on 4/26 and 7/20/18. Septic failure was not observed. Property is up for auction. It was noted during the soils evaluation visit that the dwelling is vacant and undergoing a substantial renovation. A soil/site evaluation was performed on 11/29/18. DEP received an Application for a conventional individual SSTS on 4/1/19. DEP issued a NOCA on 4/5/19. DEP issued an Approval Determination letter on 4/5/19. DEP performed a site visit on 4/29/19. Septic failure was not observed; the house still being worked on. Currently uninhabited. DEP was informed on 7/15/19 that construction will start on 7/16/19. DEP performed construction inspections on 7/16, 7/17, 7/18, 7/22 and completed inspections on 7/22/19. DEP received As-Built plans and an engineer's certification letter from the engineer on 7/30/19. DEP issued a letter of Construction Compliance on 7/30/19. DEP has resolved the Enforcement Action on 7/30/19. The violation was resolved and the case was closed on 7/30/19 with DEP Closure letter dated 7/30/19.

Project Name: Upper Meeker Hollow Road (2006-PE-1174)  
Town: Roxbury  
Basin: Pepacton  
Type of Use: Intermediate Repair (CR)  
Type of Violation: Failed SSTS; Proposal to operate a children's camp, a campground and temporary residence. 2013 NOV is for violating the conditions of approval.  
Discovery Date: 3/29/13  
Status: Ongoing

DEP exchanged e-mails with DEP Legal and NYC Law between 12/9 and 12/30/16 concerning the inspection and re-inspection; an NOV for non-compliance with the consent order will not be issued. DEP called the site manager on 4/21/17 regarding the seasonal holding tank use. The water supply in the horse barn will not be turned on until the middle of May, and DEP will be contacted to inspect prior to the first wedding of the season, scheduled for 5/28/17. DEP performed a scheduled spring start up inspection with the site manager on 5/19/17. The liquid level of the horse barn holding tank was about 10 inches from the top cover of the riser, and the alarm was flashing. The manager said the hauler had been called the previous day. DEP called the site manager on 5/23/17 regarding the overfull holding tank observed on 5/19/17, he said the hauler came on the morning of 5/20/17. DEP performed a site visit on 6/16/17. The alarm was not flashing, and it was observed on the hauler's chart that 3000 gallons had been pumped on both 6/14/17 and after the previous DEP site visit, on 5/20/17. DEP performed a site visit on 7/27/17. The alarm for the holding tank was not flashing. DEP performed a site visit on 8/18/17. The alarm for the holding tank was blinking and the audible alarm was off. DEP received a reply e-mail from the owner on 12/29/17 confirming a site visit for 1/2/18. DEP performed a site visit on 1/3/18. Septic failure was not observed. DEP inspected the holding tank, bathroom and SSTS on 1/2/18. The facility appeared to be closed for the season. No problems were observed. DEP inspected the facility on 3/22/18. The house was occupied but the apartment and barn appeared unused. No signs of the SSTS failing were observed. On 6/26/18, DEP inspected the SSTS and holding tanks, no problems were observed. On 8/28/18, DEP inspected the site. The holding tank was found in the alarm state, but was not close to over flowing. The pumper was called and scheduled for a pump out. DEP returned a call to the owner on 9/19/18. The owner advised DEP that he sold the property. The closing was on 9/17/18. He is no longer involved with the property in anyway. On 10/25/18 and 1/17/19, DEP inspected the site. There was no evidence of the SSTS failing. DEP received a call from the code enforcement officer on 3/18/19. He was inquiring about hooking the apartment up to the septic system because the owner wants to get off the holding tank. DEP advised that WAC would have to be consulted because the connection had to be compliant with the easements on the parcels. DEP called the owner on 4/16/19 regarding holding tank. Watershed Agricultural Counsel (WAC) is meeting the owner at the property next week to discuss connection options. DEP received a call from WAC on 4/19/19 regarding the easement. WAC confirmed that the easement precludes connecting the apartment plumbing to the SSTS without a waiver or modified ADA. On 6/28/19 DEP inspected the site. No evidence of the SSTS failing was observed.

### 3.1.3. West Branch, Boyd Corners, Croton Falls, Cross River Basins

Project Name: 1 Fowler Ave (2014-WB-0599)  
Town: Carmel  
Basin: West Branch  
Type of Use: Stormwater (SP)  
Type of Violation: A new gas station is proposed within 500 feet of a controlled lake. DEP NOV.  
Discovery Date: 10/21/14  
Status: Ongoing

#### Overview and Action:

DEP performed site visits on 10/9, 11/26, 12/12/18, and 1/7/19; temporary erosion controls have disintegrated and site is no longer secured, some exposed soil is visible but it does not appear to be leaving the site at this time. DEP received a copy via email of DEP's Legal letter to the owner on 1/9/19 regarding the judgement awarded. DEP performed a site visit on 2/11, and 3/8/19; no work in progress. Temporary erosion controls have disintegrated and site is no longer secured, site snow covered. DEP received an email from DEP Legal on 3/12/19 regarding a conversation they had with the owner and his unwillingness to comply with the judgment. DEP received an e-mail from DEP Legal on 3/12/19 regarding updated attorney information for the project. DEP performed site visits on 4/9, 5/3, and 6/7/19; there was no work in progress. Temporary erosion controls have disintegrated and site is no longer secured. Although temporary erosion controls have disintegrated the site is now vegetated. Discussions between DEP, DEP Legal and the County via email on 6/13/19 regarding status of the property. DEP received an e-mail from DEP Legal on 6/26/19 regarding an update on the bankruptcy situation. DEP performed a site visit on 7/8, 7/26, 8/8, and 9/3/19. No change, No work in progress.

Project Name: 737 Croton Falls Rd (2010-CF-0892)  
Town: Carmel  
Basin: Croton Falls  
Type of Use: Solid Waste (SO)  
Type of Violation: Fill section. Failure to comply with Rules and Regulations. Land Use Permit for survey and eventual remediation. DEP NOV.  
Discovery Date: 10/14/10  
Status: Ongoing

#### Overview and Action:

DEP REP sent an e-mail to DEP Employee Health and Safety (EH&S) and DEP Legal on 1/20/16 regarding when and where initial sampling was performed. On 2/29/16, DEP received a copy of the compliance letter DEC sent to the applicant. DEP received the Monitor Well Installation and Groundwater Monitoring Report on 4/22/16 and the final results from the 5/11/16 groundwater sampling on 5/27/16. DEP received DEC's enforcement letter on 11/1/16. DEP received an e-mail from the Watershed Inspector General (WIG) on 11/28/16 regarding a revised cost estimate for the site cleanup. DEP received the engineer's status update letter on 12/14/16. DEP issued an e-mail to WIG and DEC with comments and concerns on the pending closure plan. DEP received NYC Law's letter to the applicant's attorneys on 12/23/16. DEP received a Site Remediation Work Plan from the engineer on 2/14/17. DEP received a Stormwater Addendum from the engineer on 8/10/17. DEP received a copy of the Revised Site Remediation Work Plan from the geo tech engineer on 8/25/17. Communication occurred



between NYC attorneys and the Watershed Inspector General 5/2/19 to 6/11/19. Correspondence was received on 9/17/19 from the NYC Law Department. DEP received a copy of the owner's response to the Watershed Inspector General via email on 9/26/19.

### 3.1.4. Kensico Basin

**There are No enforcement actions to report during this time frame.**

## 3.2. DEP Police Actions

### 3.2.1. Catskill District

Name: 3714 County Route 10 **SJS 81744**  
Location: Ashland  
Type of Use: Residential  
Type of Violation: Stream Disturbance  
Date Discovered: 6/20/19  
Status: Closed

#### Overview and Action:

DEP Police advised of recent excavation work responded to the above location and observed heavy turbidity entering Lewis Creek, a classified stream with minimal BMP's in place. Attempts to interview landowner and son doing the work were met with hostility and refusal to discuss situation. Initial follow-up visits to site showed continued heavy turbidity and still no BMP's in place. Return visit one week later indicated additional excavation and lengthening of a discharge pipe but still only minimal turbidity controls in place. Water flow contained sediment and large deposits of sediment were visible in the roadside culvert. When final follow-up site visit was conducted by officer one month later, no active turbidity was observed, check dams in the culvert and barn side driveway were in place and loose soil was in the process of being seeded and mulched. NYC DEP Police involved.

Name: South Gilboa Road **SJS 80767**  
Location: Gilboa  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 4/27/19  
Status: Closed

#### Overview and Action:

DEP Police on patrol, observed small dumpsite consisting of household garbage thrown into the wood line on city property. Dumping did yield traceable evidence which was photographed and logged. Investigation resulted in no leads to help determine subject responsible. DEP Police involved.

Name: South Gilboa Road **SJS 83042**  
Location: Gilboa  
Type of Use: Rural

Type of Violation: Dumping  
Date Discovered: 8/27/19  
Status: Closed

Overview and Action:

DEP Police on patrol, observed a dumping on city property of a small homemade yard trailer and metal bench pieces with no traceable evidence present. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: 55 Allen Road **SJS 83306**  
Location: Hunter  
Type of Use: Municipal  
Type of Violation: Sewage Discharge  
Date Discovered: 9/13/19  
Status: Closed

Overview and Action:

DEP Police observed a discharge from a manhole cover at the above named location. Officer notified employee of the Tannersville Sewage Treatment Plant whom responded immediately with crew and resolved the issue. DEP Police and Tannersville Sewage Treatment Plant involved.

Name: County Route 28A **SJS 80653**  
Location: Hurley  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 4/22/19  
Status: Closed

Overview and Action:

DEP Police observed a small dump site on the side of the road consisting of two pieces of household furniture with no traceable evidence. DEP Operations notified for removal. Furniture was removed this date by DEP Operations crew. DEP Police and DEP Operations involved.

Name: State Route 55A **SJS 82214**  
Location: Jewett  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 7/15/19  
Status: Closed

Overview and Action:

DEP Police on patrol, observed a dumpsite consisting of 2 large black bags of household garbage along the roadway. Further investigation revealed no traceable evidence. NYS Department of Transportation notified for removal. DEP Police and NYS DOT involved.

Name: County Route 28A **SJS 81446**  
Location: Olive  
Type of Use: Municipal

Type of Violation: Stream Disturbance  
Date Discovered: 6/3/19  
Status: Closed

Overview and Action:

DEP Police conducting foot patrol of the Esopus Creek, observed small traces of turbidity in the area of the Rail Trail construction. A fly-over by Air 6 (DEP Police helicopter) confirmed the point source was the trail construction area but turbidity did not appear to continue downstream to the Ashokan Reservoir. Photos taken for case file and site will be monitored for any future concerns. DEP Police involved.

Name: 432 Peck Road **SJS 82965**  
Location: Olive  
Type of Use: Municipal  
Type of Violation: Stream Disturbance  
Date Discovered: 8/23/19  
Status: Closed

Overview and Action:

DEP Police received a complaint of a possible stream violation on city property adjacent to a camp where complainant is camp director. Complainant stated that the water level of the pond was low and was concerned that the low level might have resulted from the damming of the feeder stream on city property. Upon arrival, officer noted the low level of the main pond and over retaining pond, but search of adjacent parcel determined water flow from feeder stream was adequate. Officer did notice the stream at the camp's 1<sup>st</sup> retaining pool had a small sink hole that the water was flowing into located approximately three feet before the main pond. Complainant was notified of findings and advised to contact DEC about rectifying the issue. DEP Police and DEC involved.

Name: Boulevard Road **SJS 83182**  
Location: Olive  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 9/5/19  
Status: Closed

Overview and Action:

DEP Police conducting foot patrol of bow hunting parcel observed a large amount of household refuse consisting of (3) one gallon paint cans and floor sealant that appeared to be mostly full along with other items such as clothing, empty bottles and cans. Refuse was strewn from the parking lot to approximately 100' into the woods by a creek. No traceable evidence recovered. DEP Land Management contacted for clean-up. DEP Police and DEP Land Management involved.

Name: County Route 28A **SJS 83319**  
Location: Olive  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 9/14/19  
Status: Closed

Overview and Action:

DEP Police observed trash items dumped on city property and while investigating further noticed four cans of paint somewhat full but none appeared to be leaking. No traceable evidence recovered. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: DeVasego Park **SJS 83017**  
Location: Prattsville  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 8/26/19  
Status: Closed

Overview and Action:

DEP Police on patrol, observed a bag of household garbage dumped in the parking of the local park. Further investigation revealed no traceable evidence. Garbage was deposited in the dumpster at the DEP Police 1<sup>st</sup> Precinct Gilboa. DEP Police involved.

Name: State Route 23 **SJS 80806**  
Location: Roxbury  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 4/30/19  
Status: Closed

Overview and Action:

DEP Police observed a dumping of household garbage which did yield traceable evidence. Further investigation led to numerous individuals whose garbage had been picked up the day before by the same local garbage hauler. Officer met with subject responsible and after interview he was issued ticket for violation of NYCRR Unlawful Disposal of Solid Waste. Subject stated he would return to dumping scene and clean up the garbage. NYC DEP Police involved.

Name: 31 Station Road **SJS 81885**  
Location: Shandaken  
Type of Use: Residential  
Type of Violation: Sewage Discharge  
Date Discovered: 6/28/19  
Status: Closed

Overview and Action:

DEP Police responded to investigate a sewage complaint at the above location where he observed a one story single family dwelling with a camper trailer parked on the far right of the property line. Officer interviewed renter whom gave permission to canvass the area for violations or possible discharges on the property with negative results. A white PVC pipe was observed on the driver side of the camper which appeared to lead to the septic tank on the property. Neither the owner of the property nor the camper owner were on location but follow up interview to be conducted the next day with both present. Photos taken for case file; investigation to continue. Upon review of case photos with DEP staff, no abnormalities or violations were observed. No dye test required due to proper connections. Location was deemed secure and free of any further investigation. DEP Police involved.

### 3.2.2. Delaware District

Name: Pepacton Reservoir **SJS 80482**  
Location: Colchester  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 4/13/19  
Status: Closed

#### Overview and Action:

DEP Police on marine patrol, observed a clear garbage bag that had washed up along the high watermark of the Pepacton Dam. Further investigation determined the bag contained household refuse with no traceable evidence present. Photo taken for documentation and bag removed for proper disposal. DEP Police involved.

Name: State Route 30 **SJS 80611**  
Location: Colchester  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 4/20/19  
Status: Closed

#### Overview and Action:

DEP Police observed a dumping on NYC property consisting of two large black bags containing miscellaneous household debris which did yield traceable evidence. A DMV document, possibly connecting the dumping to a subject from New York City was found. Officer's investigation revealed a possible phone number but when called there was no answer and no machine to leave message. With no further leads case was closed. DEP Police involved.

Name: State Route 30 **SJS 82332**  
Location: Colchester  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 7/20/19  
Status: Closed

#### Overview and Action:

DEP Police traveling along State Route 30, observed a household recliner partially in the roadway. No traceable evidence recovered, photo take for case file. DEP Land Management contacted for removal. Furniture removed from location same date. DEP Police and DEP Land Management involved.

Name: County Route 26 **SJS 77232**  
Location: Hamden  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 10/12/18

Status: Closed

Overview and Action:

DEP Police investigated a dump site on city property consisting of large black garbage bags and 5 smaller clear garbage bags containing household refuse and recyclables. DEP Land Management notified for removal. One piece of evidence, possibly traceable, did not lead to any further information as to subject responsible. Police installed a camera which has yielded only negative results to date. DEP Police and DEP Land Management involved.

Name: County Route 26 **SJS 80427**

Location: Hamden

Type of Use: Rural

Type of Violation: Dumping

Date Discovered: 4/10/19

Status: Closed

Overview and Action:

DEP Police conducting sector patrol came across a dumpsite consisting of large older model television sets (2) on NYC property. No traceable evidence available. DEP Land Management notified for removal. Photos taken for case file. DEP Police and DEP Land Management involved.

Name: Irish Hill Road **SJS 80416**

Location: Meredith

Type of Use: Rural

Type of Violation: Stream Disturbance

Date Discovered: 4/10/19

Status: Closed

Overview and Action:

DEP Police was dispatched to the above location for an anonymous complaint of a tractor / bulldozer being driven through a stream. On scene, officer located the private parcel in question but found no signs of tracks crossing the waterway or any form of turbidity on said property or neighboring properties. DEP Police involved.

Name: State Route 30 **SJS 80879**

Location: Middletown

Type of Use: Municipal

Type of Violation: Dumping

Date Discovered: 5/4/19

Status: Closed

Overview and Action:

DEP Police while on patrol, observed a small dumpsite consisting of white plastic garbage bag in the middle of the southbound lane of State Route 30 in the Town of Middletown. Investigation determined bag contained common household refuse with no traceable evidence present. Closed. DEP Police involved.

Name: BWS/Turkey Hill Road **SJS 82743**

Location: Middletown

Type of Use: Municipal

Type of Violation: Dumping  
Date Discovered: 8/11/19  
Status: Closed

Overview and Action:

DEP Police responded to a complaint of a vehicle battery (possibly leaking) deposited along the roadway at the above intersection. Upon arrival and search of the area, officer located battery in question which was determined to not be leaking. No impact to the water supply, photo taken for case file. DEP Land Management contacted for removal and proper disposal. DEP Police and DEP Land Management involved.

Name: BWS Road **SJS 79887**  
Location: Neversink  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 3/10/19  
Status: Closed

Overview and Action:

DEP Police observed where a shopping bag full of garbage had been strewn across the side of the roadway. Officer searched and found a piece of traceable evidence in the form of a bank receipt which did yield the name of a possible subject. When located and interviewed, subject stated that garbage in photo was his but the truck that picked up that garbage the previous week had no tarp covering. Interviews with driver staff at garbage hauler revealed no further evidence. DEP Police involved.

Name: State Route 55 **SJS 83524**  
Location: Neversink  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/25/19  
Status: Closed

Overview and Action:

DEP Police was flagged down by motorist whom stated that a grey sedan travelling in the opposite direction had thrown a bag of trash at his vehicle when driving past. Traceable evidence was recovered in the form of a pay stub but when questioned subject initially was not forthcoming with information. Subject eventually identified other passengers in the vehicle whom officer will attempt to contact. Written statement obtained from original complainant; traceable documents and trash bag entered into evidence and photographed. Subsequent investigation yielded additional written statement from owner/driver of offending vehicle naming passenger responsible for throwing garbage. Patrol issued 2 Summons', ECL 71-3501 (Depositing noisome/unwholesome substance on highway), and Penal 120.20 (Reckless endangerment of property) As subject responsible is under 18 years of age, officer conferred with Sullivan County District Attorney on charges filed. DEP Police and Sullivan County District Attorney involved.

Name: NYC Road, Speedwell Boat Launch **SJS 81142**  
Location: Tompkins  
Type of Use: Municipal

Type of Violation: Dumping  
Date Discovered: 5/18/19  
Status: Closed

Overview and Action:

DEP Police came across a small dumpsite of trash at the entrance of the Speedwell boat launch. Officer's investigation determined that a Good Samaritan cleaning up trash on the shoreline / area had left the bag where it would be seen for later pickup. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: State Route 10 **SJS 83186**  
Location: Tompkins  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/5/19  
Status: Closed

Overview and Action:

DEP Police observed a dump site at a pull off on State Route 10 consisting of two discarded plastic coolers which yielded no traceable evidence. DEP Land Management contacted for removal. DEP Police and DEP Land Management involved.

Name: State Route 10 **SJS 81230**  
Location: Walton  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 5/23/19  
Status: Closed

Overview and Action:

DEP Police on patrol, observed a small dumpsite consisting of multiple large garbage bags containing household refuse near Chase Brook in the Town of Walton. Patrol searched for traceable evidence with negative results. Cleanup completed by Town of Walton Highway Dept. DEP Police involved.

Name: 190 Country Meadow Loop **SJS 81924**  
Location: Walton  
Type of Use: Residential  
Type of Violation: Sewage Discharge  
Date Discovered: 7/1/19  
Status: Closed

Overview and Action:

DEP Police contacted Delaware County Health Department regarding a possible sewage discharge in the trailer park at the above location and was advised to report complaint to T/Walton Code Enforcement officer. Complainant stated that neighbor's sewage pipe underneath his trailer had broken and been leaking for two weeks. Officer's contact with Code Enforcement officer resulted in update from him that pipe had been fixed the previous week and homeowner had 30 days to comply with clean-up or house would be condemned. Original complainant advised of same by officer. Follow-up investigation being handled by Town of



Walton Code Enforcement. DEP Police, Delaware County Health Department and Town of Walton Code Enforcement involved.

Name: Diamond Road **SJS 82179**  
Location: Wawarsing  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 7/13/19  
Status: Closed

**Overview and Action:**

DEP Police on sector patrol, observed a couch dumped on the side of the road. No traceable evidence recovered; Town of Wawarsing contacted for removal. DEP Police and Town of Wawarsing involved.

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

Name: Washington Road **SJS 80967**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 5/9/19  
Status: Closed

**Overview and Action:**

DEP Police on patrol, observed a dumping of an old wood burning stove that did not yield any traceable evidence. Photo taken for file and e-mailed to Eastview Communications. DEP Police involved.

Name: West Shore Drive **SJS 83156**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/3/19  
Status: Closed

**Overview and Action:**

DEP Police observed a dumping at the DEP boat launch consisting of two old brake calipers and two empty boxes. No traceable evidence recovered; items removed for proper disposal. DEP Police involved.

Name: Reservoir Road **SJS 82241**  
Location: Southeast  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 7/16/19  
Status: Closed

**Overview and Action:**

DEP Police observed a dumping on NYC property consisting of four black trash bags. The bags contained insulation, wood, construction scraps, plastic bottles and other household garbage but

no traceable evidence. Eastview field crew notified for removal. No further leads to follow. DEP Police and DEP Eastview Field Crew involved.

#### **3.2.4. Kensico Basin**

Name:	Nannyhagen Road	<b>SJS 83498</b>
Location:	Mount Pleasant	
Type of Use:	Municipal	
Type of Violation:	Dumping	
Date Discovered:	9/24/19	
Status:	OPEN	

#### Overview and Action:

DEP Police identified a dumping consisting of one black trash bag containing rabbit pellets and dirty cage bedding and one white trash bag containing cat food cans, general household debris and traceable evidence in the form of a New Rochelle Police Department accident report receipt. Officer called their records unit attempting to identify possible subject responsible for dumping. Investigation to continue. DEP Police and New Rochelle Police Department involved.