

**New York City  
Department of Environmental Protection**

**Bureau of Water Supply**

**Filtration Avoidance 6.1 Enforcement Actions  
For the period October 1, 2014 through March 31, 2015**

**April 2015**

*Prepared in accordance with Section 6.1 of the NYSDOH  
Revised 2007 Filtration Avoidance Determination*



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## 1. Introduction

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

This report, covering actions from October 1, 2014 through March 31, 2014, first presents an overview of the responsibilities of those sections within the Bureau charged with enforcement activities. Next, the report addresses specific enforcement actions that occurred during reporting period. Included are new violations as well as updates on ongoing violations. The report is divided into sections relating to the areas covered. The **West of Hudson** (WOH) area is comprised of the following basins: Ashokan and Schoharie of the Catskill District; and Rondout, Neversink, Pepacton and Cannonsville in the Delaware District. Further included are those portions of the **East of Hudson** (EOH) area comprised of the following basins: West Branch, Boyd Corners, Croton Falls, Cross River and Kensico basins.<sup>1</sup> Within each of these sections, the enforcement actions are organized by violations occurring at wastewater treatment plants (WWTPs), subsurface sewage treatment systems (SSTSs), stormwater and erosion control structures, as well as other activities, such as solid waste management facilities. In addition, individual police actions are included. The final section is devoted to the Kensico Spill Response activities, including specialized Haz Mat training.

## 2. Enforcement Responsibilities

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

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

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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 basins relevant to the Filtration Avoidance Determination. This report does not describe the Bureau's activities in the basins of other EOH reservoirs that serve exclusively as portions of the Croton water supply system.

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

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

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

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

### **2.1.1. Wastewater Treatment Programs**

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

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

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

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

Putnam County initiated a Septic Repair Program in 2005 for the design and construction of failing SSTs within critical areas of Putnam County. Funding for this program is through the EOH Water Quality Investment Program fund which was provided by DEP through the 1997 MOA. This, like the CWC program, is a voluntary program, and has phased priority areas based on distances to watercourses and reservoirs. Putnam County has separate staff to administer the program. All repair plans must be reviewed and approved by the Putnam County Health Department. The Putnam County Septic Repair Program is discussed in the FAD Report 4.9.

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

As many of the above described programs are voluntary, DEP does not pursue enforcement actions on failing SSTs where the owners are eligible for funding under the above mentioned

programs to encourage owners to participate and to self-report failures. DEP expects that pursuing enforcement actions in such cases would reduce the overall number of failing SSTSs being detected or repaired and thus reduce the water quality benefits and effectiveness of these programs. DEP continues to issue NOVs and to pursue appropriate enforcement when it identifies failing SSTSs that are not covered under these voluntary programs. This semi-annual FAD Report is a summary of these NOVs.

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

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

#### **2.1.1.2. Wastewater Treatment Plant Compliance and Inspection Unit**

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

#### **2.1.2. Stormwater Programs Unit**

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

##### **2.1.2.1 Stormwater Compliance & Inspection Unit**

The staff of this unit monitors construction sites to ensure compliance with approved SWPPPs. This unit also initiates enforcement actions when there is site construction or the creation of impervious surfaces without a DEP approved SWPPP. This unit issues NOVs with the

assistance of the Stormwater Programs unit, DEP's Office of the General Counsel and the New York City Law Department. The DEP's Office of the General Counsel and the New York City Law Department closely monitor steps taken to remediate the violation should court prosecution become necessary. DEP and DEC hold compliance conferences with the applicants as needed for the remediation of individual sites. On a semi-annual basis, DEP, DEC, EPA, DOH and NYS Attorney General's Office hold coordination meetings on all stormwater violations.

### **2.1.3. SEQRA Coordination Unit**

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

## **2.2. DEP Police**

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

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

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

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

The redeployment of the former Protection Section staff has increased the responsibility of the DEP Environmental Police to ensure the detection and the adequate and timely response to stormwater, WWTP, septic system and other environmental violations. The Environmental

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

### **2.3. DEP's Office of the General Counsel**

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

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

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



### 3. Specific Enforcement Actions

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

#### 3.2. Subsurface Treatment Systems and Stormwater

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

#### Catskill District

TOWN	CUMULATIVE VIOLATIONS REPORTED	TOTAL # VIOLATIONS THIS PERIOD	TOTAL # CUMULATIVE DESIGNS APPROVED	TOTAL # DESIGNS APPROVED THIS PERIOD	TOTAL # CUMULATIVE CLOSED	TOTAL # CLOSED THIS PERIOD
ASHLAND	37	0	31	0	31	0
CONESVILLE	13	0	10	0	9	0
GILBOA	19	0	15	0	17	1
HUNTER	110	0	81	0	87	2
HUNTER (V)	17	0	9	0	10	0
HURLEY	49	0	48	0	48	1
JEWETT	51	0	48	1	51	1
LEXINGTON	48	1	45	0	44	0
OLIVE	194	0	165	0	171	0
PRATTSVILLE	29	0	22	0	30	1
ROXBURY	31	0	23	0	26	0
SHANDAKEN	144	1	129	0	134	0
TANNERSVILLE (V)	7	0	2	0	6	0
WINDHAM	79	0	65	0	74	0
WOODSTOCK	59	0	52	0	49	1
<b>Total</b>	<b>887</b>	<b>2</b>	<b>745</b>	<b>1</b>	<b>787</b>	<b>7</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	81	0	74	0	74	0
ANDES (V)	4	0	2	0	2	0
BOVINA	35	0	32	0	33	0
COLCHESTER	4	0	5	0	6	0
DELHI	70	0	64	0	70	0
DELHI (V)	3	0	2	0	2	0
DENNING	34	0	33	0	31	0
FALLSBURGH	6	0	4	0	4	0
FLEISCHMANN'S (V)	2	1	0	0	0	0
FRANKLIN	6	0	4	0	4	0
HALCOT	7	0	7	0	7	0
HAMDEN	31	0	29	0	29	0
HARDENBURGH	12	0	10	0	12	0
HARPERSFIELD	8	0	6	0	6	0

JEFFERSON	6	0	6	0	6	0
KORTRIGHT	62	0	53	0	60	0
LIBERTY	1	0	1	0	1	0
MASONVILLE	12	0	10	0	10	0
MEREDITH	20	0	18	0	19	1
MIDDLETOWN	117	0	106	1	106	0
NEVERSINK	221	0	187	0	201	0
ROCHESTER	1	0	1	0	1	0
ROXBURY	34	0	28	0	33	0
STAMFORD	36	0	33	0	34	0
TOMPKINS	42	0	37	0	40	0
WALTON	89	0	82	0	79	0
WALTON (V)	1	0	1	0	1	0
WAWARSING	35	0	32	0	30	0
<b>Total</b>	<b>980</b>	<b>1</b>	<b>867</b>	<b>1</b>	<b>901</b>	<b>1</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	13	2	10	0	13	1
EAST FISHKILL	1	0	0	0	1	1
KENT	4	0	4	0	4	0
PUTNAM VALLEY	0	0	0	0	0	0
<b>TOTAL</b>	<b>18</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>18</b>	<b>2</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	0	0	0
HARRISON	1	0	0	0	0	0
MT. PLEASANT	0	0	0	0	0	0
NEW CASTLE	1	0	1	0	1	0
NORTH CASTLE	3	0	1	0	1	0
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>

### 3.2.1. Catskill District

Project Name: Campbell Road (2007-SC-0941)  
Town: Ashland  
Type of Use: Septic System (SS)  
Type of Violation: New SSTS; NOV for failure of wastewater not being treated by a DEP approved SSTS.  
Discovery Date: 1/20/09  
Status: No Application

#### Overview and Action:

DEP issued a NOV to the owner on 2/22/13. DEP received a call on 2/27/13 from owner, in response to NOV. DEP received a call back from the owner on 2/28/13 and 3/1/13 regarding the NOV received. The owner has spoken with an Engineer and will coordinate completion of a 2 bedroom design and construction. DEP performed a site visit on 4/1/13; septic failure was not observed. The tank showed no signs of an overflow. The house appears to be used on weekends. The driveway was plowed and there were no signs of construction activity. On 4/11/13, DEP called the Engineer as a follow-up to the discussion with him, where he proposed subdividing off the property where the current trailer is so that this parcel would not have enough property to support a fully compliant SSTS. DEP informed the engineer that this would not be approved. DEP further explained that since there is a 6 bedroom design that was approved that met current code for new construction, that the 2 bedroom design must meet current code because it has been proven possible. Subdividing the land to destroy full compliance potential was discouraged. The engineer will discuss with the owner and contact DEP design review staff. DEP performed a site visit on 4/23/13; septic failure was not observed. There was no visible effluent and no changes at this site. DEP sent an email to the engineer on 5/21/13 requesting update on plan for this site. DEP also called and left a message with the CEO to call back and discuss SSTS concerns and enforcement status on this site. Also should discuss possibility of land being subdivided and resulting SSTS implications. The engineer replied stating he will be meeting with the owner. The owner wants to install peat filters to serve a 2 bedroom trailer and build a full raised system for a 6 bedroom design in the future after the house is built. DEP sent the engineer an email on 6/12/13 stating that peat system alone will not be approvable by DEP because there is room for a compliant system. DEP received a call from the owner on 8/13/13, who said he will contact CWC to refresh himself on funding available. DEP reiterated that the design must meet current code. The owner has been in touch with his attorney as well. The owner will contact DEP with updates and his plans. DEP performed a site visit on 9/30/13; septic failure was not observed. There was no visible effluent from the tank. The septic area has not changed as more clearing needs to be done. The owner appears to be at the site regularly. The lawn was freshly mowed and there are well used ATV paths around the property. DEP called the owner on 10/11/13 and stated that due to no progress project may be referred to DEP Legal. DEP gave owner his engineer's email address and he was going to contact him to discuss how they will move forward. DEP performed site visits on 10/25/13 and 1/22/14; there are still no changes. DEP issued a Notice of Intent of Revocation of the Approval letter to the applicant on 2/4/14 by Certified/Return Receipt. On 2/15/14, DEP received the signed certified mail-return receipt requested signed by the owner. DEP issued a Revocation of the Approval letter to the applicant on 3/18/14 by Certified/Return Receipt. On 3/27/14 DEP received the signed certified mail-return receipt requested signed by the owner. DEP performed a site visit on 4/21/14; septic failure was not

observed. DEP checked the tank and surrounding woods for effluent, none was found. The property is well maintained with a new garage being built. DEP performed a site visit on 5/2/14; there were no changes at this site. DEP performed a site visit on 7/11/14; septic failure was not observed and there was no visible effluent. DEP performed a site visit on 7/25/14; septic failure was not observed and there were no visible signs of failure. The tank had been disturbed (tarp was removed). The lawn is well kept and the new garage nearly finished. The site appears to be used frequently. DEP performed a site visit on 9/5/14; septic failure was not observed and there were no changes. DEP performed a site visit on 10/23/14; septic failure was not observed. DEP performed a site visit on 1/28/15; septic failure was not observed. The house has not been plowed out this winter.

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

A meeting was held with the project engineer on 7/11/14 and discussed setting up a date for a site visit. DEP sent an e-mail to the engineer on 8/5/14 regarding scheduling a meeting to discuss the SWPPP design. DEP sent an e-mail to the engineer on 9/8/14 regarding no response to the meeting request from 8/5/14. DEP requested a meeting with the engineer. DEP received an e-mail from the engineer on 9/15/14 requesting a site meeting for 9/19/14. DEP received an e-mail from the engineer on 9/18/14 regarding rescheduling the site meeting for 9/26/14. DEP performed a site visit on 9/26/14. There were deficiencies. There was no discharge. The site was vacant. DEP sent an e-mail to the engineer on 10/15/14 requesting an update on the progress of the SWPPP design. DEP issued a warning letter to the applicant on 2/26/15 regarding the outstanding NOV and the need for an approved SWPPP.

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

**Overview and Action:**

DEP issued an NOV to the owner on 3/21/13. DEP called the owner on 4/5/13 to discuss the recently issued NOC and his schedule to start construction. The owner stated that he wanted to start construction this year. DEP performed a site visit on 4/30/13; septic failure was not observed. DEP called the owner on 6/11/13 requesting a status update on the construction schedule. DEP performed a site visit on 7/31/13; there was no visible effluent. The trailer appears to be rarely used. DEP called the owner on 9/11/13 requesting construction schedule. DEP called the owner on 10/10/13 stating that the project will be referred to DEP Legal if a commitment is not received. DEP Legal issued a letter to the owner on 11/12/13 requesting that the SSTS be completed by 12/31/13, weather permitting. DEP performed a site visit on 11/18/13; septic failure was not observed. DEP Legal spoke with the owner on 1/24/14. He is not using the trailer and there is no heat on the property and it is closed for the winter. DEP performed site

visits on 5/2/14 and 6/2/14; septic failure was not observed. The site does not appear to be used as there was no visible car traffic or lawn maintenance. DEP performed a site visit on 7/8/14 and 8/21/14; septic failure was not observed. There was no visible effluent and no sign that the trailer is being used. DEP performed a site visit on 11/20/14; septic failure was not observed. There is very little sign of inhabitation. The driveway is in a hay field and there are no recent tracks and no visible failure or signs of pumping. DEP performed a site visit on 12/24/14; septic failure was not observed and there was no sign of use. DEP performed a site visit on 2/13/15; septic failure was not observed. The trailer is not being used.

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

Overview and Action:

DEP issued a NOV to the owner on 3/25/13. DEP received a call from the owner on 3/28/13 in response to the recent NOV. DEP reviewed the NOV with him, and stated that generation of wastewater on the site could lead to further enforcement action. DEP performed a site visit on 4/18/13 for septic failure; none was observed; there was no visible effluent. The septic area has not been cleared. DEP sent an e-mail to the owner on 5/21/13 for an update on construction schedule. DEP called the owner on 6/11/13 for construction schedule update. The owner said that he plans to have the rest of the trees cut around the July 4th holiday. He will contact DEP inspector to assist in setting up stakes for the height of the fill material. DEP sent the owner an e-mail on 7/11/13 requesting construction status and recent work done update. DEP also requested staff to inspect site prior to 7/17/13. DEP called the owner on 8/15/13 to ask for an update on any tree clearing progress and septic system construction schedule. DEP performed a site visit on 9/9/13 for septic failure; none was observed. No work has been done on the absorption area. There was no effluent visible or signs of pumping. The house appears to be used on weekends. DEP left a message for the owner on 9/11/13 to call back with commitment on construction this 2013 season. DEP informed him that the lack of progress will lead to deferral to DEP Legal. DEP called the owner on 10/11/13 and stated that due to no progress, the project may be referred to DEP Legal. The owner stated that he will call DEP inspector if he does any work this season, maybe during hunting season. He will try to schedule a site visit with DEP to layout the system. DEP stated that the owner's previous commitments to do this back in July 2013 have not been done to date. The owner did state that his son is coming up to the property to put away outside furniture. The owner repeated that he is having financial troubles right now. DEP reiterated that this has been in violation since 2006. DEP called DOH and left a message on 11/14/13 regarding how they will be able to provide engineering certification of this project once it is constructed. DEP received a call from the owner on 1/30/14, requesting an update as to the enforcement status. DEP informed him that the matter has been referred to the Law Department, and offered to give him their contact information. The owner stated that he would call the Law Department to discuss. DEP sent an email on 1/31/14 to the owner with the Law Department contact information. DEP received a response email from DOH regarding their involvement in this project. They will do inspections when the project is finished and get certification letter submitted by an engineer to DEP. DEP performed a site visit on 5/2/14 for septic failure; none

was observed. Found possible septic tank residue between the tank and SSTS clearing. The tank may have been pumped out onto the ground but the residue was weathered from the recent rain and there appeared to be remnants of toilet paper. DEP performed a site visit on 7/1/14 for septic failure; none was observed and there was no visible effluent. No progress with clearing for construction. DEP performed site visits on 7/16, 8/21 and 9/8/14 for septic failure; none was observed and there was no visible effluent. No progress with construction. DEP performed a site visit on 11/18/14; septic failure was not observed and there was no visible effluent and no sign of construction proceeding. DEP performed a site visit on 2/24/15; septic failure was observed; direct discharge from building. The owner appears to be pumping the septic tank into the adjacent woods. Snow was removed from the top of the tank and a path shoveled to the discharge area. There was frozen discharge at the end of the path. DEP performed a site visit on 2/25/15; septic failure was observed as the owner is pumping effluent on the ground. The snow has been shoveled from the tank and a path shoveled to the woods for a discharge hose. DEP sent internal emails on 2/25/15 regarding DEP Police inspection coverage on weekends due to recently observed activity near the septic tank. DEP received an email from DEP Police on 3/2/15, stating that they did not observe any activity at the site this past weekend, but will continue to monitor and DEP informed NYC Law. DEP received a voicemail from DEP Police on 3/17/15 regarding a follow-up investigation of the property; the officers will check the facilities and the Lieutenant will report back via email. DEP received an email from DEP Police on 3/17/15. They observed a vehicle in the driveway on 3/8/15. Another inspection on 3/17/15 revealed recent tire tracks in the snow. Neither inspection found activity near the septic tank area. DEP performed a site visit on 3/23/15; septic failure was not observed and there was no sign the tank has been pumped and is still covered with drifted snow. DEP performed a site visit on 3/30/15; septic failure was not observed. The snow is still covering the tank and there is no sign of a recent pump-out.

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

DEP issued a NOV to the owner on 1/21/11. DEP received call on 2/4/11 from the applicant regarding the NOV. DEP called the applicant on 2/9/11 regarding the NOV. The applicant agreed to contact DEP in early April to set up a meeting at the site. DEP called on 4/18/11 to set a time for a site meeting; tentatively scheduled for 5/6/11. DEP called the owner on 9/22/11 regarding a potential site meeting on 10/7/11. DEP called the engineer on 12/7/11 regarding stormwater controls. DEP performed a site visit on 5/18/12; there were no deficiencies, there was no discharge and the site was occupied. DEP sent an e-mail to the owner on 10/10/12 requesting a meeting date. DEP sent an e-mail to the owner on 12/5/12 stating all that is needed is a revised deed for the property indicating the areas shown on the drawing as filter strips will remain as such and not be developed. DEP sent an e-mail to the owner on 4/1/13 regarding incorporating natural areas as treatment areas into the deed. A meeting was held with the property owner on 6/24/13. The owner agreed to designate an area below the house and driveway as a filter strip in perpetuity. DEP sent an e-mail to the owner on 12/3/13 requesting the status. DEP called the applicant on 4/14/14 regarding the SWPPP. The applicant indicated he would send a sketch in showing the filter strips. DEP sent an e-mail to the owner on 11/24/14 regarding the need to

initialize a sketch that was attached or provide DEP with a revised sketch that depicts an area of land suitable for a filter strip that accepts stormwater runoff. DEP received a reply the same day. The violation was resolved and the case was closed on 1/20/15 with DEP Closure letter dated 1/20/15. DEP has resolved the Enforcement Action on 1/20/15.

Project Name: 31850 State Highway #23 (Log #2007-SC-0677)  
Town: Gilboa  
Type of Use: Residence  
Type of Violation: Failed SSTS – DEP NOF  
Discovery Date: 7/26/07  
Status: Approved

Overview and Action:

DEP performed a site visit on 3/27/14; septic failure was not observed. The owner reports that there is only a problem with the tank so he is hoping to just replace the tank. DEP will discuss and contact CWC. DEP will do several post tank installation inspections to verify that the field is not failing. DEP spoke to CWC about a tank replacement at this property. The property is in the CWC program and will be willing to pay for a tank replacement. CWC wishes to inspect the tank before final approval is made. DEP called the homeowner to let them know that they must contact CWC and set up appointment with them so the tank can be inspected by the CWC field inspectors and at that time they will determine if the tank needs to be replaced. DEP called the owner on 11/13/14 and left a message to call back with the status of the septic tank failure to surface and any progress with CWC. DEP also emailed CWC the same day requesting if they were contacted by the owner yet. CWC responded that the site was never determined to be in failure, but has been signed into their program since 2007. DEP sent an email to CWC on 12/5/14 requesting eligibility status and forwarded them the 2007 NOF. On 12/8/14, CWC replied that the project is still eligible for their program. On 12/8/14, DEP issued a reminder letter to the applicant/owner due to the lack of activity. DEP issued a Design Approval Expiration letter on 12/8/14. On 1/27/15, DEP made a couple of phone calls to the owner but received no return call. DEP spoke to the owner's brother and encouraged him to start construction in the spring. He said he would install the tank, but does not want to install the field since there has been no failure there. DEP sent an email to CWC on 3/12/15 inquiring whether funding for this project is full or partial. DEP received a return email from CWC on 3/13/15, stating that it appears to be a full time residence. DEP called the owner on 3/18/15 and left message to call back and discuss some of DEP's questions.

Project Name: 26 Beecher Rd (2014-AS-0319)  
Town: Hunter  
Type of Use: Stormwater (SP)  
Type of Violation: Failing SWPPP - NOV for the construction of a new impervious surface within 100 feet of a watercourse without obtaining DEP approval.  
Discovery Date: 6/19/14  
Status: New

Overview and Action:

DEP initiated an Enforcement Action on 6/19/14. DEP issued a NOV to the owner on 6/19/14. A meeting was held with the project applicant and CWC on 6/20/14. DEP received a call on 6/27/14 from the owner acknowledging the NOV. DEP received a call on 7/23/14 from the

engineer regarding enforcement and what constitutes the violation. A meeting was held with the project engineer on 8/4/14. DEP exchanged e-mails with the engineer on 9/25/14 regarding the site and where it stands. DEP called the engineer on 10/27/14 regarding when a SWPPP will be submitted. DEP sent an e-mail to the engineer on 11/5/14 requesting the status of the SWPPP. DEP received an e-mail from the engineer on 11/20/14 regarding the status of the SWPPP and DEP and the engineer will schedule a meeting to go over the plans.

Project Name: Clum Hill (2006-SC-0852)  
Town: Hunter  
Type of Use: Stormwater (SP)  
Type of Violation: SWPPP for four lots, lot 11, 13, 17 and 23, all disturbed areas from the 2004 construction season for the road and stormwater pond per DEC Consent Order 3/06. This is the Interim Plan for the NOV issued on 8/13/04; SP.2 95 unit subdivision; failure  
Discovery Date: 5/22/14  
Status: Closed

Overview and Action:

DEP performed a site visit on 4/14/14. There were deficiencies. There was no discharge. The site was vacant. DEP initiated an Enforcement Action on 5/22/14. DEP issued a NOV to the owner on 5/22/14. A meeting was held with the owner of parcels 182.00-7-4 & 5 in the Cortina Mtn. Estates subdivision on 6/5/14 to discuss the NOV. DEP and the owner agreed that once the disturbed area is seeded and mulched and 80% grass cover is achieved the NOV will be lifted. DEP received a letter from Cortina's representative on 6/5/14 to the owner of the parcels named in the NOV stating that Cortina had no involvement with the activities that caused the issuance of the NOV. DEP received a call on 6/13/14 from the property owner notifying DEP that a portion of the disturbed area has been seeded and mulched and that he will finish seeding and mulching the site once it dries up. DEP performed a site visit on 6/20/14; there were deficiencies; there was no discharge and the site was vacant. DEP called the property owner on 7/1/14 regarding finishing the seed and mulch and the owner stated that he will have the disturbed area stabilized by 7/21/14. DEP performed a site visit on 7/14/14; there were deficiencies; there was no discharge and the site was vacant. DEP received a call on 7/19/14 from the owner that the disturbed areas on his property have been seeded and mulched. DEP performed site visits on 7/28, 8/21 and 9/4/14; there were no deficiencies, there was no discharge and the site was vacant. The violation was resolved and the case was closed on 9/11/14 with DEP Closure letter dated 9/11/14. DEP has resolved the Enforcement Action on 9/11/14. DEP received a copy of the signed Resolution Conditional final approval for the subdivision from the Town of Hunter Planning Board on 1/14/15.

Project Name: Clum Hill Rd (2012-SC-0043)  
Town: Hunter  
Type of Use: Stormwater (SP)  
Type of Violation: Proposal for a storage unit for trucks; with 1 bathroom; Former owner: Fromer, Jeffrey. Failed SWPPP - DEP NOV  
Discovery Date: 7/10/14  
Status: New  
Overview and Action:



DEP received a request for a pre-application meeting from the engineer/applicant on 7/7/14. DEP initiated an Enforcement Action on 7/10/14. DEP issued a NOV to the owner on 7/10/14. DEP received a phone call and acknowledged the NOV on 7/29/14. DEP performed a site visit on 8/8/14; there were no deficiencies observed. DEP exchanged e-mails with the owner and CWC on 8/21/14 regarding reimbursement. DEP exchanged e-mails with the engineer on 11/6/14 regarding the status of the project. The engineer replied that the applicant had signed the agreement with CWC and will be moving forward. DEP exchanged e-mails with the applicant on 12/8/14 regarding the SWPPP application and the need for an approved SWPP prior to any reimbursement. DEP received a call from the engineer on 12/8/14. The engineer stated he intends to work on the stormwater plan over the winter. DEP received an e-mail exchange between the applicant and the engineer on 1/14/15 regarding the plans and the SWPPP submission. DEP exchanged emails with the engineer on 2/3/15 regarding the SWPPP submission. DEP received an e-mail from the engineer on 2/27/15 stating that DEP should receive the SWPPP by the end of the week of 3/2/15. DEP received an Application for a SWPPP on 3/9/15 from the engineer along with plans and an engineering report. DEP issued a NOCA on 3/26/15.

Project Name: 1681 Platte Clove Road (2008-SC-1035)  
Town: Hunter  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS  
Discovery Date: 4/13/2005  
Status: No Application

Overview and Action:

DEP performed a site visit on 3/26/14; septic failure was not observed; possible runoff/overflow from the cesspool into a roadside ditch; no odor and clear water. DEP recommended contacting the owner to set up dye test. DEP called owner on 6/13/14 and requested dye test based on last DEP visit in March 2014. DEP received a call on 6/17/14 from the owner who cancelled the 6/19/14 dye test due to death of a friend and requested to reschedule. DEP scheduled dye test with owner for 6/25/14. DEP also contacted CWC on 6/19/14 who confirmed construction is fully fundable (as if primary residence) but the re-certification of engineering plans is not covered by CWC. DEP received a call from the owner on 6/24/14 cancelling 6/25 dye test due to car trouble. DEP received a call on 7/21/14 from the owner cancelling the dye test. She stated it was ok for DEP to do test at property without her. She also stated that she will pursue replacement of the SSTS but was apparently confused in the message she left. DEP sent the owner an email on 7/22/14 with contact information for engineer (for recertification of plans) and CWC (for funding); requested owner reply when email received. DEP received a message from the owner on 8/5/14 extending invitation to schedule dye test since she is currently at the property. DEP called the owner on 8/7/14 who said she just met with DEP Inspector earlier that day. DEP acquired a different email address and forwarded the contact information for the engineer and CWC to the owner. DEP called the homeowner on 1/13/15 regarding the status of the project design. The owner stated that she has to send in a check with the application to the engineer before the design will be submitted. The owner stated that the paperwork will be submitted to the engineer this week. DEP performed a site visit on 1/28/15; septic failure was not observed and there was no sign of recent use as the driveway was not plowed. DEP performed a site visit on 3/16/15; there were no visible signs of septic failure at this time.

Town: Hunter  
Basin: Schoharie  
Project Name: Legg, Dwane E., (Log #2012-SC-0647)  
Project Description: Failed SWPPP; NOV for failure to obtain an approved SWPPP prior to start of land clearing activities  
Project Type: Stormwater (SP)  
Status: Incomplete

DEP received DEC's letter to the owner on 1/15/14 regarding the outstanding NOV and the need to retain an engineer to assess the current site conditions and identify actions needed to bring the site into compliance. DEP sent an e-mail to the engineer on 1/29/14 requesting copies of the SWPPP to review. DEP received a letter from the engineer to DEC on 2/19/14 in response to their letter of 1/15/14. DEP received an Application for a SWPPP on 4/23/14 from the engineer with NOI, report and plans. DEP issued a NOICA to the engineer on 5/21/14 requesting additional information. A meeting was held with the project engineer on 6/26 and 7/11/14. DEP sent an e-mail to the engineer on 10/7/14 requesting that the SWPPP be submitted so that DEP can complete its review. DEP called the engineer on 10/16/14 requesting information as to when the SWPPP will be sent out. DEP issued a warning letter to the applicant on 2/26/15 regarding the outstanding NOV and the need for an approved SWPPP. DEP received a call from the owner on 3/3/15 regarding DEP's letter of 2/26/15. DEP received a call from the applicant on 3/5/15 regarding the SWPPP. The applicant indicated he had contacted the design engineer and requested he submit the design to DEP. The applicant told the engineer he has until 3/9/15 to get the design to DEP. If no design is received the applicant will retain a new engineer. DEP received a response to the NOICA from the engineer on 3/11/15. Submission included a letter and the site restoration plan and details. DEP received a call from the applicant on 3/19/15 regarding the SWPPP. The applicant was informed the design is still incomplete due to the engineer. DEP issued a NOICA to the engineer on 3/19/15 requesting additional information.

Town: Hunter  
Basin: Schoharie  
Project Name: Gilbert, Ben, (Log #2007-SC-0887)  
Project Description: New SSTS requiring an IRSP  
Project Type: Individual Residential SPPP (IR)  
Status: On hold

DEP received an e-mail from the owner on 1/7/14. He is looking into the Land Acquisition Program to see if they are interested in one or two of his lots. DEP sent an e-mail to the owner on 4/1/14 regarding his plans for the implementation of the SWPPP. DEP sent an e-mail to the engineer and owner on 2/3/15 requesting an on-site meeting to discuss the plans and scaling back the project. DEP received a call from the former engineer on 2/5/15. The engineer indicated they have not been retained to work on the project. In addition, according to the engineer the applicant still owes the engineer money so no work will be performed until the bills are paid.

Town: Hunter  
Drainage Basin: Schoharie Reservoir  
Project Name: Hunter Highlands Hotel/Condos (Trailside), (Log #2000-SC-0602)  
Project Description: Proposal for the construction of a 200 unit hotel; Site is +- 12 acres. Approvals for Phases 2-4 have expired. This is a new proposal for three

condos in 1st phase of which two can be built without SPDES expansion; Phase 1 to consist of 3-12 unit condos. Each building will consist of four 1-bedroom, four 2-bedroom and four 3-bedroom units. Phase 2 will consist of a 28-room hotel; Phase 3 will consist of three 12-unit condos.

Project Type: Stormwater (SP)

Status:

DEP received the DEC NOV by email on 7/10/12. DEP received DEC's third attempt of the issuance of the NOV on 8/15/12. DEP received an e-mail from DEC on 9/17/12 stating that their last attempt to deliver the NOV, failed again. DEP performed a site visit on 12/6/12; there were deficiencies, there was no discharge and the site was vacant. DEC issued a NOV on 12/11/12. DEP sent an email to DEC containing the contact information for another partner on 1/7/12. The partner is going to reach out to the association regarding the NOV. DEC sent the NOV to the other partner on 1/30/13. DEP sent and received e-mails to and from DEC on 5/28/13 questioning any response to the NOV. DEP spoke with the NYS Attorney General's office on 6/12/13 regarding the status of the homeowner's association established with the project. The Attorney General's office stated that according to their records, there is no record of a homeowner's association established for the Trailside at Hunter. DEP met the Trailside Property manager during a routine site visit on 10/4/13. NYC Law followed up with a phone call to the property manager and emailed a summary of the conversation. DEP called the president of the Trailside Home Owner's Association (HOA) on 1/14/15 regarding the status of paving the parking lot and the homeowners' lawsuit against the owner. The area has not been paved and the lawsuit has not been settled; however, the Trailside HOA president promised to provide contact information for the owner's attorney.

Town: Hunter

Basin: Schoharie

Project Name: Onteora Club, (Log #1990-SC-0005)

Project Description: 14 Lot Residential Subdivision on 64 acres, Proposal to connect Field House to Onteora Club Wastewater System; install a grease trap & septic tank & connect to existing 4" gravity line

Project Type: Intermediate SSTS (IS)

Status: Closed

On 1/31/14, DEP performed a drive by inspection of the pump house and the stream crossing; no problems were noted. DEP received the pump out logs for Jan. and Feb. 2014 from the General Manager on 3/11/14. DEP received a letter from DOH to the engineer on 3/24/14 regarding the proposed replacement pool. On 3/27/14, DEP performed a site visit to observe the current discharge pit that accepts the backwash water from the swimming pool. The pit is a repurposed metal drum with what looks like an earthen bottom and no permanent cover. DEP sent an e-mail to the engineer on 6/5/14 regarding the outstanding O&M manual. On 6/11/14, DEP met with the Onteora maintenance staff to look at the possible relocation of both the golf shop and the tennis shop. They are requesting to demolish the existing shops, construct two new shops and connect them to the existing SSTS that serves the restaurant, theatre, etc. DEP received the revised O&M manual from the engineer on 7/21/14. The engineer had no objections to comments and corrections provided by DEP and they have been incorporated. DEP received a call from the engineer on 8/7/14 regarding the possible connection of the library to the existing SSTS. On 8/15/14, DEP met with one of the board members and looked at the stream

crossing/force main replacement and discussed the requirements for future connections to the SSTS once the NOV is lifted. DEP received an e-mail from the engineer on 8/25/14 concerning the revised O&M manual required per NOV; proposal to connect the Library and Pro Shop to the existing SSTS and input on forming a DEC required transportation corp. DEP sent an e-mail to DEC on 9/3/14 regarding the need for clarification concerning the DEC requirement for a transportation corporation for the SSTS. DEP received a reply from DEC on 9/5/14 stating that they should already have had one formed. DEP received the revisions to the Operating and Maintenance Manual from the engineer on 10/6/14. DEP received the final version of the O&M plan from the engineer on 10/7/14. The violation was resolved and the case was closed on 10/7/14 with DEP Closure letter dated 10/7/14. DEP has resolved the Enforcement Action on 10/7/14. DEP received pump out logs via email from the owner for the remainder of 2014 through and including February 2015 on 3/23/15. DEP exchanged e-mails with the owner on 3/23/15 regarding population usage, the formation of a Transportation Corporation, and potential connections.

Project Name: 258 County Route 16 (Log #2008-SC-0026)  
Town: Hunter  
Type of Use: Residence  
Type of Violation: Failed SSTS – DEP NOF  
Discovery Date: 1/15/08  
Status: No Application

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was performed on 1/15/08. Site Visit type: Enforcement. Date: 10/5/10 for Septic Failure: Not observed. DEP walked around the subject house; it does not appear that the house has been occupied for some time. No signs of septic failure; the site is stable. DEP called the owner on 1/28/11 and left a message to call back with sale status of property. DEP sent an email with NOF attached to CWC on 2/4/11. Per CWC conversation, owner wanted this document to assist with short sale of property. DEP performed a site visit on 6/22/11 for septic failure; none was observed, no visible sign of failure, the site is stable and the property appears unoccupied. Site Visit type: Follow up. Date: 2/1/12; septic failure not observed. There was a car in the driveway; property status: Possibly occupied. DEP called the owner on 2/3/12 and left message to call back with status of occupancy and discuss plans/schedule to remediate or connect to WWTP. DEP called the new owner and discussed the project on 5/10/12. For now, the owner stated there is no failure and this property is only used on weekends. DEP asked for permission to enter the property and inspect on a regular schedule and the owner readily agreed. Owner does not want to take action at this point, but was made aware that next step is to hire an engineer to do soils testing. Pending results of this test, if a design is not feasible to replace the septic system, an application requesting to connect to Tannersville WWTP collections system would need to be submitted to DEP Engineering for review. The owner was reminded to keep in touch with CWC regarding possible funding for the project, whether it connects or is completely replaced. DEP performed a site visit on 6/13 and 8/9/12; no septic failure was evident. DEP performed site visits on 1/4/13 and 3/13/13; septic failure was not observed. No septic failure observed. DEP performed a site visit on 8/6/13; there were no signs of septic failure at the time of inspection. The tenant stated that there have been no problems with the septic. DEP performed a site visit on 10/17/13; septic failure was not observed; the site appears to be stable; no signs of

surface failure. This is a rental, not a weekend residence. DEP performed a site visit on 1/17/14; septic failure was not observed; no visible signs of failure at this time. DEP recommend dye test in the spring. DEP performed a site visit on 3/26/14; the site appears stable; there are no signs of septic failure at this time. DEP performed a site visit on 1/5/15; no active failure was visible at this time. DEP performed a site visit on 3/27/15; no visible signs of septic failure.

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

Overview and Action:

DEP personnel discovered the violation as a result of the Owner's request to inspect the site. A dye test was not performed. An NOF was issued on 12/31/1998. A design approval was issued on 10/27/99. Construction contract has been awarded. 6/1/02: The replacement system is being constructed. The house is currently occupied. Construction of the septic system is complete except for an electrical upgrade for the pump; there is only a 50 amp service. DEP received an email on 10/28/10 stating that this project is on the CWC's 11/2/10 Septic Committee Meeting Agenda. The owner is appealing last month's decision that considered her to be "new construction" due to property being vacant for quite some time and disqualifying her from the program. DEP received an internal email from WLCP on 1/19/11 stating that the owner's appeal was denied. A meeting was held with the project applicant on 2/7/12. The owner has no plans of creating habitable space on this property, but may wish to have a courtesy toilet in the garage he is building on the site. DEP performed a site visit on 1/4/13; septic failure was not observed. DEP performed a site visit on 10/9/13; septic failure was not observed; no further activity on this site. Area of previous trailer location is being used for parking. DEP performed a site visit on 1/22/14; status is unchanged. DEP performed a site visit on 2/27/14; conditions remain unchanged. DEP performed a site visit on 11/12/14 and 1/28/15; there were no signs of further construction in the garage area.

Project Name: 4102 CR 16 (1997-SC-0512)  
Town: Hunter  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS – Replacement of existing 2-Bedroom House  
Discovery Date: 1/15/08  
Status: Closed

Overview and Action:

On 8/14/13, DEP met with the engineer to investigate the repair to the septic system. The soil used under the system appears to be clay/hardpan, which is not suitable septic fill. He dug a perk hole along the lateral; the first run was 20 minutes. DEP sent an e-mail to the engineer on 9/4/13, outlining the next steps to take, including percolation testing of the unexcavated area of the SSTS. DEP performed a site visit on 9/17/13. Further perc tests in the existing system area yielded unsatisfactory results. The first perk was 20 minutes, which is over the specified 5-20 perk range. DEP received a letter and previously approved plan from the engineer on 9/23/13.

DEP received a call from the owner on 10/9/13, and informed him that DEP needs to have further internal conversations regarding the submittal and what will be required. The owner was informed that DEP will contact owner's engineer. DEP issued an acceptance letter on 10/23/13 for replacement of the SSTS. DEP performed a site visit on 11/7/13; there was no activity. DEP performed a site visit on 11/11/13 for the system layout. DEP performed a site visit on 11/15/13 for construction status; no activity; some fill has been placed. DEP performed a site visit on 11/18/13 and inspected the absorption area; perks in fill-did not pass the 20-30 minutes on the first run. DEP performed a site visit on 11/25/13 for construction status; no activity. DEP performed a site visit on 12/2/13 to inspect the distribution box; no speed levelers. DEP inspected the absorption area; stone and pipe is in. DEP performed a site visit on 12/10/13 for construction status; no activity. DEP completed construction inspections on 5/22/14. DEP received As-Built plans/engineer's certification letter from the engineer on 6/23/14. DEP issued a letter to the applicant on 6/30/14 regarding completion of repairs to the SSTS. DEP has resolved the Enforcement Action on 2/10/15.

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

On 1/10/14, DEP performed a site inspection; the disturbed area near the distribution box and the opposite end of the absorption field was frozen with evidence of sewage on top of the ground. There was no sign of sewage migrating from the basal area. DEP called the engineer on 1/14/14 requesting a timeframe for a sketch or plan. DEP issued a comment letter to the engineer on 2/6/14 regarding the NOV and the need for a remediation plan. DEP received a letter responding to the 2/6/14 NOV comment letter on 2/19/14. DEP issued a letter to the owner on 2/21/14 regarding DEP's acceptance of remediation plan proposed by engineer. On 2/26/14, DEP observed a failure of the absorption field, surfacing of sewage on ground. DEP stopped at the site because a bare spot on the absorption field in the deep snow was noticed from the road. The bare spot, just south of the distribution box, was damp and smelled of sewage. Sewage was not actively moving through the bare spot. DEP issued a comment letter to the owner on 3/6/14 regarding the NOV. On 3/7/14, DEP stopped at the site to look at the absorption field. The area of ground that is exposed is larger than it was at the last inspection. The ground surface was damp and smelled of sewage below the distribution box. On 3/18/14, DEP performed a routine inspection of the absorption field. The fill near the distribution box and near the eastern end of the field is saturated, and there are rivulets in the fill near the d-box where both sewage and fill have migrated down the taper of the field. DEP received a call on 3/25/14 from the engineer, who said that he did contact the owner's daughter's husband, who does not want his cell phone number given to DEP. The engineer advised to pump the tank and forward DEP the receipts, and to spread lime over the sewage on the ground. On 4/9/14, DEP performed an inspection of the SSTS; there was no sewage seen surfacing on the ground. There is however a clear path, where the absorption bed sand is eroded, that originates at the distribution box and continues toward the taper of the bed. DEP received a phone call on 6/2/14 from the engineer, who said the contractor

is ready to start the repair work on 6/4/14. DEP received a phone call on 6/3/14 from the engineer, who said the contractor has not confirmed the project with the owner now had the tanks pumped in preparation for work on the absorption field. The work has now been postponed until the issues are addressed. On 6/18/14, DEP performed an inspection of the SSTS; the absorption field has been recently mowed and was dry with no visible sewage discharge. DEP performed an inspection of the absorption field on 7/9/14. No sewage was observed on the surface of the ground. The vegetation is very high in the areas where sewage is frequently observed. DEP called the engineer on 7/9/14 and left a voice mail requesting the status of the repair. On 7/18/14, DEP performed an inspection of the absorption field. No sewage was seen on the ground. On 8/7/14, DEP performed an inspection of the absorption field and found that it was recently mowed. There are areas of no vegetation where it appears the distribution box discharges sewage to the top of the ground. DEP's Assistant Counsel issued a letter to the applicant on 9/2/14 regarding the NOV and the need to come into compliance with the WRR. DEP received a phone call from the engineer on 9/19/14. He has just been contacted by the owner's daughter, who said she received the DEP Legal letter and has called the contractor to start the work. DEP received a phone call from the engineer on 10/28/14 regarding the repair. The contractor will begin pumping the tanks on 10/29/14 and then replace the tapers one at a time. DEP requested a pre-construction meeting prior to any work. DEP received notice on 10/28/14 that construction will begin on 10/29/14. On 11/6/14, DEP performed an inspection of the SSTS repair. The work has been mostly completed; final grading, seed and mulch are still needed. DEP received a phone call from the engineer on 11/10/14. The replacement work has been completed and is top-soiled, seeded and mulched. On 11/12/14, DEP performed a follow up inspection of the SSTS replacement work. The bed and tapers are seeded and mulched. A discharge from the curtain drain looks suspicious; it is murky and has suspended solids in it. On 11/21/14, DEP performed an inspection of the SSTS area. DEP received a certification letter from the engineer on 2/23/15. The engineer noted that some of the stone at the edge of the existing bed was dirty and thus replaced with new #2 crushed stone. DEP completed construction inspections on 3/3/15. The violation was resolved and the case was closed on 3/3/15 with DEP Closure letter dated 3/3/15. DEP has resolved the Enforcement Action on 3/3/15.

Project Name: 111 Overlook (2013-SC-0129)  
Town: Jewett  
Type of Use: Septic System (SS)  
Type of Violation: New SSTS; Camping trailer illegal discharge to buried system or tank.  
DEP NOV  
Discovery Date: 4/10/2013  
Status: Approved

Overview and Action:

DEP performed a site visit on 11/19/13; the lines from the trailer have been disconnected and are still visible and attached to unknown treatment. DEP called the owner on 2/14/14 and left a message for status of hiring engineer, contractor, and any decisions on if he wants to do pump and haul or permanent SSTS solution. DEP stated that illegal storage tank or cesspool onsite needs to be pumped out in early spring. DEP requested a return call with updates on these issues. DEP issued a letter to the owner on 3/14/14 regarding a timeframe for pumping out the unapproved SSTS and the unresolved NOV issued on 9/24/13. DEP received message from owner on 3/28/14. DEP called owner back same day. Owner found out that the outhouse pit is 5'

deep with 1' gravel at the bottom. The walls are 5/4 pressure treated wood. There is a surface swale to divert runoff away from the outhouse. He stated it was installed between 2011 and 2013. DEP asked the owner if DEP could inspect outhouse. He said yes, but just to give him a heads up first. DEP will contact the owner after inspection of the outhouse, to see whether it conforms to DEC standards. Then DEP will set up a meeting onsite inspection with the owner to discuss what follow-up actions are necessary for the outhouse and illegal abandoned system. On 5/2/14, DEP inspected the outhouse for compliance. The pit appears to be approximately 3 feet below grade and there are no watercourses within 200 feet of the outhouse. Gray water lines are still visible, although not connected. DEP received a message from the owner on 5/14/14 requesting to know when DEP will inspect his property. DEP called the owner back on 5/16/14 and left a message that DEP is discussing internally how the outhouse will be handled. However, he should expect to meet DEP in about one month to decommission the subsurface gray water system. DEP sent email to the town CEO on 5/21/14, informing him of DEP's plans, requirements, and requested CEO to respond with town's enforcement strategy. DEP exchanged emails with the CEO a few times, and most recently on 6/11/14. DEP is trying to coordinate a joint visit with the town on the day the gray water system is decommissioned. The town does plan to pursue enforcement action for a travel trailer being on vacant land more than 120 calendar days in a year. DEP spoke with and sent the owner an email on 6/19/14 to schedule joint DEP and CEO meeting. On 7/3/14, DEP met with the owner and his father. Pipe previously connected to trailer was cut off and backfilled over, rendering it useless. No tank was found after inspecting about 30 feet of exposed absorption trench. DEP informed the owner that no action will be taken regarding the outhouse and that a holding tank could be used, but first requires DEP review and approval. DEP sent an email summary of the 7/3/14 site visit issues to the owner on 7/11/14. DEP sent the owner an email clarifying DEP's role and relevant regulations and guidance for holding tank option on 7/18/14. Owner replied and said he is getting an engineer and will be in touch. DEP received an email from the owner on 7/28/14 stating he is waiting on the CEO to move forward with planning. DEP received a request for a pre-application meeting from the current owner on 8/22/14. A soil/site evaluation was performed on 8/26/14. DEP received an Application for a non-conventional individual SSTS from the engineer on 10/7/14 along with plans. DEP issued a NOCA on 10/23/14. DEP issued an Approval Determination letter on 10/24/14. DEP performed a site visit on 11/12/14; there are no signs of the trailer discharging to the surface or to subsurface. DEP sent email to the owner on 12/4/14, requesting information on the project construction schedule. The owner responded the same day that construction will take place in the spring 2015 unless finances don't allow it to be constructed. DEP reminded the owner about the 48 hour notice before construction.

Town: Jewett  
Basin: Schoharie  
Project Name: TREC Management Systems, Inc. (Byrne, Kyle), (Log #2012-SC-0090)  
Project Description: SSTS for construction company office and apartments. Also, SWPPP NOV  
Project Type: Stormwater (SP)  
Status: Closed

A meeting was held with the project applicant, engineer and CWC at the project site on 11/13/13. DEP received a copy of the DEC submission from the engineer on 11/18/13 along with the engineers' report and plans. DEP issued a NOV to the owner on 11/19/13. DEP initiated an



Enforcement Action on 11/19/13. A meeting was held with the project engineer on 11/26/13 to discuss stormwater design issues. DEP performed a site visit on 11/29/13; there were no deficiencies, there was no discharge and the site was vacant. A soil evaluation was performed with the engineer on 12/3/13. Additional soil evaluation (deep test and pre-soak perc test) was performed on 12/10/13. A soil evaluation (perc test) was performed on 12/11/13. All tests ran greater than 5-inches per hour, 100% pre-treatment required. DEP received an e-mail from the engineer on 12/19/13 with the conceptual sketch. DEP sent an e-mail to the engineer on 1/6/14 with comments on his 12/19/13 submission. DEP performed a site visit on 1/27/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter from the engineer on 2/24/14 along with drawings and a revised SWPPP. DEP received an Application for a SWPPP on 2/26/14 from the engineer. DEP issued a NOCA on 3/5/14. DEP issued a comment letter on 3/10/14 to the engineer requesting revisions. DEP performed a site visit on 3/26/14; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 4/25/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a letter, NOI and revised plans from the engineer on 4/28/14 to DEP's letter of 3/10/14. DEP received additional copies of the revised plans and revised SWPPP from the engineer on 5/5/14. DEP issued an Approval Determination letter on 5/9/14. DEP sent an e-mail to the applicant and engineer on 6/27/14 regarding backfilling test pits and seed, mulch disturbed areas. DEP received an e-mail from the applicant on 6/27/14 regarding backfilling test pits over the weekend and will seed and mulch the area the week of 7/1/14. DEP performed a site visit on 7/14/14; there were deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 8/21/14; there were deficiencies, there was no discharge and the site was occupied. DEP issued a letter to the applicant on 8/29/14 regarding the 8/21/14 site visit and the need for the project to come into compliance with the approved SWPPP. DEP received an e-mail from the applicant on 8/29/14 regarding scheduling a site meeting. The meeting has been scheduled for 9/4/14 with the applicant and engineer. DEP performed a site visit on 9/4/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a letter from the engineer on 9/18/14 stating that construction for this project is on hold and does not plan to implement any of the site improvements until 2015. DEP performed a site visit on 10/17/14; there were no deficiencies, there was no discharge and the site was vacant. The violation was resolved and the case was closed on 11/25/14 with a DEP Closure letter dated 11/25/14. DEP resolved the Enforcement Action on 11/25/14. DEP performed a site visit on 2/4/15. There were no deficiencies. There was no discharge. The site was vacant.

Project Name: Route 23C (Log #2006-SC-0464)  
Town: Jewett  
Type of Use: Camp  
Type of Violation: Failed/Non- maintained SSTS, little Infiltration and Inflow (I&I) work in progress, surcharged system. DEP NOV  
Discovery Date: 6/11/07  
Status: No Application

Overview and Action:

DEP issued an Approval Determination letter on 10/23/13. DEP received DOH approved plans on 11/29/13. DEP issued a comment letter to the Camp Director on 2/26/14 regarding the operational status of the SSTS and the status of the NOV. DEP received a letter from the Camp Director responding to the NOV comment letter on 4/14/14. Included with the letter was an

Opinion of Probable Cost from the engineer. DEP called the engineer on 4/17/14 requesting a construction start date. The engineer met with the owner last month and provided construction contacts. DEP sent an e-mail to DOH on 4/21/14 requesting an update on the latest communications. On 5/17/14, DEP performed an inspection for the installation of risers on the two tanks behind the health lodge and Savatchy Lodge. The inlet pipe from the Lodge and the trailer was broken during the tank excavation, and was replaced. On 5/19/14, DEP received a phone call from the camp director advising DEP that a follow up inspection for the riser and pipe work that began on 5/17/14 could be performed on 5/19/14. On 7/3/14, DEP met the camp ranger and the camp executive on site for a scheduled site visit to inspect the SSTS. No surface failure was noted, however two of the four distribution boxes were surcharged and the absorption field was soggy in some areas. DEP performed a scheduled inspection of the entire SSTS on 7/17/14. Portions of the absorption field were surcharged, as evidenced by spongy wet surface soils, two surcharged distribution boxes and sewage surfacing on the ground, especially around the surcharged distribution boxes. DEP called the Oneonta District Office DOH on 7/17/14 regarding a septic system failure in the absorption field witnessed by DEP staff. DEP informed them the wet area had septic odor, flies, black muck and the lower d-boxes were surcharged. DEP also advised DOH that the camp had pumped down all septic tanks on 7/15/14. DEP called DOH and requested a different contact on 7/25/14 regarding status of the Camp Tri-mount inspection DOH staff conducted on the 7/18/14. DOH explained that staff reported no failure. The representative on the call did not have the report readily available but said there was some question as to whether they were in the same location as our staff the day prior who did observe the system in failure. DEP asked if they looked in the d-box and saw them backing up. DOH was unsure but said that would be considered in failure if they saw that. DOH said they requested the camp put snow fence around the wet area but the camp complained about finances. On 7/31/14, DEP met with BSA staff for a scheduled inspection. Approximately 150 campers and staff were at the facility. Of the four absorption fields, BSA has only the top two in service. Fresh soil was placed, seeded and mulched in an 8'x8' area near the southeast d-box. At the fringe of the fresh soil, the field was wet and spongy with a slight septic odor. DEP called DOH on 7/31/14, and was advised that a schedule of compliance had been set up with the camp and the risers were to be installed prior to camp opening this year, and the siphons are to be replaced prior to next year's camp opening. On 8/20/14, DEP completed a walk through inspection, the final one for the season on 8/20/14. There were no failures observed and no new construction or improvements since the last inspection. At this time the camp is closed and only the Ranger and his family are living on the premises. On 10/22/14, DEP returned a call to the engineer who had requested an update on the project status. DEP sent an e-mail to DOH on 10/23/14 requesting a copy of the schedule of compliance from the 2014 Camp Season and a status update of any repairs completed from the schedule. DEP sent an e-mail to the Camp Director on 10/23/14 requesting a status update of items required to be completed as part of the approved plans for repairs proposed at the Camp. DEP called DOH on 2/23/15 after emails sent in fall 2014 and again, January 2015, did not gain any response. DEP left a message requesting a copy of the Temporary Residence Permit (TRP) from last year and requested to add a few DEP requirements to this year's TRP.

Project Name: 2080 Spruceton Rd (2010-SC-1005)  
Town: Lexington  
Basin: Schoharie

Type of Use: Intermediate SSTS (IS)  
Type of Violation: IS.1-Change in use (10 units with bed/bath to 9 units with bed/bath, 6 of which have kitchens, and #10 is a bar open to the public + addition of laundry). DEP NOV. RE.1-Likely to fail SSTS - CWC - drywells.  
Discovery Date: 10/24/14  
Status: New

Overview and Action:

DEP sent an e-mail to the engineer and the owner on 10/2/14 regarding the lack of a submission to use the existing SSTS with additional flows. DEP advised an NOV will be issued shortly, if no progress is made. DEP received a reply from the engineer on 10/3/14; he has been gathering information on water usage and occupancy and will submit a report. DEP received an e-mail from the engineer on 10/7/14 with a copy of the specs for the water meter installed at the motel with a photo. DEP received the water meter usage spreadsheet from the engineer on 10/18/14. DEP replied to the engineer on 10/20/14 and requested a phone call to discuss the loss of NCRA status and to schedule a site visit. DEP initiated an Enforcement Action on 10/24/14. DEP received a text message from the engineer on 10/25/14; he is busy working on other projects and will have another engineer pick this one up and schedule an appointment to meet on site. DEP sent an e-mail to DOH on 12/11/14, requesting a copy of the most recent TRP issued to the prior owner of the motel. DEP issued a NOV to the owner on 1/23/15. DEP sent an e-mail to the owner on 2/10/15 requesting that DEP be contacted to discuss the NOV issued on 1/23/15. DEP received an e-mail reply from the owner on 2/11/15, advising that an engineer will contact DEP. DEP received a letter responding to the NOV from the owner's attorney on 2/17/15. DEP sent an e-mail to DOH on 2/27/15 countering arguments presented in the NOV response received from the owner's attorney on 2/17/15. DEP called DOH on 3/11/15 to discuss report. In discussing the situation, DOH noted that typically the SSTS would have to be proved is adequate to service the flow from the activity for DOH to issue another TR permit.

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

On 6/12/13, DEP witnessed the 4,000 gallon concrete pump chamber being set. The septic tank does not appear to have been pumped since DEP's initial request on 6/3/13. DEP performed a construction inspection on 6/19/13; the building sewer is being connected. On 6/20/13, DEP performed a construction inspection with the engineer and contractor; the SSTS is functional and was placed into service. The only work left is topsoil, seed and mulch. The old SSTS was also inspected; sewage was still pooled on top of the absorption field. DEP completed construction inspections on 6/21/13. On 7/2/13, DEP met with the engineer and the owner for a walk through of the main building. There are currently two bedrooms for private use, five for rental in the Bed & Breakfast, and one that has been gutted. The enclosed porch is about twice the size of the original screened in porch and had several tables for four scattered around. DEP received As-Built plans/engineer's certification letter from the engineer on 7/10/13. DEP issued a letter of Construction Compliance letter on 7/11/13. DEP called the engineer on 7/11/13 and advised him that the "as built" needs to include the location of the curtain drain and that it needs to be

stamped and signed by the engineer. DEP received revised As-Built plans/engineer's certification letter from the engineer on 7/18/13 as per DEP phone call. DEP issued a revised letter of Construction Compliance letter on 7/29/13. The violation was resolved and the case was closed on 7/29/13 with DEP Closure letter dated 7/29/13. DEP has resolved the Enforcement Action on 7/29/13. DEP received the August 2013 water meter readings on 9/9/13. DEP received the March 2014 water meter readings on 4/7/14. DEP received the April 2014 water meter readings on 5/8/14. DEP received the May 2014 water meter readings on 6/11/14. DEP received the June 2014 water meter readings on 7/7/14. DEP received the July 2014 water meter readings on 8/11/14. DEP received the August 2014 water meter readings on 9/8/14. DEP received the water meter readings on: 10/14/14, 12/8/14, 1/6/15, 2/10/15 and 3/10/15.

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

Overview and Action:

DEP met the owner onsite on 4/15/14. Puddled sewage was observed in the lawn area between the upper driveway and the house. The owner is in the process of evicting the tenants. DEP provided a copy of the last field report to the owner. DEP called the owner on 5/28/14 and made an appointment to inspect the property on 6/3/14. On 6/3/14 DEP met with the owner for a pre-arranged inspection of the SSTS. A 2' diameter puddle of sewage was observed in the yard in the vicinity of the drywell. The owner showed DEP two eviction notices signed by the Sheriff's office ordering both upstairs tenants to vacate. DEP called and notified UCHD of the findings. DEP called DOH on 6/3/14 and left a message informing them of the failure. DEP called the owner on 6/5/14 and left a message asking for an update on the eviction status. DEP sent an e-mail to DOH on 6/6/14 with a picture of the sewage failure. On 6/6/14 DEP left a message requesting an update on the occupancy and received a return call from the owner saying that both tenants are expected to be out by 6/10/14. DEP called the owner on 6/16, 6/20 and 6/23/14. DEP was unable to leave a voicemail because the voice mailbox is not setup. DEP received an e-mail from DOH on 6/24/14. DOH inspected the site and no surface discharge of sewage was noted. Additionally, it appeared that the building is now vacant. DEP called the owner on 7/1/14 and setup an appointment for 7/9/14. The owner also confirmed that both upstairs apartments are currently empty. The owner plans on renting the apartment closest to the road to try and recoup monetary losses. The apartment farthest from the road is not rentable because the tenant trashed the bathroom. The owner agreed to inform DEP when the apartment is reoccupied and offered to reactivate the drywell. DEP advised against reactivating the drywell. DEP inspected site on 7/9/14. The sewage failure previously noted dried up. DEP issued a letter to the owner on 10/6/14, at his request, and attached the field reports from 4/15/14, 6/3/14 and 7/9/14. On 10/15/14, DEP performed a scheduled inspection of the property. No indicators of sewage failure were observed. Both upstairs apartments appear to be vacant. On 2/27/15, DEP drove by the apartment house; a car was in the upper driveway as well as a car in the lower driveway. There were fresh foot prints in the snow to the doorway for the upper apartments. The area where sewage was previously observed was completely covered with snow.

Project Name: 37 Albert Slater Road (2006-SC-0779)  
Town: Prattsville  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS; DEP NOV  
Discovery Date: 6/26/06  
Status: New

Overview and Action:

DEP issued a 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.

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

Overview and action:

DEP called CWC on 2/4/14 regarding the status of the project. CWC reported that funding was approved and a letter was sent to the owner. If the owner decides to modify the plan that is approved, it needs to fall within the approved funding amount. DEP called the owner on 2/5/14 and left message to call back. DEP will inquire if he will follow approved plans or make modifications first, and possibly relocate the field. The owner returned the call and stated he will try to relocate the field closer to the house. He stated that his contractor said he could just do a field change; however, DEP informed him that a location change would require a new submittal and approval by DEP. The owner will discuss this with the contractor again and discuss financial implications with CWC. DEP performed a site visit on 2/27/14; septic failure was not observed; the area of failure is snow covered. DEP called the owner on 4/11/14 and left a message to call back with plans and schedule for re-engineering and/or construction. DEP called owner on 5/21/14. Owner stated that construction will start in early July 2014. They will build the system in the location on approved plan. DEP performed a site visit on 6/5/14 for septic failure; none was observed. No visible failure. DEP left message for the owner on 6/11/14 asking when construction will start. DEP received notice on 8/11/14 that construction will begin on 8/11/14. DEP received As-Built plans/engineer's certification letter from the engineer on 9/11/14. DEP issued a letter of Construction Compliance on 9/16/14. DEP has resolved the Enforcement Action on 10/3/14. The violation was resolved and the case was closed on 10/3/14 with a DEP closure letter dated 10/3/14.

Project Name: 854 Johnson Holw Rd (2013-SC-0403)  
Town: Roxbury  
Type of Use: SSTS Repair (RE)  
Type of Violation: Complaint; reporting SSTS Failure. DEP NOV  
Discovery Date: 7/31/13  
Status: No Application

Overview and Action:

DEP observed a surface failure running into roadside ditch leading towards stream about 75 feet away, on 7/31/13. DEP issued a NOV to the owner on 8/1/13. DEP received a phone call from the owner on 8/16/13 responding to the NOV. He said the problem has been resolved. DEP returned the owner's call on 8/20/13. The owner stated that the septic tank was pumped out and the surface failure is gone. He also said the place is only used on weekends and agreed to few follow-up inspections by DEP. DEP performed a site visit on 9/4/13; septic failure was observed. Effluent is being discharged to road side ditch. DEP called owner and left message to call back on 9/4/13. DEP stated discharge must stop immediately. DEP issued a comment letter to the owner on 9/5/13 regarding the NOV. DEP received a call from the owner on 9/12/13, who stated he believes failure is really something related to lives tock. He did not want to pursue contacting CWC just yet. DEP scheduled dye test and the owner will have a representative on site waiting. DEP performed a dye test on 9/13/13; dye was not immediately recovered or hours later. DEP Police will monitor over weekend. DEP Police inspected property for dye on 9/16/13 but did not find any. DEP performed a site visit on 9/24/13; no dye was recovered at this time. DEP REP received a call on 10/7/13 from DEP Police requesting status of the project and whether any other follow up was necessary from the police. REP responded that no additional police follow up was necessary at this time and REP would keep watch due to the seasonal use of the residence. DEP performed site visits on 10/25/13 and 1/28/14; septic failure was not observed. DEP performed a site visit on 7/1/14 for septic failure; none was observed. DEP performed a site visit on 7/7/14 for septic failure; none was observed. The road side ditch very wet but did not appear to be sewage; DEP will monitor. DEP performed a site visit on 8/12/14; a suspicious area was observed and DEP spoke to a neighbor. The house not being used full time. DEP performed a site visit on 8/20/14; a suspicious area was observed and no septic odor noticed at this time. DEP performed a site visit on 10/7/14; septic failure was not observed. The area that had been wet or soiled was dry at the time of inspection. DEP performed site visits on 12/29/14, 1/23/15 and 2/12/15; septic failure was not observed. There was snow covering the area of the suspected failure and there was no new sign of activity coming to or from the house. DEP performed a site visit on 3/30/15; suspicious area was witnessed. DEP will continue to monitor.

Project Name: 466-478 Oliverea Rd (2014-AS-0719)  
Town: Shandaken  
Basin: Ashokan  
Type of Use: Intermediate Repair (CR)  
Type of Violation: DEP NOV; Failed SSTS serving 2 residential buildings.  
Discovery Date: 12/30/14  
Status: New

Overview and Action:

DEP received an e-mail from the DEP Police on 12/30/14 regarding a complaint. DEP initiated

an Enforcement Action on 12/30/14 for tracking purposes. DEP called DOH on 12/30/14 to advise that the DEP Police observed a sewage discharge to the ground at the property on 12/29/14. DEP also sent a map showing the property. DEP called one of the DEP Officers that responded to the sewage complaint on 12/30/14. The discharge was observed between the cottage and the garage on the southeastern end of the property. DEP emailed the Officer a map and asked him to mark it up and return it. The Officer was also advised that DEP had contacted DOH. On 12/31/14, DEP forwarded DEC e-mail exchanges between DEP and DEP Police on 12/30/14 regarding the exact location of the sewage discharge. On 1/2/15, DEP performed a site visit in response to DEP Police investigation of a complaint of sewage surfacing on the ground. Sewage was observed both pooled on the ground and bubbling up from the ground. DEP called the property owner on 1/2/15 to discuss the sewage failure observed at the rental property. He has called both a hauler and an engineer to pump and work on a repair. DEP advised that a Notice of Violation would most likely be issued. The owner said that the tank has been pumped before when problems occurred and that it will fill up within a few days of being pumped. DEP requested notice when the tank is pumped and when he gets a response from his engineer. DEP spoke to DOH on 1/2/15 regarding the DOH site visit performed on 12/31/14. DOH could not confirm an active sewage failure. DEP received two voice messages from the property owner, one on 1/3/15 and another on 1/4/15. He left messages for a hauler and an engineer. The hauler will pump the system on 1/5/15 or 1/6/15, and the engineer is due to return from vacation on 1/6/15. The owner will be out of town until 1/11/15 due to a death in the family. DEP performed an inspection of the failed SSTS on 1/7/15. The system had been pumped; there was no sewage surfacing on the ground. It also appeared as though some soils were moved to access the SSTS for pumping. DEP spoke to the engineer on 1/7/15. He has spoken to CWC and is waiting to hear back from them about whether the SSTS will be at least partially funded before he performs a site visit. DEP received an email from DOH; staff visited the site twice and saw no sewage discharge to the ground. DEP called the owner on 1/12/15 requesting an update on possible CWC funding. DEP performed an inspection of the SSTS on 1/15/15. The cesspool was surcharged above the top of the cesspool, and about 6 inches from the top of the ground. The structure is covered with a small piece of plywood. DEP performed an inspection of the SSTS on 1/23/15. Sewage was observed surfacing on the ground above the cesspool and the area surrounding the cesspool was saturated with sewage. The owner has covered the opening and installed cones around the discharge as previously requested by DEP. DEP called the owner on 1/23/15 regarding the sewage overflow and advised to have the system pumped again to keep the sewage from surfacing. He said he can't afford to keep pumping and wants to install a septic tank and single lateral as a temporary fix. DEP advised him that the SSTS needs to be repaired properly and that as an owner he may feel the temporary fix is good enough and the full repair will not happen if the failure is no longer visible. He is waiting on the CWC board decision for funding eligibility. DEP sent an e-mail to DOH with pictures of the sewage surface failure from the two most recent site visits on 1/26/15. DOH responded that their staff did not witness a sewage failure on either of the two visits they performed. This project is on the CWC Septic Committee meeting agenda scheduled for 2/3/15 for additional discussion on program eligibility. DEP performed a site visit on 2/10/15. There is heavy snow cover everywhere on the lawn, except where the cesspool is located. Sewage has melted the snow and is still obvious in a two foot circumference around the cesspool. DEP called the owner on 2/10/15 regarding the ongoing surface failure and requested a pump out, a return call and the status of the possible CWC funding for the repair. DEP received a return call from the owner on 2/13/15. He said the CWC

informed him that they cannot fund the SSTS replacement under the existing rules. DEP advised him to pump the SSTS when needed and to spread lime over the contaminated ground. He said the snow bank now covers the surface failure and he cannot afford to pump, instead he wants to install a new tank and temporary lateral. DEP received a phone call from the engineer on 2/17/15 regarding the owner's idea of installing a tank and temporary lateral. DEP issued a NOV to the owner on 2/17/15. DEP called owner at home on 2/27/15 regarding the NOV. DEP received a voicemail from the owner on 2/27/15, in response to DEP's phone call on the same date, requesting a call back. DEP performed a site visit on 3/2/15. The area around the cesspool was snow covered and undisturbed. The sewage level in the cesspool was below the first course of concrete blocks. There was no sign of a recent failure or a recent pump out. DEP received an e-mail from the DEP Police regarding the site visit conducted on 3/1/15 with negative results. DEP performed a follow up inspection of the SSTS on 3/6/15. The area appeared undisturbed since DEP's site visit on 3/2/15. The sewage level was several inches above the concrete cover and just two inches below the top of the ground. The waste pipe under house # 470 was exposed and some dirt had been removed to access the pipe. DEP received a return call from the owner, agreeing to pump the cesspool and block it off, and to keep DEP informed of any progress. DEP corresponded with the owner by email on 3/7/15. He said he called the hauler and will advise DEP when the waste line is cleared and the cesspool is pumped. DEP performed a site visit on 3/9/15. The cesspool was overflowing to the top of the ground and did not appear to have been pumped out. The opening in the crawl space to access the waste pipe for cabin #470 was closed up and insulated. Snowmelt was occurring. DEP called the owner on 3/9/15 and left a voice message after the site visit to advise that the sewage is overflowing on the ground and that DEP would like to be notified when the hauler plans to pump so DEP can witness the pump out. DEP received a return call from the owner on 3/9/15 regarding the hauler, who will be there on 3/11/15 to pump out the overflowing SSTS. The owner also offered to email the pump out receipt to DEP. DEP sent an e-mail to the owner on 3/10/15, asking for an approximate pump out time so that DEP can witness the work. DEP received an e-mail from the owner on 3/10/15. The hauler is expected between 9 am and 10 am on 3/11/15 and will install another cover for the cesspool, as the original cover fell in the tank during the 1/5/15 pump out. On 3/11/15, DEP met with the owner and hauler to witness the pump out of the cesspool, which has very little capacity due to deep inlet pipes and what appears to be a thick sludge layer as well as a cave in the surrounding soils. DEP exchanged various emails with NYC Law between 3/9/15 and 3/24/15 regarding the amended stipulation. On 3/27/15, DEP performed an inspection of the failed SSTS adjacent to #470 Oliveria Road. No sewage was observed migrating out of the cesspool; however, the untreated sewage level was at the top of the ground. The waste pipe under the cabin was partially submerged in discolored water and/or wastewater. DEP sent an e-mail to the owner on 3/27/15 requesting that he contact a hauler to have the cesspool pumped out.

Project Name: Valley View Road (2001-AS-0322)  
Town: Shandaken  
Type of Use: Intermediate Repair (CR)  
Type of Violation: Revised proposal to establish 10 campsites instead of 15 campsites and remodeling some structures. CR.1 - NCRA/Change in use. DEP NOV  
Discovery Date: 2/3/14  
Status: New  
Overview and Action:



DEP issued a letter to the owner on 10/30/13 regarding the Temporary Residence Permit and the number of units at the resort. DEP requested an inspection of the property to determine if it is in compliance. DEP received a call on 11/6/13 from DOH regarding DEP's letter. DOH is going to write a letter confirming that the facility historically had 31 rooms/units. DOH is also researching the housing area north of the main resort and will keep DEP abreast of its findings. DEP advised that with that letter and an inspection of the site, DEP would establish 31 rooms/units as the baseline for the NCRA activity. DEP received a letter from DOH on 11/18/13 regarding the number of rooms (units) for the temporary permit is 31. DEP received a letter from the owner's representative on 11/19/13 in response to DEP's letter of 10/30/13. DEP received an e-mail from DEP's Assistant Counsel on 12/10/13 regarding contacting the owner's representative. DEP received a call on 12/30/13 from DOH. The owner removed a room from the remote housing area so that it no longer requires temporary residence permitting. DEP received an e-mail from a neighbor on 1/21/14 stating that after dark digging was going on the night of 1/18/14. DEP's Assistant Counsel issued a letter to the owner's representative on 2/11/14 in response to his letter of 11/19/13. DEP Legal sent an email to the owner's attorney asking if he has responded to the DEP letter of 2/11/14. DEP's Assistant Counsel received a letter from the owner's representative requesting that the owner and owner's representative come to DEP for a meeting to discuss their objectives and concerns, as well as those of DEP. DEP's Assistant Counsel received an e-mail from the attorney's office on 4/28/14 requesting a meeting. DEP's Assistant Counsel replied the same day that they are not prepared to meet until DEP staff has had a chance to complete an inspection of the site. DEP issued a NOV to the owner on 8/28/14. DEP received a letter responding to the NOV on 9/8/14 from the owners' representative. DEP exchanged e-mails with DOH and made comments internally on 10/22/14 and 10/23/14 regarding the number of bedrooms in offsite housing and the possibility of a Temporary Residence Permit (TRP). A meeting was held between DEP REP, DEP Legal, NYC Law, the engineer, the project applicant and attorney(s) on 12/22/14. DEP received the TRP for the owner from DOH on 1/13/15. This permit expires on 11/30/15. NYC Law sent an e-mail to the owner's representative on 1/28/15 asking if 1/30/15 is still a good date for DEP to take an inventory of the property. A new DEP Legal contact was also provided. DEP Legal received a letter from the owner's attorney on 1/29/15, along with a Comprehensive Facility Report, in response to DEP's request to conduct an inventory of the property. DEP exchanged emails with DEC on 3/10/15 and learned that the owner was never issued a SPDES permit; however, a stream disturbance permit was issued in 2011.

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

DEP received an Application for an SSTS on 3/20/13 from the engineer. DEP sent an e-mail to the engineer on 3/6/14 requesting a meeting before the end of March 2014. DEP received an e-mail from the engineer on 3/12/14 requesting a meeting for 3/20/14 which was accepted. DEP sent an e-mail to the engineer on 3/20/14 re-capping the days meeting. The town is pursuing funds to re-locate the Town Hall and Highway Garage to another location. DEP stated that it is willing to hold off on proceeding with the resolution of the NOV until June 2014 and requested

that the town provide sufficient documentation that the funding is available. DEP sent an e-mail to the engineer on 6/19/14 regarding the last meeting and that DEP has not heard from anyone regarding the relocation of the Town Hall and Highway Garage. DEP sent an e-mail to the Shandaken Supervisor on 7/24/14 regarding finalizing and implementing the SWPPP. A meeting was held with the Town Supervisor, Highway Superintendent, Engineer and CWC on 7/31/14 to discuss moving forward with the SWPPP design. DEP received a call from the engineer on 9/17/14 regarding removing the pavement that caused the NOV. DEP called the Town Supervisor on 9/25/14 regarding the status of the project. DEP received an e-mail from the engineer and Town Supervisor on 10/30/14 regarding contract revisions. DEP received an e-mail from the Town Supervisor to the engineer on 12/17/14 requesting the status of the addendum.

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

DEP received an Application for an SSTS on 3/20/13 from the engineer. DEP issued a NOCA on 4/1/13. DEP issued a comment letter on 4/1/13 to the applicant requesting revisions to the plans. DEP received a letter and revised plans from the engineer on 4/5/13 to DEP's letter of 4/1/13. DEP issued an Approval Determination letter on 4/25/13. DEP issued a Modified Approval Determination letter on 4/25/13 to the engineer along with the approved plans. DEP received a copy of the Deed Agreement for the SSTS from the Town of Shandaken Supervisor on 5/20/13. DEP sent an e-mail to the Town Supervisor on 6/7/13 regarding a time frame for the SSTS installation. On 6/26/13, DEP spoke to the Town Supervisor concerning the installation of the septic system. He expects the work to begin in late summer 2013. DEP received a return phone call on 10/1/13 from the engineer. The Town Highway Superintendent reported to the engineer that he wants to start as soon as possible. DEP called the highway superintendent on 10/17/13. The tank has been ordered and construction is expected to begin. DEP performed a site visit on 11/12/13; the absorption bed was partially installed. DEP received notice on 11/18/13 that construction will begin on 11/19/13. On 11/20/13, DEP performed an inspection of the pump tank and the excavated area for the absorption field. DEP performed a construction inspection on 11/21/13. The bottom layer of sand is in, and the Presby units are being installed. On 11/19/13, DEP accompanied the engineer on a satisfactory inspection of the pump tank. DEP called the highway superintendent on 11/25/13; he is waiting for risers and the d-box cover. DEP received a phone call on 12/2/13 from the engineer, who asked if he could water test the distribution box, inspect the risers and allow backfill without DEP inspection and DEP agreed. On 12/3/13, DEP performed an inspection of the SSTS; the system is completely backfilled, the next step is checking the dose when the electrician finishes. On 12/5/13, DEP met the engineer on site for the dose test. The risers have been delivered and will be sealed to the tanks. The area will be blocked from traffic until the blacktop is installed in the spring 2014. DEP drove through the parking lot on 6/18 and 7/11/14, DEP drove by the site. The blacktop has not yet been installed on the d-box/absorption field. DEP received a phone message from the highway superintendent on 8/29/14. He said if the SWPPP will be installed this year the entire lot will be paved after the install, if not the area over the absorption field will be paved this year. On 10/24/14, DEP performed an inspection of the SSTS area. Blacktop has not been installed over the absorption

field. A highway worker told DEP that they were still blacktopping town roads and may do the SSTS in a few weeks. DEP left a message for the superintendent. DEP drove by the facility on 11/6/14 and noticed that paving has been completed in the parking area above the absorption field. The engineer was notified. DEP completed construction inspections on 11/6/14.

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

DEP received DEC's letter to the owner's on 1/15/14 regarding the outstanding NOV and the need to retain an engineer to assess the current site conditions and identify actions needed to bring the site into compliance. DEP received an e-mail from DEC on 2/27/14 stating that a new engineer has been hired to finish the site work. DEP performed a site visit on 3/17/14; there were no deficiencies, there was no discharge and the site was vacant. DEP received a call on 3/27/14 from the engineer regarding planting trees and grass; DEP indicated that was acceptable. A meeting was held with the project engineer on 5/30/14. DEP received an Application for a SWPPP on 6/25/14 from the engineer along with a letter and plans. DEP sent an e-mail to ACOE on 7/8/14 regarding the pond. DEP issued a NOICA to the engineer on 7/22/14 requesting additional information. DEP received an e-mail from the engineer on 7/23/14 regarding the HydroCAD report. Only the 100-yr pre-construction and 1-yr post construction were received. Additional storm and pond HydroCAD data will be requested. DEP received the remaining storms and pond data from the engineer on 7/23/14. DEP performed a site visit on 7/28/14; there were no deficiencies, there was no discharge and the site was vacant. DEP called the engineer on 7/30/14 regarding the ACOE and roof drainage. The engineer indicated the ACOE inclined to let the pond stay and the owner may apply for an off-site mitigation permit. If the permit is denied and the pond needs to come out the stormwater will need to be revisited. In addition, according to the builder, the roof drains are interior to the building but discharge to the pond. The engineer is also going to verify that. DEP called the engineer on 9/3/14 regarding the roof drains. A meeting is schedule for 9/11 to verify where the roof drains daylight and to see if the elevations will work to get them into the pond. DEP received a response to the NOICA from engineer on 9/17/14. Submission included revised plans. DEP issued a NOCA on 9/18/14. DEP issued an Approval Determination letter on 9/19/14. DEP exchanged e-mails with the engineer on 10/16/14 regarding a construction schedule and informed that a pre-construction meeting will be required. DEP received notice on 11/12/14 that construction will begin on 11/12/14. DEP met with the applicant's representative and contractor on the site for a pre-construction meeting on 11/12/14. DEP performed site visits on 12/3/14 and 1/7/15; there were no deficiencies, there was no discharge and the site was vacant.

Town: Windham  
Basin: Schoharie  
Project Name: Jaeger, Scott, (Log #2011-SC-0697)  
Project Description: Lot #5 New SSTS, SWPPP for 8 lot subdivision; NOV for failure to obtain DEP approval prior to construction of 8 lots; DEC NOV

Project Type: Stormwater (SP)

Status:

DEP received revisions to the approved plans from the engineer on 8/9/13. DEP issued a Modified Approval Determination letter on 8/13/13 to the engineer along with the approved plans. DEP met with the owner on 10/11/13 regarding the contractor's pricing to implement the SWPPP. DEP issued a letter to the applicant on 11/21/13 regarding the need to provide a signed agreement that includes a fixed start date for the spring 2014 construction. DEP's Assistant Counsel issued a letter to the owner on 7/10/14 regarding the outstanding NOV. DEP issued a letter to the new lot owner on 3/3/15 explaining that per the terms of his deed, the responsibility for constructing and maintaining stormwater management measures have been transferred from the original applicant to him.

Project Name: 4806 Route 23 (Log#2008-SC-1111)

Town: Windham

Type of Use: Residence

Type of Violation: Failed SSTS - Surfacing - CWC

Discovery Date:

Status: New

Overview and Action:

DEP issued a NOV to the owner on 6/21/13. DEP received a phone message from owner's lawyer responding to the NOV on 7/1/13. On 7/2/13, DEP requested DEP Legal to return the owner's lawyer's call. DEP Legal spoke with owner's attorney regarding NOV and will re-contact DEP after further consultation with the owner. DEP Legal will re-contact the attorney if a response is not received within two weeks. DEP received another call from owner's lawyer on 7/9/13 and it was forwarded to DEP Legal on same day via e-mail to contact the owner's lawyer. DEP performed a site visit on 9/4/13; there was no visible failure at this time. DEP Legal issued a letter to the owner on 10/30/13, requiring sand test results within 20 days, plan submission for remediation within 45 days, and complete construction thereafter. The owner's daughter called DEP Legal on 11/6/13. She indicated that an attorney would be following up with, but repeated the same concerns that the previous engineer should be responsible for the current issues with the SSTS. DEP performed a site visit on 12/11/13; septic failure was not observed; there was no visible effluent. DEP contacted CWC on 2/21/14 and was informed that the 2010 repair was for a primary residence and a secondary residence combined into one new system. CWC was also informed that DEP is referring the project to NYC Law Department for follow up. DEP performed a site visit on 4/3/14; septic failure was not observed. No visible effluent at this time. Owner has not been able to contact the engineer. DEP performed a site visit on 7/8/14; septic failure was not observed. There was no visible effluent and the grass was very heavy and thick making it difficult to find any seepage. The owner says there is still a very strong odor at times. DEP performed a site visit on 7/16/14; septic failure was observed. There was surfacing of sewage on ground. Effluent was boiling from the ground in the approximate area of the end of the lowest lateral. DEP sent an email to the engineer on 7/17/14 requesting dates he is available to take sand sample and test at CWC office. DEP also informed him that the system is currently failing. DEP called and left a message for the owner on 7/18/14. DEP informed the owner that DEP Legal is getting involved again due to the system failure. Also stated that DEP contacted the engineer with a way to test the system sand, and encouraged the owner to contact the engineer to take action. DEP received an email from the engineer on 7/28/14, stating that sand

was contaminated by silts and fines from the pump chamber during construction and Hurricane Irene flooding. On 8/8/14, DEP sent the Eljen product representative an email requesting his expertise to assist in analysis of this failed system and possible solutions. On 9/4/14, DEP sent email to the Eljen representative, engineer, and CWC that it is scheduled to investigate the failing system on 9/11/14. DEP performed a site visit on 9/5/14; septic failure was observed. The corner of the field is still failing. On 9/17/14, DEP the Eljin rep., Engineer, owners, and CWC to discuss possible solutions and causes for the failure of the absorption area. DEP performed a site visit on 9/17/14; the lower and upper lateral trenches (near their ends) were exposed. When the system dosed, the lower lateral was witnessed to receive flow and no flow was witnessed on the upper lateral. One speed leveler in distribution box was turned up and not taking flow. This was thought to be the pipe leading to the lower lateral. Now there is confusion about where the pipes leaving the distribution box actually go. The engineer will research his notes for the piping layout from the distribution box and the Eljen representatives will report the results of the sand testing. There were lots of solids in the pump chamber. The owner has not pumped the septic tank since they were installed, but will do so after the investigation has concluded. The Eljen representative emailed DEP the test results on 10/6/14 which looked normal for BOD and TSS; however, oil and grease levels were high. These results should be considered in any remediation effort in the future. DEP received results from the sand test on 10/17/14, which passed the C33 specifications. The engineer was asked if he has figured out the manifold layout leaving the distribution box. DEP invited the engineer to schedule a site visit before the end of the first week of November. The engineer replied the same day that he would uncover the pipes and call DEP to observe at that point. DEP received an email from the engineer on 10/29/14 with pictures of header pipes that were recently, partially dug up. DEP responded with follow up questions. DEP sent the engineer an email on 11/14/14 requesting answers to two questions and for him to describe the next step in his investigation. DEP performed a site visit on 12/15/14; there was no visible discharge at this time and the area of failure is snow covered. The owner has not heard from the engineer recently. DEP emailed the engineer on 12/16/14 and updated him that recent inspection found no failure to surface. DEP received an email response from the engineer on 12/16/14. He stated that he'll also inspect in the spring 2015, but believes the owner is controlling wastewater generation and reducing oils and had the pump chamber cleaned out. DEP responded on 12/17/14 stating that flow into laterals is still suspicious and should be investigated. Elgen representative believe header pipes should be more fully investigated. DEP performed a site visit on 2/17/15. There was no visible failure and heavy snowpack over the system. DEP performed a site visit on 3/20/15. There was no visible failure.

Project Name: 165 Mill St (2012-SC-0251)  
Town: Windham  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS - NOV  
Discovery Date: 5/3/12  
Status: No Application

Overview and Action:

On 10/1/13, DEP held a meeting with the Law Department and DEP Police regarding action to be taken for continued violation of WR&R. The Law Department will proceed with seeking a preliminary injunction, but first seek relief that requires the owner to meet WR&R in a reasonable amount of time for the tenant to find a new home. DEP performed a site visit on

12/12/13; septic failure was not observed and there was no visible effluent. The holding tank has been covered with stone and a picnic table. DEP performed a site visit on 2/25/14; there was no visible failure. The tenant was home but did not come to the door. NYC Law Department issued a letter to the owner on 2/28/14 in regards to his lack of response to enforcement proceedings. DEP performed site visits on 4/30 and 9/16/14 for septic failure; none was observed. There was no visible effluent. The house is currently occupied full time. DEP performed a site visit on 12/16/14. There was no visible discharge. The house is inhabited full time and the tenant keeps rabbits, chickens and dogs. NYC Corporate Counsel issued a letter to the owner on 1/21/15 regarding the lack of response to the NOV along with the complaint. DEP performed a site visit on 2/13/15. The residence is inhabited on a full time basis and there was no visible failure or disturbance in the area around the tank. NYC Law Department sent an email to DEP stating that recent draft complaints were returned from two addresses to which they were sent. The documents were sent to a third address on 2/13/15. On 2/20/15, DEP received a copy of letter from the owner, via Law Department, in response to the Law Department's recent correspondence. The letter requested issues to be resolved amicably. DEP performed a site visit on 2/26/15. The house appears to be limited to weekend use. The rabbits, chickens and dog are no longer on-site. The area over the septic tank was recently shoveled off and there is no sign that it had been pumped. DEP performed a site visit on 3/13/15. There was no sign of the previous tenant, no sign of discharge and no visible attempts at pump outs, tank is buried. DEP had internal communications regarding the possibility that this could tie into a municipal line.

Project Name: Route 23 (2000-SC-0070)  
Town: Windham  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS #659 - CWC  
Discovery Date: 11/27/2000  
Status: No Application

Overview and Action:

DEP received a call from the owner on 4/1/13, asking for someone to come to his house and discuss the project, and to help him understand how to proceed. On 4/8/13, DEP met with the owner and gave him phone numbers for CWC and engineers. There are still issues with his bridge. DEP suggested he speak to the engineer about possibly replacing the existing design with an alternative system. DEP received a call from the owner on 4/17/13, who stated he met with the DEP inspector and is waiting for call back from CWC. DEP received a call from the owner on 4/19/13 stating that CWC said he could go forward and hire an engineer for an entire new system. DEP performed a site visit on 8/9/13; there was no visible failure at this time. DEP called the owner on 8/15/13 and 8/16/13 and could not leave message. DEP sent the engineer an e-mail on same day inquiring about the status of the project. DEP received an e-mail response from the engineer on 8/19/13, stating that he did not have any recent communications on this project, but will look further and get back to DEP again. On 8/19/13, DEP received call from the owner. He is consumed by medical issues/planning with his wife in a nursing home. Also, he does not want to have alternative technology considerations in design because he is afraid of large volumes of fill being brought over his repaired bridge. He also does not want to pay for design a second time, which CWC would not pay for, per owner. This contradicts the owner's statement on 4/19/13. DEP will contact CWC to confirm their commitment. The owner said he has not seen a failure in quite a while and agreed to DEP inspections every three months or so to

monitor the failure status. CWC confirmed that they cannot pay for a second design in an e-mail on same day. DEP shared this information with the engineer and hopes that he and the owner can work something out. DEP performed a site visit on 2/10/14; septic failure was not observed; there was no visible failure at this time. The septic area is snow covered. DEP performed a site visit on 10/3/14. There were no visible signs of discharge and the owner is repairing the bridge. DEP received a call from the owner on 1/16/15, stating he is ready to move forward with the project. He stated new beams are on the bridge. He inquired if he could have a repair SSTS that didn't impact so much property. DEP suggested that he call his engineer for recertification and/or discuss the possible different technology and plan new submittal. DEP also suggested that he contact CWC to review how their program works. DEP received an unsigned letter from the owner on 1/20/15, waiving the contractor, engineer, and CWC from any liability while using the bridge to access the property. The bridge's integrity is questionable. DEP performed a site visit on 1/30/15; there was no visible failure. The bridge has been repaired but is very narrow and is just large enough for fuel deliveries. DEP sent an email to the engineer on 3/6/15 and asked if the owner has been in touch with them to move forward with the project. The Engineer responded the same day and has not been recently contacted by the owner. DEP performed a site visit on 3/27/15; there was no visible discharge.

Project Name: Ideal Park Rd (2014-AS-0292)  
Town: Woodstock  
Type of Use: Other (OT)  
Type of Violation: RE.1 - SSTS Repair (holding tank for shower/sink - garden use) OT.1 - Complaint of discharge from unapproved system - DEP NOV  
Discovery Date: 6/30/14  
Status: Closed

Overview and Action:

DEP performed a site visit on 6/6/14. While on site, DEP verified that there is a compost toilet less than 50' from a watercourse. Also, there is another building with a sink and a shower that is being used. The treatment installed for this gray water does not have DEP approval and does not meet code. The owners stated that they were given the ok by the town building inspector. DEP initiated an Enforcement Action on 6/30/14. DEP issued a NOV to the owner on 6/30/14. DEP received a phone call on 7/7/14 from owner's partner in response to the NOV. DEP received a message from owner on 7/11/14 to discuss results of recent visit by DEP staff and what they still need to do to be compliant, and to discuss future plans. A citizen with concerns about this property called DEP on 7/16/14 and left a message. DEP returned the concerned citizen's call and left a message to call back on 7/17/14. DEP received call back from concerned citizen/neighbor on 7/18/14, who wanted details on status of DEP's enforcement because he has not seen much action on the property. DEP explained the issues have not been fully resolved, but are still being worked on, but that further details are not shared with people other than the property owner. He mentioned a 1/2 inch pipe discharging a liquid into a brook between this property and his, covered with ferns and hard to find. Owner's partner called DEP and left message that they have hired an engineer. DEP called owner's partner on 7/30/14 and could not leave a message, and then called owner and left message to call back with project status and progress/planning decisions. DEP received notice on 9/23/14 that construction will begin on 9/23/14. DEP issued a letter to the owner on 11/12/14, stating that DEP has conducted several inspections during the construction of the holding tank and has received the engineer's certification letter. Also attached

are DEP's As-Built. The violation was resolved and the case was closed on 11/12/14 with DEP Closure letter dated 11/12/14. DEP has resolved the Enforcement Action on 11/12/14.

Town: Woodstock  
Basin: Ashokan  
Project Name: Greek Orthodox Monastery, (Log #2006-AS-0524)  
Project Description: Pre-application request for soils  
Project Type: Intermediate SSTS (IS)  
Status: New

On 10/3/13, DEP witnessed soils testing for an SSTS for up to 31 new bedrooms, and for the 1 bedroom house with a non-functioning SSTS and for the five bedroom house that is in violation. On 10/9/13, DEP met the UCHD and the engineer for additional 24 inch percolation tests in the native material; the results were acceptable. On 10/15/13, DEP performed a watercourse determination for the site; the channel closest to the southeaster side of the field is abandoned. On 10/22/13, DEP issued a reminder letter to the applicant due to the lack of activity. DEP sent an e-mail to the site manager on 12/2/13, requesting the water log for the five bedroom house. DEP received the meter readings for August and September 2013 on 12/13/13. DEP called the engineer on 1/14/14 regarding the need to submit a plan for the site. The engineer said the topo has been completed by the surveyor and he will work on the site plan. DEP called the engineer on 1/24/14 and left a message regarding the need to get plans submitted to DEP for the project. DEP received the meter readings for December 2013 through February 2014 on 2/26/14. DEP sent an e-mail to the facility manager on 2/26/14 requesting clarification about the number of occupants and the buildings that are being metered. DEP issued a NOV to the owner on 2/27/14. DEP received revised water meter readings for December 2013 through February 2014 on 2/28/14. DEP received a call on 3/25/14 from the engineer, who said he is still waiting for information from the surveyor. DEP received an e-mail reply from the manager on 4/10/14 regarding the plans and the pump, which he said was used for water. DEP received a reply e-mail from the manager on 4/10/14. He used the portable pump for water and will ask the engineer to speed up the design process. DEP sent an e-mail to the manager on 4/10/14 regarding the need to comply with the terms of the NOV. On 5/28/14, DEP issued a reminder letter to the applicant/owner due to the lack of activity regarding the NOV. DEP received a phone call on 5/29/14 from the engineer. He has asked the surveyor for information several times but has not received it and cannot complete the site plan without it. DEP called the engineer on 6/23/14 to check the status. The engineer has survey work and is working on the design. DEP received the water log consumption on 6/24/14. On 8/29/14, DEP met with the design engineer for soils testing for the failed cabin and the five bedroom apartment. Only one deep hole had been dug by the owners and it was very narrow and difficult to see. On 9/12/14, DEP met with the engineer to observe soils testing for a combined upgrade/replacement SSTS for the failure of the single bedroom cabin SSTS and the former garage now five bedroom apartment SSTS. A raised system is required. DEP issued a comment letter to the owner on 2/13/15 regarding the NOV. DEP received a return call from the engineer on 2/17/15 regarding the reminder letter issued by DEP on 2/13/15. The engineer said he has other pressing obligations and will try to submit an SSTS design by the deadline of 3/15/15. DEP reminded him that soils were done in August and September 2015 and that the design was due months ago. DEP received an e-mail from the facility manager on 2/17/15 in reply to the letter DEP issued on 2/13/15. DEP received a phone call from the engineer on 3/11/15 regarding the SSTS plans. The entire build out will need to be



shown on the plans, so the engineer needs more time to design. DEP received a phone call from the engineer on 3/18/15 regarding the plans. When the owners saw how extensive the SSTS for the full build out would be, they decided to downsize the project. The engineer needs more time to revise the plans and is concerned about the deadline DEP imposed on the owners. DEP received preliminary plans from the engineer on 3/26/15 for the new SSTS and the repair SSTS, both shown on a single set of plans. A meeting was held with the project applicant's engineer on 3/26/15, and preliminary plans were discussed.

### **3.2.2. Delaware District**

Project Name: 1221 Federal Hill Rd. (2008-CN-1423)  
Town: Delhi  
Type of Use: SSTS Repair (RE)  
Type of Violation: Stormwater and Septic Complaint; Failing SSTS - CWC - surfacing. DEP NOV  
Discovery Date: 7/26/10  
Status: Active

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

DEP issued a NOV to the owner on 7/31/13. DEP received a response from the owner on 8/5/13, after receiving the NOV. The owner stated that he has been trying to get an engineer onsite to do soils testing since the spring. He said that CWC was going to call the engineer. DEP stated that the owner needs to pump out the septic tank to avoid surface failure from continuing. DEP called the engineer on 8/7/13 and left message requesting call back and for date when soil testing will be scheduled for a different SSTS location than originally approved. The engineer called back and said he will send out request for soils testing date to Downsview office. DEP received a request for a pre-application meeting from the engineer 8/29/13. A soil/site evaluation was performed on 9/4/13. DEP staff communicated internally on 10/15/13 regarding farm agricultural assessment requirements. It appears that the minimum area required is 7 acres. The owner has 10 acres in DEP's small farm program. So perhaps some pasture area could be explored for possible SSTS replacement location without losing farm tax status. DEP received a letter from the engineer on 10/17/13 with revised plans using a Puraflo Biofilter treatment system. DEP issued a letter to the engineer on 11/4/13 requesting additional information. DEP received revised plans from the engineer on 1/22/14. DEP issued a letter to the engineer on 1/22/14 requesting design revisions. DEP called the engineer on 6/16/14 and left message requesting a call back with date when revised plans will be submitted. DEP received a phone message on 6/18/14 from the owner requesting the status of the project. DEP returned the owner's call on 6/19/14. The owner stated his septic is failing to a roadside ditch and that he has not heard from the engineer. DEP called the engineer on 7/8/14 and left a message requesting plans to be submitted. DEP received revised design from the engineer on 7/11/14. DEP issued a letter to the engineer on 7/16/14 requesting design revisions. DEP received a letter and revised plans from the engineer on 7/24/14. DEP issued a letter to the engineer on 7/29/14 requesting design revisions. DEP performed a site visit on 9/2/14; septic failure was observed. There was surfacing of sewage on ground. DEP called the engineer on 9/12/14 and left a message stating revised plans need to be submitted in the hopes of getting approval and construction finished this year. DEP received a call back from the engineer on 9/16/14, who stated he did not receive DEP's comment letter of 7/29/14. DEP emailed this letter to engineer and he confirmed its receipt. DEP received a letter and revised plans from the

engineer on 9/29/14 to DEP's letter of 7/29/14. DEP issued an amended approval letter on 10/2/14, per the applicant's request. DEP left a message for the owner on 10/17/14 requesting the status of the bid submittal by the contractor to CWC. DEP received a message from the owner on 10/21/14, stating that he was out of town and has to talk to his engineer and pick a contractor. DEP returned the owner's call on 10/22/14. The owner was told to contact CWC to review bidding process and keep DEP informed with any developments. DEP called the owner on 11/13/14, who stated he has only one contractor who can do work this year and contractor's terms require additional funds beyond CWC's. DEP stated that failure will have to be managed (pumped out tank) over the winter and until system is built. DEP performed a site visit on 1/16/15 and 1/28/15/15; septic failure was not observed. DEP called the owner on 2/5/15 regarding submission of bids to the CWC. The owner has two contractors who currently have plans, but are waiting for some snow melt before submitting a bid to CWC to ensure accuracy.

Project Name: 1245 Main St (2014-PE-0670)  
Town: 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: New

Overview and Action:

DEP initiated an Enforcement Action on 12/2/14. DEP issued a NOV to the owner on 12/2/14. A meeting was held at the site with the project applicant on 12/8/14. DEP received a call from the engineer on 12/9/14 regarding the stormwater plan requirements. DEP received a call from the new engineer on 12/10/14 regarding the site and the SWPPP submission. DEP re-issued an NOV to the owner on 12/16/14 and 1/5/15 to the forwarding address provided by the Post Office on 12/26/14. DEP exchanged emails with the new engineer on 2/3/15 regarding the completion of the SWPPP. DEP received an Application for a SWPPP on 3/20/15 from the engineer with plans.

Project Name: 929 Mearthur Hill Rd (2013-CN-0655)  
Town: Kortright  
Type of Use: SSTS Repair (RE)  
Type of Violation: Two residence and old barn with plumbing; failing SSTS, direct discharges – CWC – DEP NOV  
Discovery Date: 11/21/2013  
Status: Approved

Overview and Action:

DEP issued a NOV to the owner on 2/21/14. DEP performed a site visit on 2/26/14; septic failure was observed. DEP received a phone call from the owner responding to the NOV on 3/4/14. She stated they signed up the farm house with the CWC program and she is waiting for them to call her back and let her know how she can proceed with first pump out. DEP stated that inspections will be done every other week and that they need to pump out to prevent a discharge. DEP also stated that they should submit all pump out receipts to DEP. DEP reminded the owner that a dye test for the trailer on the property will be scheduled in near future. The owner does not want to kick the tenant out because he has all his wood for the winter already. This project is funded

under CWC septic repair program. On 3/4/14 DEP received CWC's notice of failure. DEP performed a site visit on 3/6/14; septic failure was observed; visibly entering watercourse/wetland. DEP received a call from the contractor on 3/7/14, who is managing the first pump out to avoid further discharge. It will not get pumped until next week, as it is deep and machine won't be able to get there until next week. There is some concern about a snow storm which could possibly delay the pump out. The contractor stated he will invite DEP and CWC to the pump out of the tank, once scheduled with hauler. DEP received a call on 3/11/14 from the contractor regarding the pump out of the septic system. The contractor has tentatively scheduled it for 3/17/14. The time will be determined by whether DEP can be onsite or not. On 3/17/14, DEP was on site to witness the tank pump out. DEP called and left a message on 4/1/14 for the property owners to set up a dye test for the trailer. DEP called and left a message for the CEO on 4/8/14 regarding the parcel. DEP received a call on 4/9/14 from the CEO regarding information on the trailer; the town records include a survey map. DEP called the town hall and revealed that the date on the survey map on file was 7/3/2007. DEP received a request for a pre-application meeting from the engineer/applicant on 4/10/14. A soil/site evaluation was performed on 4/18/14. DEP received an Application for a conventional individual SSTS on 6/10/14. DEP issued a NOCA on 6/18/14. DEP issued an Approval Determination letter on 6/18/14. DEP called the contractor and left message on 7/9/14 to call back with the status of CWC approving the construction bid. DEP performed a site visit on 7/11/14; septic failure was not observed. The area of failure is overgrown with burdock, nettles and various weeds about three and half feet high. Failure was not seen or smelled. According the owner, the contractor has submitted his bid for the construction. DEP sent CWC an email on 7/15/14 requesting bid approval status. CWC responded that a bid has not been received. DEP called the contractor on 7/16/14 stating that CWC does not have copy of bid for this project. DEP stated this project must move forward quickly or the owner may be subject to more enforcement actions. DEP received a call on 7/16/14 from the contractor stating that his bid and two others will be submitted and will be on CWC Septic Committee Meeting in August 2014 because it is over \$30,000. DEP performed a site visit on 9/16/14; septic failure was not observed. DEP performed a site visit on 1/15/15; the site was snow covered and failure was not observed. DEP called the property owner on 1/23/15 regarding pumping her tank out to abate the failure. The owner stated that they had pumped out the tank three days ago. The owner still plans on constructing the system in the spring 2015. DEP received a faxed copy of the pump out receipt from the applicant on 1/30/15; the receipt is dated 1/14/15. DEP performed a site visit on 3/23/15 to check to see if it is inhabited and it was.

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

DEP called the highway superintendent on 1/14/14 regarding the cesspool needing to be filled in. The new superintendent has the okay to fill it in and is also in discussions with the town board to install a holding tank. DEP called the highway superintendent on 1/14/14 and asked him to also consider a full SSTS when he contacts an engineer. DEP received a phone message on 1/20/14 from the highway superintendent, saying that the cesspool has been filled in and that pictures were taken. He also said he contacted an engineer, who performed a site visit and will submit

some ideas for an on-site SSTS. DEP called the engineer on 1/29/14 regarding the site. He looked at an 8 foot deep test pit, no water table was observed. He will schedule a site evaluation with DEP in the spring 2014. On 4/29/14, DEP met on site with the engineer, Highway Superintendent and the Town Supervisor for soils testing for a replacement SSTS. The abandoned cesspool was inspected; it has been filled in with sandy soil. DEP has resolved the Enforcement Action on 4/29/14, per the site visit on 4/29/14. DEP received a phone call from the highway superintendent on 2/17/15. As an easement with the neighboring property owner will be required to install a full SSTS, the town has decided to install a holding tank, which will fit on the property owned by the town. He was advised that DEP will review the design and inspect the construction. DEP received a phone call from the engineer on 2/18/15 regarding the town's decision to install the holding tank. The engineer will submit a design and encourage the town to pursue the easement so an absorption field may be added at a later time.

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

DEP called the applicant on 11/10/11 regarding a site meeting with the engineer; the applicant indicated he would contact his engineer for the meeting. An impromptu meeting was held with the project applicant on 10/11/13. The driveway has been recently improved. DEP instructed the applicant to contact an engineer and that another site meeting is necessary before the winter. The applicant indicated he would try to set up a meeting to be held. DEP instructed to applicant that a SWPPP must be designed for the site this winter and implemented in spring 2014. DEP received call on 6/3/14 from the engineer regarding the SWPPP. The engineer is sending the owner a proposal and will let DEP know what happens. A meeting was held with the project engineer on 7/18/14 regarding the conceptual SWPPP. DEP received a call from the engineer on 9/4/14 stating that he has received a partially signed contract from the owner. DEP called the applicant on 9/18/14 regarding the stormwater plan. There was no answer so a message was left. DEP exchanged e-mails with the engineer on 11/5/14 and on 11/19/14 regarding the SWPPP modifications. DEP received an Application for a SWPPP on 12/1/14 from the engineer with modified plans. DEP issued a NOICA to the engineer on 12/12/14 requesting additional information. DEP called the engineer on 12/16/14 to discuss revisions to the SWPPP. DEP exchanged an email with the engineer on 2/3/15 regarding the SWPPP revisions. DEP received a response to the NOICA from the engineer on 2/19/15. DEP issued a NOCA on 2/26/15. DEP issued comments on 3/12/15 to the engineer. DEP received a letter and revised plans from the engineer on 3/26/15 in response to DEP's letter of 3/12/15.

Town: Meredith  
Basin: Cannonsville  
Project Name: Marino, Susan (Angels Gate Inc), (Log #2012-CN-0284)  
Project Description: Failing SSTS  
Project Type: Intermediate Repair (CR)  
Status: Closed

DEP called the owner on 1/21/14 regarding the property status. DEP requested a return phone

call with any progress toward removing Angel's Gate from the deed, closing the open building permits for Angel's Gate, etc. DEP sent an e-mail to the owner on 1/24/14, requesting an update on the property and house status. DEP issued a comment letter to the owner on 2/6/14 regarding the NOV. DEP issued a comment letter to the Town of Meredith CEO on 2/10/14 regarding the NOV. DEP sent an e-mail to the property owner on 4/10/14 requesting a status update. DEP received an e-mail reply from the owner on 4/12/14 regarding the planned renovation, which has not yet begun. DEP received a phone call on 4/16/14 from the owner to set up a site visit. DEP sent an e-mail to the property owner on 5/27/14 requesting an update on the property and a site visit. DEP sent an e-mail to the owner on 6/20/14, requesting a site visit. DEP sent an e-mail to the property owner on 7/9/14, again requesting a site visit and a status update. DEP performed an inspection of the SSTS on 7/24/14; no problems were noted, the field was dry. The basement has been gutted and new sheet rock is on the walls. DEP called the owner on 9/22/14. There has been no more progress on the house. The bottom floor is two bedrooms; the top floor is in the process of being converted to one bedroom. DEP called the owner on 10/29/14 regarding the ongoing work on the house to convert it to three bedrooms. A wall upstairs has been removed to make one large bedroom from two, but the work will not be finished for another month. DEP e-mailed the owner on 1/12/15 requesting a date for a site visit and an update on any progress with house remodeling. On 1/23/15, DEP performed an inspection of the SSTS and the house, which is currently being renovated to three bedrooms. The violation was resolved and the case was closed on 1/29/15 with DEP Closure letter dated 1/29/15. DEP has resolved the Enforcement Action on 1/29/15.

Project Name: 117 Townsend Hollow Rd (2014-PE-0472)  
 Town: Middletown  
 Type of Use: SSTS Repair (RE)  
 Type of Violation: Failing SSTS - CWC - seepage pit under the hardship program. DEP NOF  
 Discovery Date: 8/19/14  
 Status: Approved

Overview and Action:

This project is funded under CWC septic repair program. On 8/19/14 DEP received CWC's notice of failure. DEP initiated an Enforcement Action on 8/19/14. DEP observed and prepared a violation report on 8/19/14 DEP issued a letter to the owner on 8/20/14 providing guidance for remediation. DEP issued NOF on 9/3/14. DEP received a request for a pre-application meeting from the engineer/applicant on 9/17/14. A soil/site evaluation was performed on 9/26/14. DEP received an Application for a conventional individual SSTS on 10/20/14. DEP issued a NOCA on 10/21/14. DEP issued a comment letter on 10/21/14 to the engineer. DEP received a letter and revised plans from the engineer on 10/31/14 in response to DEP's letter of 10/21/14. DEP issued an Approval Determination letter on 11/7/14. DEP received notice on 12/1/14 that construction will begin on 12/1/14. DEP received a letter from the engineer on 12/16/14 requesting Partial Construction Approval. DEP issued a letter of Partial Construction Approval to CWC on 12/17/14.

Project Name: 79 Rennison Road (1998-RO-0131)  
 Town: Neversink  
 Type of Use: SSTS Repair (RE)  
 Type of Violation: Replacement SSTS for 3 bedroom-RE.1 is a CWC project. RE.2 is a

NON-CWC project. DEP NOF

Discovery Date: 7/12/2013

Status: Complete

Overview and Action:

DEP issued NOF on 7/16/13. DEP called the property owner on 7/19/13 advising him that DEP had received his previous message that the CWC would not be able to assist him and to also let him know that he would be receiving an NOF in the mail regarding his failure. The property owner inquired about the peat pods. DEP explained that he may want to acquire the services of an engineer to see if they can rehabilitate the system and that the engineer should be able to assist him with choosing a method for disposal of his wastewater. DEP received call on 7/22/13 from owner, responding to NOF, stating he is trying to get engineer started as soon as possible. A soil/site evaluation was performed on 8/15/13. DEP issued a letter to the owner on 11/15/13 stating that plans have not yet been received. DEP called the property owner on 4/8/14 regarding the status of the plans. The property owner has not heard from the engineer since the day of the soils testing. DEP issued a letter to the owner on 4/14/14 stating that plans have not yet been received. DEP received an Application for a conventional individual SSTS on 4/21/14. DEP issued a NOCA on 4/23/14. DEP issued a comment letter on 4/23/14 to engineer. DEP called the engineer and left a message on 11/14/14 requesting items in comment letter to be addressed prior to DEP approval of plans. The engineer called back the same day and left a message stating that the owner needs to pay him for services provided before he will address outstanding issues. DEP issued a letter to the owner on 11/25/14 stating that plans have not yet been received.

Town: Roxbury

Basin: Pepacton

Project Name: Mcardle, Andrew & Kimberly, (Log #2012-PE-0491)

Project Description: The owner has converted the upper floor of a dairy barn to an event space for weddings and has installed a bar with a sink that discharges to the ground

Project Type: Intermediate Repair (CR)

Status: Under Construction

DEP issued an Approval Determination letter on 7/9/13. DEP received an e-mail from the owner on 9/10/13 regarding the pump-out receipts that he now needs to get from the hauler. DEP sent an e-mail to the owner on 11/14/13 regarding the need for pump out receipts. The owner responded and will get something together from the hauler. DEP sent an e-mail to the owner on 11/25/13, requesting the pump out receipts and asking if the Barn is closed until next summer. DEP sent an e-mail to the owner on 1/21/14, requesting the pump out receipts for 2013 and an update on the plans for the SSTS in 2014. DEP sent an e-mail to the owner on 1/24/14 requesting the pump out receipts for the 2013 season holding tank. The owner replied that he will send them on 1/27/14, and that he has no plans to build the full SSTS. DEP received the pump out receipts from the owner on 1/27/14. DEP issued a letter to the owner on 3/17/14 requesting construction certification letter and an "as built" from the engineer, requesting a new application at the close of 2014 for the hold and haul operations, for pump out receipts and for a pre-season inspection. On 5/1/14, DEP met on site with the owner for a pre-season inspection. The seal between the risers and the tanks need to be replaced and DEP suggested a curtain drain above the tanks to divert the groundwater to the adjoining empty field. DEP sent an e-mail to the owner on 7/29/14 requesting an update on his plans for the SSTS and use of the barn for 2015. DEP received two

phone messages from the owner on 11/7/14. DEP issued a letter to the applicant on 11/20/14 regarding the use of the holding tanks and stating that the SSTS approval expires in July 2015. DEP sent an e-mail to the owner on 2/11/15 requesting an update on plans for the site and for the SSTS. DEP also requested an onsite meeting in the near future. DEP received a return call from the owner on 2/11/15 regarding the site. He will submit a proposal for the ongoing use of the holding tanks. DEP advised that the use must remain seasonal and that after a site inspection is satisfactorily concluded, the NOV will be closed for both the barn discharge and the house rental.

Town: Roxbury  
Basin: Pepacton  
Project Name: Roxbury Barn, (Log #2012-PE-0464)  
Project Description: The site is a mixed residential/commercial site and is owner occupied.  
DEP NOV  
Project Type: Intermediate SSTS (IS)/Stormwater (SP)  
Status: No Application

EP received an e-mail from the assessor's clerk with the historical and updated property card on 8/1/12. On 8/3/12, DEP performed a watercourse determination. A watercourse exists on both sides of the lawn area below the barn. DEP received a call on 8/8/12 from the engineer that was hired by the owner. DEP issued a letter to the owner on 8/13/12 regarding the holding tanks and stating that there is no violation. DEP sent a copy of the status update letter DEP issued to the owner on 8/15/12. DEP returned a call from the engineer on 10/15/14 regarding setback requirements to watercourses. The engineer is developing a SWPPP to address the current NOV and would like to include a proposed gazebo as part of the SWPPP since the location of the gazebo will be within 100 feet of the watercourse. A meeting was held with the project applicant, engineer, and CWC on 11/14/14 to discuss the preliminary stormwater control design.

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

Overview and Action:

DEP issued a NOV to the owner on 12/12/13. On 12/27/13, DEP performed a routine inspection of the barn holding tank. The breaker was off, and the alarm sounded when momentarily turned on. The water in the girls bathroom sink came on when the faucet was opened. DEP's Assistant Counsel issued a letter to the owners on 1/10/14 regarding the outstanding NOV. On 1/22/14, DEP performed a site inspection. The Barn bathrooms were still in use. The breaker for the alarm was off, and the alarm sounded when the breaker was momentarily switched on. On 3/7/14, DEP performed a routine site visit. The water in the boy's room ran when the faucet was turned on. DEP took the readings from the pump station. There was very little activity. On 5/1/14, DEP performed a routine enforcement inspection. The breaker for the alarm for the Barn holding tank was in the off position. When the breaker was switched on, the alarm sounded. A truck was parked over the cover of the tank. On 7/1/14, DEP performed an inspection of the site. No

changes in operation were noted since the last visit. On 8/28/14, DEP performed a routine inspection of the SSTS. The breaker for the Barn holding tank alarm was off and the manager agreed to leave it on. The tank was recently pumped and the wastewater was not at alarm float level. Pump panel information was recorded and the pump chamber was inspected, it appears there is a problem with the on float. DEP sent an e-mail to the owner on 9/3/14 regarding the problems with the pumps and the Barn tank alarm during DEP's 8/28/14 inspection and requested the problems be repaired and DEP notified of the work. On 9/10/14, DEP called the owner about the problems with the pump that was noted at the 8/28/14 inspection. The owner said the float and wiring has been repaired and that the barn tank alarm breaker is now on, because the alarm float had been moved up to 2/3 the liquid level. DEP received an e-mail from the owner on 10/3/14 regarding the court papers he received from the New York City Law Dept. for the pump repair and the barn holding tank. DEP received the Notice of Motion, Memo of Law, Signed Affidavit, Summons and Complaint and the Map from NYC Law on 10/6/14. DEP sent an e-mail to the owner on 10/6/14 requesting an inspection with the manager. On 10/9/14, DEP met with the manager for a pre-scheduled inspection. The floats and pump chamber were inspected; it appears the pumps or floats still do not function as designed, and no differently than at the prior inspection. DEP sent an e-mail to the owner on 10/17/14 asking to have the manager call DEP concerning the pump panel and pump chamber, which he was going to do check in on. DEP sent an e-mail to the owner on 10/23/14 requesting a status update on the pump panel and an inspection date. DEP received an email from the NYC Law office on 10/29/14 stating that the affidavits of service were served. On 10/31/14, DEP met with the site manager, the electrician and the plumber; discussing ways to shut off the water supply to the Barn to gain compliance with the SSTS approval, raising the alarm float level in the Barn tank, and the function of the pump chamber and pump panel. DEP received an e-mail from the NYC Law office on 11/5/14 with an update on the litigation. DEP received an e-mail from the NYC Law office on 11/17/14 regarding their correspondence with the owner. DEP sent an e-mail to the owner on 11/18/14 regarding the items that need to be addressed for the issues of non-compliance. DEP called the facility manager on 11/20/14 and left a voice mail regarding the email sent to the owner on 11/18/14 that outlines the work that needs to be done to bring the holding tank and the SSTS into compliance with the DEP approval. On 12/4/14, DEP met with the site manager and the electrician for a pre-scheduled inspection to determine if the operation of the Barn tank was in compliance with the SSTS approval. The alarm float has been lowered to the 1000 gallon level, and the water supply to the barn bathrooms has been cut. The apartment still has cold water. On 12/17/14, DEP met the facility manager on site and observed that another water supply pipe had been cut, disconnecting the cold water supply to the Barn apartment. DEP received word from the NYC Law Dept. that the owner has agreed to sign the stipulation. On 1/21/15, DEP received from NYC Law the signed settlement agreement resolving the litigation. DEP sent an e-mail to the owner on 3/4/15 regarding the need to have the holding tank pumped to be in compliance with the SSTS Approval and the Stipulation. DEP called the manager on 3/4/15 regarding the need for an inspection. He said there are problems with opening the tank cover (frozen) as well as the water supply to the barn being frozen. DEP advised him to pump the holding tank and that we would try for an inspection in the next two weeks. On 3/18/15, DEP performed a scheduled inspection of the site. The cover for the holding tank is frozen in place. The alarm breaker is now off, and has been for several weeks. The tank level is above 1000 gallons, as it was during the last inspection, and needs to be pumped. DEP advised the manager of the two ongoing violations. The information on the pump chamber panel was recorded. DEP sent an e-mail to the



owner on 3/23/15 regarding problems witnessed during DEP's 3/18/15 site visit, such as the tank needs to be pumped and the absorption field is being overloaded. DEP asked for pump out receipts and for the owner to contact an engineer to address the field.

Town: Stamford  
Basin: Cannonsville  
Project Name: Lawrence, Peter D Lawrence, Cons, (Log #2013-CN-0565)  
Project Description: Alleged Illegal SSTS installation – DEP NOV  
Project Type: Other (OT)  
Status: Active

DEP called the town CEO on 10/10/13, who stated that there were no records for any septic in the file. The owner's ex-wife stated that the owner installed a 55-gallon drum as the SSTS back in 2008 timeframe. Neither DEP nor CEO has any proof of guilt or innocence. The owner was called and willing to allow DEP to conduct a dye test. On 10/16/13, DEP dye tested the system. Dye was introduced to the toilet. Estimated over 200 gallons of water was sent to the system. No dye recovered 1 hour after introduction. DEP will conduct follow-up inspections and issue owner a letter with results. The cabin was under construction and the CEO stated that it is still a 1 bedroom structure. Therefore, NCRA status is not lost. On 10/17/13, DEP performed a site visit; no dye was recovered at this time. DEP closed this project due to no dye recovered. DEP issued a letter to the homeowner on 10/22/13 regarding the dye testing that was done on 10/16/13 and stated that no dye was recovered. DEP also stated that the existing SSTS is only valid for a 1-bedroom design flow. DEP received a call from a realtor requesting to remain anonymous, stating that the SSTS installed was as 55 gallon drum with a discharge pipe terminating in the ground, and that it was the first SSTS installed on the property, so it did not replace anything already there. DEP was provided the former owner's name and number to verify claim that when current owner purchased property, there was no SSTS in the ground, and only an outhouse on the property. Additional information regarding date of well drilling and electric service brought to the structure was provided. The caller stated that the septic system was illegally installed around 2008. Additionally, the caller informed DEP that the dwelling is listed as 2 bedrooms, but the original bedroom was only 1. DEP initiated an Enforcement Action on 10/25/13. DEP called the former owner on 10/25/13 who stated that when they sold the property to current owner, the cabin had no well, no electric, no internal plumbing, and only a nice outhouse with a view of the mountains. She confirmed that there was no SSTS tank or component installed on the 1 bedroom property at the time of sale, which was about 8 years ago. DEP will verify through county records. The previous owner is willing to put a statement in writing to DEP. DEP held an internal meeting on 10/28/13, resulting in a decision to issue an NOV after confirming facts about the well and electric installation dates. DEP Legal participated in this discussion. DEP emailed the owner on 10/28/13 that an NOV will be forthcoming for unapproved construction of a SSTS; the town CEO was copied. DEP also called the CEO on same day and left message to call back and discuss. DEP called the water well installation company on 10/28/13, who confirmed that the well was installed on 4/7/08. DEP called the Delaware County Real Property office on 11/1/13, who verified that the current owner purchased the property on 3/29/07. DEP received a message from the owner on 11/1/13. DEP called the owner back and discussed permits for NOV issuance. The owner planned on contacting contractor friends to find possible septic engineer. The owner is aware he will need to respond to the NOV once it's received. DEP issued a NOV to the owner on 11/12/13. DEP responded to the owner's email from the previous day on 11/22/13. The owner

was informed of the NOV requirements and was asked to provide an engineer's name and soils testing date. DEP sent the owner an email on 1/15/14, requesting name of engineer he chose to work on new SSTS design and submission. DEP received a call from the owner on 1/15/14 in response to email earlier same day. The owner stated when he returns to property and meets with his engineer he will contact DEP. DEP sent owner email on 4/11/14 stating that DEP must be contacted to attend soils testing. DEP emailed the owner on 5/21/14 and requested a response, including what his plans/schedule is and if he has hired an engineer to do soils testing. On 5/23/14, the owner sent DEP an email stating that he lost ownership of the house. DEP will try to establish contact with the new owner to ensure they understand that the existing SSTS cannot be used and a SSTS needs to be designed and built receiving DEP approvals. On 6/4/14, DEP went to the town building in Stamford and verified that this site has not changed owners. DEP emailed the CEO on 6/11/14 requesting contact information of the new owner of the property. DEP received an email stating that there is no septic system for the house, only an outhouse on the property. DEP will contact the sender of the email to determine their affiliation with project. On 9/8/14, DEP left a card in the door requesting response for information on new ownership. DEP sent the CEO an email requesting new ownership information on 10/17/14. DEP received an e-mail from the Town CEO on 10/23/14 with new owner contact information. DEP issued a letter to the new owner on 11/14/14 stating that an NOV was issued on 11/12/13 regarding the existing system which is unapproved and must be pumped out and decommissioned. Furthermore, wastewater cannot be generated on the property and an SSTS design plan is required by a licensed design professional. DEP received a call from the engineer on 3/6/15 regarding the site. The engineer told DEP that the new owner wants to resolve the issues at the site and that he had not been hired by the land owner at the time of the conversation.

Town: Stamford (T)  
Basin: Cannonsville  
Project Name: The American Plum Tree, Inc. (David & Diana Dax) (Log #2008-CN-0263)  
Project Description: Failed SSTS; Proposal to complete interior and exterior improvements, build a caterer's kitchens, add one bathroom and subdivide the existing parcel for their existing reception hall business  
Project Type: Intermediate Repair (CR)  
Status: Approved

On 1/27/14, DEP performed a drive through inspection of the property; no problems were noted. DEP's Assistant Counsel issued a letter to the owner on 3/14/14 regarding the outstanding NOV, occupancy on the property, and failed SSTS. The matter will be referred to NYC Law if the owner does not respond. On 3/18/14, DEP drove through the site and looked at the area where both the residential septic tank and manhole are located. There was no sign of a surface sewage failure. There was only one animal outside. No cars were on site. On 3/26/14, DEP drove by the property; several animals were in the barnyard, including horses, sheep and goats, and it appeared there was fresh hay for them. There were no cars in the driveway. DEP called the facility on 12/16/14 and spoke to the daughter and requested a site visit. DEP called the owner on 2/10/15 to confirm that day's appointment; she would rather meet on 2/18/15 and the meeting was rescheduled for 2/18/15 which was also cancelled.

Name: Phoenix House Foundation, Inc. (Log #2004-CN-0718)  
Location: Stamford (V)  
Type of Use: Commercial  
Discovery Date: 8/9/04  
Type of Violation: SSTS Failure – DEP NOV  
Status: Under Construction

Overview and Action:

DEP issued a NOV to the owner on 7/12/13. DEP requested information on the hiring of an engineer and the frequency of pump-outs. DEP received a phone call on 7/17/13 from the facility director, acknowledging the NOV and requested a go ahead with previously discussed work on the absorption field. DEP returned the phone call to the facility manager on 7/18/13. He will contact the engineering firm and get back to DEP with a time frame for an on-site meeting. On 7/19/13, DEP performed an inspection of the large absorption field. No sewage was observed on the ground and the field was mostly dry with only a few soft spots. On 7/30/13, DEP performed an inspection of the large absorption field. The ground surface was dry and there were no signs of a recent sewage discharge. DEP received the water systems report on 8/5/13. DEP received the pump out receipts on 8/26/13 for 7/22, 8/5 and 8/21/13. On 8/28/13, DEP performed a routine inspection of the large absorption field. No sewage or sewage odors were observed and the field was dry. The past several weeks have been fairly low on rainfall. DEP received the water systems report on 9/9/13. DEP received the 9/9/13 pump out receipt on 9/16/13. On 9/25/13, DEP met with the engineer and the facility operators to discuss the SSTS history and to hear the engineer's proposal for a repair. The SSTSs were inspected; the filter chamber and the filters for the 20,000 gallon tank were full of sediment carryover from the tank. DEP received the 9/23/13 pump out receipt on 9/30/13. DEP received the pump out receipt and the water meter readings on 10/3/13. DEP responded to a phone call from the engineer via an e-mail on 10/7/13. DEP has no objection to filling in the low areas, with sandy loam, on the chronically failing absorption field. On 10/8/13, DEP performed a routine follow up inspection of the large septic system. There were no problems observed, and the field was dry. On 10/25/13, DEP performed a routine inspection of the large SSTS. No problems were observed; the absorption field was dry. On DEP performed a routine inspection of the SSTS with the facility manager. No problems were observed. DEP sent an e-mail to the facility manager on 1/17/14 requesting the water log. On 1/27/14, DEP performed an inspection of the SSTSs on the property. A recent snow lightly covered the absorption fields. No wet spots, sewage discharges, or sewage odors were noted. DEP received the three day average water reading for 1/24, 1/25 and 1/26/14 on 1/27/14. DEP received the November 2013, December 2013, and January 2014 water meter readings on 2/4/14. DEP received a phone call on 2/4/14 from the director regarding the water meter readings and pump outs for the tanks. He does not want to wait for the absorption field to fail before pumping the tanks, so it was decided to perform an inspection on 2/18/14 and to make a decision then. The engineer is not interested in working on the project unless the field fails. On 3/18/14, DEP performed a routine inspection of the large absorption field. Most of the snow cover has melted, and the ground was frozen. There was no sign of a surface sewage discharge. On 3/26/14, DEP performed a scheduled inspection of the tanks associated with the subsurface sewage treatment system with the facility director and the new maintenance supervisor. The septic tank, the first grease trap, the filter chamber and the distribution box for the single absorption field all need to be pumped. DEP received pump out receipts on 3/28/14 (dated 3/27/14 and 3/28/14). On 4/2/14, DEP received a pump out receipt dated 3/31/14 for 4,000 gallons of grease removal. DEP

received the March 2014 water meter readings on 4/4/14. On 4/22/14, DEP performed a routine inspection of the large absorption field. The field was dry and there were no sewage odors or soft spots on the field. DEP received the April 2014 water meter readings on 5/5/14. DEP sent an e-mail to the facility director requesting a site visit and SSTS inspection on 5/27/14. DEP received the June 2014 water meter readings on 7/3/14. On 7/24/14, DEP performed an inspection of the SSTSs on the site. No sewage was observed surfacing. The clean out at the distribution box was still broken and open to inflow. The maintenance staff said a wet area was recently noted on the large field and so an inspection has been scheduled with the contractor. DEP sent the manager, maintenance staff and the contractor an email on 7/29/14 requesting to be notified when the SSTS inspection will be done, as DEP needs to be present for any work due to the outstanding NOV. DEP received a phone call on 7/29/14 from the contractor, who said he had done an inspection and some maintenance work on the SSTS. He did not know that DEP needed to be contacted or present. He will send his report and has been hired to do a monthly inspection and maintenance program. D-boxes and the flout chambers were cleaned of sediment, a flout was found to be on overflow due to a rope caught and speed levelers were adjusted and installed where missing. The broken clean out near the main d-box and pump chamber was repaired. A few d-boxes were found to have inflow after the dose, so the speed was turned up for the levelers on those laterals. DEP corresponded with the manager on 8/5/14 concerning the inspections being done by the contractor. DEP received the July 2014 water meter readings on 8/12/14. DEP received an inspection report and recommendations from the contractor on 9/2/14. DEP received the August 2014 water meter readings on 9/2/14. DEP sent an e-mail on 9/10/14 to the site's director, the site's maintenance contact, the engineer, and the contractor regarding DEP's recommendations for the SSTS with regard to the open NOV. DEP confirmed an appointment with the hauler and the site manager for 9/25/14. The tanks and other SSTS components will be pumped and inspected. DEP received the September 2014 water meter readings and pumping invoice on 10/1/14. DEP received the grease trap pump out receipt on 10/2/14. DEP received the October 2014 water meter readings on 11/3/14. DEP received the November 2014 water meter readings on 12/2/14. Occupancy is now noted on the water usage log for clients only. DEP sent an e-mail to the facility maintenance supervisor on 12/1/14 asking if routine monthly inspections have been performed on the SSTS. DEP received the December 2014 water meter readings on 1/2/15. DEP received the January 2015 water meter readings on 2/3/15. DEP received the February 2015 water meter readings on 3/5/15. DEP received a report from the engineer on 3/23/15. DEP received a letter from the engineer on 3/26/15 regarding the proximity of the well and proposed curtain drain.

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

Overview and action:

DEP contacted the owner on 4/23/13. The owner is asking the engineer to get the project re-approved. The owner said he hasn't had a problem with SSTS since the original problem, when he had four kids and some friends staying in the house, and suggested it failed due to high usage. DEP informed owner that an inspection will have to be done to verify that the site was

undisturbed, prior to re-approval being issued. The owner gave permission for DEP to inspect the site if he is not home. He also mentioned that he has two boxers that are usually inside the house if he is not home; sometimes they are in his fenced in area though. The area of the previously approved proposed SSTS and area of previous failure are outside of the fenced in area, and safe from dogs, per owner. DEP contacted the owner on 8/16/13, who will reach out to the engineer again for re-certification. DEP performed a site visit on 9/13/13; septic failure was not observed. There was no one home and DEP could not see failure as the back yard is fenced in. House is now for sale. DEP called the owner on 1/14/14. He is not having an issue with his septic at this time but is going to renew a plan and move forward with the remediation in the spring 2014. He also stated that he has not had a problem in years and that is why he has not moved forward. DEP called the owner on 10/6/14 to advise them that a site visit would be conducted on 10/8/14 to check on the status of the septic system failure. DEP performed a site visit on 10/8/14 and 1/23/15; septic failure was not observed and the ground was spongy in some locations of the yard. The site is posted for sale.

Name: Johnson Hill Road (Log #2000-CN-0066) I.D. #: 1206  
Location: Walton  
Type of Use: Residence  
Discovery Date: 11/12/98  
Type of Violation: Failed septic system – DEP NOF  
Status: Approved

Overview and action:

DEP received a call on 1/21/14 from the owner. DEP called the owner on 2/28/14. He said the failure is ongoing, and gave DEP permission to inspect. He requested a 24 hour notice. The owner was given an engineering company's contact information that is assisting clients of the former retired engineer. The owner said he would call them right away, and mentioned concerns about dosing tank burial depth, no curtain drain on the design. DEP will be in touch with the owner to set up site visit in near future to document failure status and discuss any concerns the owner has. DEP performed a site visit on 3/4/14; septic failure was not observed. DEP spoke with the owner on site. He said the septic is failing but it was hard to see because of the snow. He said it was alright to revisit to verify when the snow melts. He expressed his dislike for the design that was approved and will contact the engineer and CWC to see if an alternative design is possible. He is concerned about the depth of his tank and location of proposed leach field. DEP called and left a message for the owner on 10/6/14 letting him know that DEP would be conducting a site visit on 10/8/14 to check on the status of the septic system failure. DEP received a call from the owner on 10/7/14 to cancel the site visit for 10/8/14. The owner asked for other arrangements to be made since she will not be there on 10/8/14. DEP called the owner on 10/7/14 to reschedule the site visit. The owner is not aware about this project since her husband was working with it the project. She knows that this has been going on for years and would like to be there during the site visit. DEP called the owner on 10/15/14 to advise her approximately when DEP would be onsite for the site visit scheduled for 10/16/14. DEP performed a site visit on 10/16/14; septic failure was observed. The area of the septic failure is overgrown and saturated. The proposed location for the replacement system is also saturated and has standing water and is less than thirty feet from the outfall of the spring (which is used as the residence's water source). DEP called CWC on 10/21/14 to discuss the status of the project. CWC informed DEP that they have paid for two designs on this site already and will not pay for

another. There is a flout design and a pump design, both of which have expired. CWC stated that extensive soil testing was done on the entire site and there was no good soil to speak of present. DEP will review the file for the pump design and discuss the strategy internally. DEP called the owner on 2/5/15 regarding the septic system replacement plans. DEP provided the owner with the design professional's name and number to have the plans reapproved. DEP performed a site visit on 2/13/15; septic failure was not observed. DEP was unable to see any septic failure because of snow cover. DEP called the owner on 3/13/15 to see if she had called the design professional. She claims that she doesn't have the money to pay them and that DEP needs to call them since DEP is paying for this system. DEP explained that we do not pay for the system; that we oversee the construction and process to ensure that the regulations are followed. DEP encouraged the owner to contact the design professional to see if they would provide a letter to get the previous plans reapproved for construction. DEP called and left a message on 3/19/15 asking the owner to call back. DEP wanted to know if she was able to contact the engineer and if he was going to send out a re-approval.

Project Name: 15 Sholam Road (2001-RO-0730)  
Town: Wawarsing  
Type of Use: SSTS Repair (RE)  
Type of Violation: Failed SSTS #1570 - CWC-surfacing – DEP NOV  
Discovery Date: 11/30/2001  
Status: New

Overview and Action:

DEP called the property owner on 4/8/14 regarding his plans. Pursuant to the last conversation between the property owner and DEP, DEP checked the files and discovered that DEP does not have a set of plans which show the septic system designed for a three bedroom located outside the reservoir stem boundary. The only plans that DEP has in his file show the old design and a new design at the four bedroom count with the field at the top of the hill in the woods. The property owner wishes to drop a bedroom and complete the system for the main residence. DEP also explained that the prior plan approval had expired, so he would have to submit new stamped plans if he wanted to drop a bedroom. The owner said that he would start getting everything together for a new approval. DEP explained that if the owner were to complete the construction of the secondary residence, he would need to submit plans and an application for a modification of a septic system. The owner does not see the construction of the secondary residence continuing anywhere in the foreseeable future. DEP also explained that we would be conducting a site visit to check on the failure. The property owner stated that no one would be home to show where the failure is. DEP has a sketch provided in the CWC report; if we cannot find it then we will reschedule the site visit for a time when the owner is home. DEP performed a site visit on 4/10/14; septic failure was observed. Gray water was staining the area of the pipe releasing groundwater in ditch. The owner admits that this is the location where the dye had surfaced when it was dye tested years ago. There is no odor along the ditch line. DEP called the owner and left a message on 7/8/14 that DEP will inspect the property for septic failure status the following day. DEP performed a site visit on 7/10/14; septic failure was observed. Gray water was discharging from the orangeburg pipe. DEP received a call on 7/22/14 from the property owner regarding the modification of his plans. He has spoken with the engineer, who said that he will do it, but it will take a couple of weeks. DEP performed a watercourse determination on 8/14/14. The channel originating from the perforated pipe and orangeburg pipe discharged in the immediate vicinity of

the SSTS was evaluated. There was no flow exiting the pipes on the day of inspection, however, it was evident from the odor and ponding in the channel that gray water does discharge from the pipe(s) at some time. An evaluation of the channel revealed that it was not a visible path tributary to the water supply and therefore not a watercourse/reservoir stem. DEP issued a NOV to the owner on 8/22/14. DEP left a message for the owner to call back on 9/12/14 since they have not yet responded to the 8/22/14 NOV. DEP performed a site visit on 9/18/14; septic failure was not observed. The ditch where the effluent flows out is completely dry at this time. DEP called and left a message for the engineer on 9/19/14. DEP Legal issued a letter to the owner on 11/19/14 regarding failure to resolve the NOV issued on 8/22/14. In order to avoid referral to NYC Law and possible litigation, the owner must comply with the terms of this letter, including contacting the Watershed Treatment Programs Supervisor within five business days of the letter date. DEP called and left a message for the owner on 12/17/14 regarding the site visit that the DEP will be conducting on 12/18/14. DEP performed a site visit on 12/18/14; septic failure was observed. The ditch was wet (not running with water/effluent) and had grey matter matting the leaves together. The owners did not answer the door when DEP knocked. DEP called and left a message for the owner on 3/25/15 to let them know that a site visit would be conducted on 3/26/15. DEP performed a site visit on 3/26/15; septic failure was observed. There was grey matter and an odor noted at time of the site visit.

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

Overview and action:

DEP called the applicant on 1/13/14 regarding his project. The applicant has gotten the property to the point that the contractor can start. However, he was attempting to speak with CWC to see if he could construct just the SSTS part of the system. The second house on his lot has not been constructed completely and he does not have the money to complete that portion of the project. (No one has lived in the second residence due to the incomplete construction.) He was trying to get CWC to correct the bedroom counts (the failure residence has 3 bedrooms and the new residence has 2 bedrooms) so that he could start construction on the replacement SSTS. DEP issued a Design Approval Expiration letter on 3/12/14. DEP left a message for the owner to call back on 9/12/14 since they have not yet responded to the 8/22/14 NOV. The owner called back and left DEP a message on the same day. DEP performed a site visit on 9/18/14; septic failure was not observed. The ditch where the effluent flows out is completely dry at this time. DEP Legal issued a letter to the owner on 11/19/2014 regarding failure to resolve the NOV issued on 8/22/14. In order to avoid referral to NYC Law and possible litigation, the owner must comply with the terms of this letter, including contacting the Watershed Treatment Programs Supervisor within five business days of the letter date. DEP called and left a message for the owner on 12/17/14 regarding the site visit that DEP will be conducting the next day to check on the status of the failure. DEP performed a site visit on 12/18/14; septic failure was observed. The ditch was wet (not running with water/effluent) and had grey matter matting the leaves together. The owners did not answer the door when DEP knocked. DEP performed a site visit on 3/26/15; septic failure was observed. Grey matter and odor were noted at time of the site visit.

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

Project Name: 579 Croton Falls Rd (2014-CF-0639)  
Town: Carmel  
Basin: Croton Falls  
Type of Use: Crossing, Piping, Diversion (CPD)  
Type of Violation: Owner diverted a watercourse without prior review and approval by DEP.  
DEP NOV  
Discovery Date: 11/12/14  
Status: New

#### Overview and Action:

DEP initiated an Enforcement Action on 11/12/14. DEP issued an NOV to the owner on 11/13/14. DEP performed a site visit on 11/13/14; construction started without an approved SPPP. There were deficiencies, there was no discharge and the site was occupied. DEP received a copy of the NOV issued by the Town to the owner on 11/20/14 via email. DEP issued a follow-up letter to the meeting of 11/21/14 to the owner on 11/25/14 regarding the NOV issued on 11/13/14. DEP received a call from the Town on 11/25/14 regarding coordination of the Town and DEP's NOV's. DEP received a call from the owner's engineer on 12/2/14 regarding the resolution of the DEP and Town's NOV's. The engineer stated that a survey and plan will be submitted to DEP and the Town when ready. DEP received a notice from the engineer stating that they have been retained by the owner on 12/8/14. DEP received a copy of the engineer's letter to DEC on 3/16/2015.

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' of a controlled lake. DEP NOV  
Discovery Date: 10/21/14  
Status: New

#### Overview and Action:

DEP exchanged emails with the Town Engineer on 10/14/14 regarding the project. DEP initiated an Enforcement Action on 10/21/14. DEP issued an NOV to the owner on 10/21/14. DEP received a call from the owner on 10/23/14 in response to the NOV. DEP sent an e-mail to the owner on 10/24/14 regarding preliminary information required by DEP per the owner's request. DEP received a call from the Town Code Inspector on 10/24/14 regarding DEP's NOV. DEP called the owner on 10/24/14 and discussed the petroleum storage tanks and stormwater pollution prevention plan. The owner stated that the new petroleum tanks were in transit for the fabricator and were to be installed on 10/27/14. The owner wanted authorization from DEP to install the tanks. The owner was reminded by DEP that he was issued an NOV which stated he must cease and desist all construction activities. The owner stated that he could not stop the delivery and that there is nowhere on site to store the tanks other than in the excavations he prepared. DEP informed the owner that if he installed tanks, he would be proceeding at his own risk and that if DEP determines the tanks to be prohibited, he may be required to remove them in the future. .. A meeting was held with the engineer on 10/27/14. DEP received a call from the



engineer on 10/27/14 stating that the Town would continue to inspect construction on the site per the Town's own regulations and that the matter of the NOV was between the City of New York and the owner. DEP received site plans and drainage calculations from the engineer on 10/27/14. DEP received a call from the engineer on 10/28/14 asking if DEP needs any further information. DEP informed the engineer that written correspondence is forthcoming regarding what is needed to resolve the NOV and start reviewing the SWPPP. Specifically, DEP informed the engineer that the owner needs to provide documentation to DEP regarding non-complying regulated activity criteria so that DEP can verify whether or not the location of the petroleum storage tanks complies with the watershed regulations. DEP stated to the engineer that the petroleum tanks must comply with watershed regulations and that SEQRA must be satisfied before DEP can review a SWPPP application for this project (a gasoline station). DEP issued a follow-up letter to the engineer on 10/29/14 regarding the meeting held on 10/27/14. DEP received a call from the Petroleum Engineer on 10/29/14 regarding information requested for the NOV. The engineer will be sending a timeline report to DEP. DEP received an e-mail and photos from the engineer on 10/29/14 regarding what the subsurface conditions are like in the area of the tank pit when it rained. DEP exchanged emails with the engineer from 10/29/14 to 10/30/14. DEP called DEC Petroleum Bulk Storage on 10/30/14 to inquire about the site's current status with respect to tank registration and site remediation. The engineer called on 10/30/14 to inquire about the status of the SWPPP and asked if DEP would accept an infiltration practice on the site to treat stormwater runoff. DEP responded that DEP will assess and respond to the engineer. DEP received a call from the engineer on 10/30/14 confirming transmission of documents to DEP. DEP received via email on 10/30/14 a copy of the deed in response to the NOV. DEP received a courtesy copy of an NOV from DEC on 10/30/14. DEP responded on 10/30/14 to a question raised by the engineer during a 10/30/14 phone conversation. DEP performed a site visit on 11/3/14; construction is underway with a crane installing what appeared to be some sort of tank components into the previously excavated oil tank area. Gravel stock piles on site and soil stock piles which were covered with plastic sheeting. DEP received a call from the engineer on 11/3/14 regarding the SWPPP. The engineer wants to know if infiltration is allowed on site. DEP responded that DEP cannot encourage infiltration on a gas station and that two DEC spill numbers remain open. DEP said it did not want to create a hardship for the engineer and owner by allowing infiltration if the spill remediation might prohibit infiltration. The engineer stated that both spills were resolved; this conflicts with other information received by the applicant's other engineer via email on 10/30/14. DEP signed and notarized the Affidavit sent to the Law Department. DEP received a courtesy copy of the town's NOV from DEC via email on 11/3/14. DEP performed a site visit on 11/5/14; the site was closed with no work in progress. DEP issued a NOICA to the engineer on 11/5/14 requesting additional information. DEP performed a site visit on 11/6/14 and 11/7/14; no work in progress, the site was closed down. DEP responded via email on 11/10/14 to the engineer's email dated 11/4/14 and telephone conversation dated 11/3/14. DEP performed a site visit on 11/13/14; no work in progress. Based on the site visit, today, the following item must be addressed: silt fence must be installed or reinstalled to protect driveway drainage grates; disturbed soil throughout site must be stabilized including the disturbed area bordering RTE 301; and contaminated soil stock pile should be removed or appropriate plastic cover used. DEP performed site visits on 11/14/14 and 11/18/14; there was no change and no work in progress. A meeting was held with the project applicant on 11/18/14. Internal DEP emails and a meeting summary were sent on 11/18/14. Discussions between Stormwater and Legal via email took place from 11/12/14 to 11/18/14. DEP performed site visits

on 11/19/14 and 11/20/14; there was no change and no work in progress. DEP sent correspondence regarding site stabilization and received a preliminary response from the engineer via email on 11/20/14. DEP performed a site visit on 11/21/14; there was no change and no work in progress. DEP performed a site visit on 11/24/14; there was no work in progress. The silt fence and hay bales have been installed. The silt fence has not been keyed into the ground as per detail in NYS Standards and Specifications for Erosion and Sediment Control. DEP performed site visits on 11/25/14, 11/28/14, 12/1/14, 12/9/14, 12/10/14, 12/22/14, 12/30/14, 1/13/15, 1/20/15, and 1/30/15; there was no work in progress and the site was closed. DEP received an e-mail from Legal on 2/3/15 regarding status of the case. DEP performed a site visit on 2/11/15; there was no work in progress, the site was closed and snow covered. DEP received e-mails from Legal between 2/12/15 and 2/17/15 regarding the status of the case. DEP performed site visits on 2/18/15, 2/23/15, 3/2/15 and 3/10/15; no work in progress, site is closed and snow covered. DEP received an e-mail from Legal on 3/13/15 regarding the status of the case. DEP performed site visits on 3/23/15 and 3/31/15; no work in progress and the site is closed.

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

DEP sent an e-mail to Corporate Counsel on 12/13/13 regarding a brief summary of the site meeting. DEP received an e-mail from the engineer on 2/14/14 regarding the outline for the proposed site investigation and IRM work plan. DEP received an e-mail on 3/3/14 regarding the site investigation work plan outline submitted 2/20/14 via email. DEP received the Site Investigation and Interim Remedial Measures Work Plan from the engineer on 4/11/14. DEP received an e-mail from the engineer on 5/23/14 indicating the IRM activities on the property outlined in the work plan and discussed during the 5/12/14 site meeting were completed 5/23/14. DEP had a meeting on 9/5/14 with staff from DEC, AG-WIG, NYC Corporation Counsel and the owner and his team of technical and legal representatives to discuss proposed groundwater sampling and long term groundwater monitoring on affected lands. Surface soil and water sampling of fill material on NYC Lands is proposed to commence on 9/8/14. DEP received the Off-Site Investigation Report and Supplemental Investigation Work Plan for the Prato property from the engineer on 1/23/15 and 1/30/15, respectively. On 2/25/15, DEP held an internal tech team meeting and a joint conference call with DEC and WIG Office to discuss review comments on AKRF's remedial investigation report. DEP issued a letter to the engineer on 3/23/15 regarding the Off-Site Investigation Report. A copy of the letter was also issued to the owner. DEP received via email, a copy of a revised letter from the DEC to the attorney on 3/24/15 regarding DEC's comments regarding the work plan submitted by the engineer on behalf of the owner of the property.

Town: Carmel  
 Basin: Croton Falls  
 Project Name: Putnam Hospital Center, (Log #1993-CF-0108)  
 Project: Hospital expansion SP.1, SP.2: Oncology Addition.  
 Project Type: Stormwater (SP.2)

Status: Closed

DEP issued a NOV to the owner on 10/13/10. DEP performed a site visit on 10/18/10 for a stormwater violation; there were deficiencies; there was no discharge and the site was occupied. DEP received a letter responding to the NOV that was issued on 10/13/10 from the engineer. DEP performed site visits on 10/26 and 11/1/11; there were deficiencies; there was no discharge and the site was occupied. DEP issued a letter based on the meeting held on 11/1/10 that the deficient items have been corrected and accepted by DEP. DEP performed a site visit on 11/8/10; there were deficiencies, there was no discharge and the site was vacant. DEP received a letter and a revised drawing from the engineer on 11/15/10. DEP performed a site visit on 11/18/10; there were no deficiencies, there was no discharge and the site was occupied. The deficient items noted on the NOV have been addressed. DEP performed a site visit on 11/30/10; there were deficiencies, there was no discharge and the site was occupied. DEP received a letter responding to the NOV on 12/10/10, advising the Putnam County Foundation will have responsibility for the stockpile. DEP performed site visits on 12/14/10, 2/3 and 2/28/11; there were no deficiencies, there was no discharge and the site was vacant. DEP performed a site visit on 3/10/11; there were deficiencies, there was no discharge and the site was vacant. DEP received As-Built plans from the engineer on 3/28/11. DEP performed site visits on 4/7, 4/27, 5/27, 6/14 and 7/6/11; there were no deficiencies, there was no discharge and the site was vacant. DEP has resolved the Enforcement Action on 3/20/2015. DEC closed this enforcement action in communication with Putnam County Hospital. The violation was resolved and the case was closed internally on 3/20/15. DEC coordinated with Putnam Hospital to close the NOV.

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

DEP spoke to the engineer concerning immediate stabilization of road side slopes, emphasizing forecast rain event for the next day. DEP performed site visits on 8/13 and 9/9/13; there were no deficiencies, there was no discharge and the site was occupied. DEP called the engineer on 4/7/14 regarding maintenance of erosion controls for lot 3. DEP performed a site visit on 4/7/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a letter from the Home Owners Association on 4/21/14 regarding environmental concerns with the project. DEP received a Bond Rider from the applicant on 4/25/14 in response to DEP's letter of 2/28/14. DEP performed a site visit on 4/30/14; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call on 4/30/14 from the engineer stating that he will be sending four copies of SWPPP for approval. DEP issued a letter to the attorney for the Homeowner's Association on 5/5/14 responding to their letter dated 4/15/14 regarding environmental concerns with the project. DEP received a set of plans and SWPPP for approval on 5/7/14. DEP issued an Approval Determination letter on 5/15/14. DEP performed site visits on 5/22, 5/23, 5/29, 6/5, 6/16, 7/9, 7/29, 8/29 and 9/24/14; there were no deficiencies, there was no discharge and the site was occupied. DEP performed site visits on 10/20/14, 10/23/14, 11/5/14, 12/5/14, 12/10/14 and 1/13/15; there were no deficiencies, there was no discharge and the site was occupied. DEP received a call from the site manager on 1/13/15 discussing the maintenance of erosion controls including silt fence and road sweeping. He stated that the

inclement weather has caused these problems and he will address them, DEP performed site visits on 2/12/15 and 3/2/15; there were no deficiencies, there was no discharge and the site was occupied.

Project Name: 340 Rushmore Rd (2014-BC-0302)  
Town: East Fishkill  
Type of Use: Stormwater (SP)  
Type of Violation: DEC Violation  
Discovery Date: 6/19/14  
Status: Closed

**Overview and Action:**

DEC issued a NOV on 6/16/14. DEP initiated an Enforcement Action on 6/19/14. DEP issued a NOV to the owner on 6/19/14. DEP received a call on 7/7/14 from the engineer confirming that he is the engineer hired to prepare a SWPPP for the project, in response to the NOV issued on 6/19/14. DEP received an e-mail from the engineer, on 7/17/14 indicating that the SWPPP will be electronically submitted. DEP received a copy of the Engineer's Report and plans from the engineer on 7/24/14. DEP called the engineer on 8/1/14 regarding the NOV and discussed the Agricultural Market law. DEP received a letter responding to the NOV on 8/5/14. DEP sent an e-mail to the engineer on 8/18/14 in response to the engineer's letter dated 8/5/14. DEP exchanged emails with Engineer regarding a letter from the State of NYS Department of Agriculture and Markets. DEP received a copy of NYS Department of Agriculture and Markets determination of agricultural activities conducted on the property from the engineer on 9/19/14. DEP exchanged phone calls with the engineer, on 10/3/14 regarding the letter from NYS Department of Agriculture and Markets. DEP received a revised letter from New York Department of Agriculture and Markets on 10/6/14. DEP has resolved the Enforcement Action on 10/24/14. The violation was resolved and the case was closed on 10/24/14 with DEP Closure letter dated 10/24/14.

**3.2.4. Kensico Basin**

Town: Harrison  
Basin: Kensico  
Project Name: Harrison Waste Facility, (Log #2013-KE-0313)  
Project Description: Organic waste transfer - DEP NOV  
Project Type: Solid Waste (SO)  
Status: Incomplete

DEP issued a NOV to the owner on 10/15/13. DEP received drawings on 10/28/2013. Corporate Counsel sent a GIS map of the facility (and its proximity to Kensico Reservoir stem) to the attorney on 11/8/13. DEP received an email from Corporate Counsel on 12/10/13; they received the Draft Yard Management Plan prepared by the Town of Harrison from the attorney. DEP sent an e-mail to the applicant on 12/19/13 with comments regarding the Draft Management Plan. DEP received an e-mail from the applicant on 1/9/14 regarding maps of the land. The applicant can now start to identify potential alternate sites. DEP met with the engineer on 1/24/14 to discuss the progress with respect to the 'Alternate Site Analysis' and the interim site pollution control plan. DEP received a call from the engineer on 3/11/14 regarding response to the NOV. He reports progress on review and assessment of 'viable' alternative sites. DEP sent Corporate

Counsel an e-mail on 3/28/14 regarding the status of NOV as provided by the applicant. DEP issued a comment letter to the engineer on 4/21/14 regarding the NOV. DEP received a letter from the engineer on 4/28/14 responding to the NOV. DEP received a call from the engineer on 5/27/14 regarding the status of the Town's response to the NOV. He stated that survey work on the transfer facility/site has been completed and the remedial site design work is to commence. DEP sent a copy of the Variance Applicant's Guide and WRR to the engineer on 6/20/14. On 7/2/14, DEP re-sent, via e-mail, December 2013 review comments on the facility site plan to the engineer. DEP received a call from the engineer on 9/22/14 regarding the Variance NOICA. He requested a joint site inspection of the Town of Harrison's Nike Base property scheduled for 10/2/14. DEP staff met with the project engineer on 10/2/14 at the property to assess its suitability as an alternative location for Harrison's organic waste transfer operations. An email was sent to DEP and NYC lawyers on 10/3/14 regarding the 10/2/14 site inspection. An email was sent to DEP and NYC lawyers on 11/7/14 regarding an update on the variance. DEP received an e-mail from the town on 1/23/15 regarding the status of the variance. DEP received an e-mail from the town on 2/10/15 accepting and authorizing the variance. DEP received an e-mail from the engineer on 3/13/15 regarding documentation of change in grass clipping collection.

### 3.3. DEP Police Actions

#### 3.3.1. Catskill District

Name:	State Route #23 / Campbell Road	<b>CS-091-14, SJS 48944</b>
Location:	Ashland	<b>Spill # 1405101</b>
Type of Use:	Rural	
Type of Violation:	Haz Mat	
Date Discovered:	8/11/14	
Status:	Closed	

#### Overview and Action:

DEP Police contacted by DEC Spill Coordinator to report an overturned tanker down an embankment on NYC property containing approximately 3,000 gallons of liquid asphalt. Upon officers' arrival, a private company had already dug a trench around the potential spill and the spilled asphalt was being removed and placed on poly tarps with poly tarps on top to keep rain water from further expanding contaminated area. The remaining material pumped out of the tanker, approximately 1,050 gallons, determined that an estimated 2,000 gallons of material had spilled. DEC will handle testing and removal of contaminated soil to permitted landfill. No impact to water supply as the closest water course, the Batavia Kill is approximately 300 yards away. The contaminated soil from the site has been contained and covered by DEC Contractors and is awaiting removal from site. DEP Police and DEC involved.

Name:	Schoharie Reservoir	<b>CS-084-14, SJS 48812</b>
Location:	Conesville	
Type of Use:	Municipal	
Type of Violation:	Haz Mat	
Date Discovered:	8/4/14	
Status:	OPEN	

Overview and Action:

DEP Police investigated a complaint which originated from Air 6 (helicopter) patrol that had observed a small plume of oil (3' in diameter) on the Schoharie Reservoir across from Gate 22. Using GPS coordinates and added assistance from Air 6, a marine patrol on the reservoir was able to locate the oil plume now marked with a buoy. Oil plume and bubbles from source are more easily visible from the air. DEP Haz Mat notified to respond to the location for further investigation and water sampling and awaiting action by DEP Haz Mat. DEP Police and DEP Haz Mat involved.

Name: 465 Bull Hill Road **CS-021-15, SJS 52346**  
Location: Conesville  
Type of Use: Residential  
Type of Violation: Sewage Discharge  
Date Discovered: 2/25/15  
Status: OPEN

Overview and Action:

DEP Police responded to an e-mail request from DEP Regulatory and Engineering Programs (REP). (REP) employee to monitor a residence for septic tank discharge where homeowner had previously been caught discharging septic tank contents into the nearby woods. A recent site inspection by DEP REP employee determined that the septic tank had been shoveled off of snow as had a path leading from the tank to the woods. DEP had not been receiving pump-out receipts from the owner for this part-time residence so any signs of activity are suspect. DEP Engineering requested Police to conduct frequent checks of the residence particularly on weekends to determine if discharge activity had resumed. Police checked location and observed that there had been no weekend activity based on absence of fresh vehicle tracks in the snow on driveway. DEP Police and DEP REP involved.

Name: 55 Spruce Street **CS-060-14, SJS 47844**  
Location: Hunter **Spill # 1402757**  
Type of Use: Residential  
Type of Violation: Haz Mat  
Date Discovered: 6/13/14  
Status: Closed

Overview and Action:

DEP Police responded to a complaint of people sweeping diesel fuel into the road at the above address. Upon arrival, officers detected a strong fuel oil odor and observed a sheen covering approximately one half mile of roadway on Spruce Street. NY State Police and DEC on scene; spill number obtained and private company hired for clean-up. It was estimated that approximately 50 gallons of fuel had spilled. The officer will continue to do investigations/interviews in order to determine the responsible party prior to issuance of tickets. Investigation failed to produce suspect for incident. DEP Police, New York State Police and DEC involved.

Name: 590 County Route #83 **CS-102-14, SJS 49260**  
Location: Hunter **Spill # 1405788**

Type of Use: Commercial  
Type of Violation: Haz Mat  
Date Discovered: 8/28/14  
Status: Closed

Overview and Action:

DEP Police was notified by DEC of a spill of approximately 400 gallons of #2 fuel oil at a water pumping station used by Hunter Mountain during the winter for snow making. The spill was caused by a leaking fitting where the fuel line attached to the building's furnace. The majority of the oil was contained within the building in a cement sump-pit, but some oil had leaked into the adjacent Dolan Lake (water source for the pump house). Two strings of absorbent booms and spill pads had been deployed to contain the spill. A pump truck arrived on scene and began removing the estimated 6" of oil floating in the pump house sump-pit. There were no adverse effect to the Schoharie Creek which flows nearby. DEP Haz Mat notified but deferred clean-up to DEC who was already actively overseeing the site. Site visit/inspection on 9/22/14 revealed booms still in place as precautionary measure, but no contamination noted at this time. DEP Police, DEC and DEP Haz Mat involved.

Name: Rte 28A / Aqueduct Crossing **CA-578-14, SJS 49464**  
Location: Olive  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 9/7/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping which included four large cardboard boxes which did yield traceable evidence. Officer will follow-up during next tour in attempt to identify subject responsible. Subject responsible was located and they cleaned material from the site. DEP Police involved.

Name: Route 28A **CA-910-14, SJS 51371**  
Location: Olive  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 12/23/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse which did yield traceable evidence. A DEP Officer followed up at delivery address found on a label from the garbage and interviewed a subject. Subject stated that refuse had likely blown off husband's truck while en route to Olive Transfer Station. Subject agreed to properly dispose of the collected refuse and officer issued a Notice of Warning for Depositing of Refuse on Highways and Adjacent Lands. DEP Police involved.

Name: Schoharie Reservoir **CS-035-15, SJS 52676**  
Location: Roxbury  
Type of Use: Municipal

Type of Violation: Haz Mat  
Date Discovered: 3/19/15  
Status: Closed

Overview and Action:

DEP Police observed a partially submerged oil tank in the waters of the Schoharie Reservoir while on marine patrol. The tank appeared to be a 275 gallon home heating oil tank with no visible oil sheen or odor in the area surrounding the tank. DEP Operations notified for removal. DEP Police and DEP Operations involved.

Name: 468 Oliverea Road  
Location: Shandaken  
Type of Use: Residential  
Type of Violation: Sewage Discharge  
Date Discovered: 12/29/14  
Status: OPEN

**CA-920-14, SJS 51461**

Overview and Action:

DEP Police investigated an anonymous complaint of a possible septic leak. Officer responded to the above location and interviewed numerous tenants residing at different addresses all in the vicinity of the original complaint and all owned by the same landlord. One subject residing at 470 Oliverea Road reported issues with a leaking septic which officers were able to locate by odor present and a resident later witnessed "sewage bubbling up out of the ground". Another resident at 476 Oliverea Road had experienced problems with a backed up toilet and the 470 Oliverea Road resident also had problems with a leaking septic and suspected tainted tap water. Officer documented leak and surrounding area with photos and made identification of landlord through NYS DMV. All residents were advised not to drink the water. Officer contacted DEP Regulatory Engineering Programs (REP) and the Department of Health. REP employee made contact with the landlord whom stated that he hired a company to pump out the system as well as a physical engineer to design a repair plan but was hampered by lack of funding. Landlord was temporarily covering the leak area with plywood and placing caution cones as directed by REP. Department of Health to conduct dye test and follow-up with landlord. On 2/13/15, this case was essentially turned over to DEP REP. However, on 2/28/15, the investigation was reopened pending new information of further leakage/pumping activity. DEP Police, DEP REP and Department of Health involved.

SUPPLEMENTAL (1) FOR CASE: CA-920-14 /- 2/28/15: Officer directed to follow up at property for signs of continued septic leakage or recent septic pumping as landlord had notified DEP REP that septic had been pumped on 2/27/15, thereby ending the leakage on property. Officer interviewed resident of 468 Oliverea Road whom stated that he had been at home all day on the day in question (2/27/15) and had not seen any vehicle at the property conducting the septic system pumping. Officer searched the property for any possible sewage leakage or evidence of an area having been cleared of snow and dug up for pumping the septic system all with negative results. Officer's attempts to contact the landlord at his residence were also met with negative results despite the presence of three vehicles in the driveway and a television set on in the background. Case remains open.

SUPPLEMENTAL (2) FOR CASE: CA-920-14 /- 3/30/15: Officer received a phone call from



the original complainant residing at 478 Oliverea Road, whose attorney was requesting any reports generated by the DEP regarding this investigation as the landlord is now evicting the tenants presumably because they alerted DEP to the failed septic system. Complainant also stated that landlord or his contractor can be seen meddling with the septic cover just before and / or after DEP REP (civilian) vehicle has conducted site check. Officer was finally able to interview landlord at location and was shown a recent e-mail he received from DEP regarding remediation. Officer inspected septic failure site again and there appears to be no change in the condition of the site since his last inspection. At this time, there are still no criminal charges registered against the landlord. Officer will follow up with DEP REP and their point of contact regarding this matter. Case remains open.

Name: 404 County Route 56 **CS-036-15, SJS 52725**  
Location: Windham **Spill # 1411515**  
Type of Use: Residential  
Type of Violation: Haz Mat  
Date Discovered: 3/23/15  
Status: OPEN

Overview and Action:

DEP Police received a phone call with a report of fuel oil that had seeped into the septic system of a home while clean-up of a previous fuel oil spill was in progress. DEC notified for incident number for initial spill and is also coordinating the ongoing clean-up documented with report and photos. Officer notified DEP Land Management of the septic contamination and clean-up. DEP Police, DEP Land Management and DEC involved.

Name: 991 County Route 19 **CS-039-15, SJS 52792**  
Location: Windham **Spill # 1412183**  
Type of Use: Residential  
Type of Violation: Haz Mat  
Date Discovered: 3/27/15  
Status: Closed

Overview and Action:

DEP Police responded to a fuel oil spill at the above residence in which the driver for the oil company stated that the nozzle from the bulk truck stuck open causing it to spray seven gallons of #2 fuel oil on the side of the road and into a ditch. Upon arrival, officer observed employees of Oil Company cleaning up the spill. DEC contacted for spill number. DEP Police and DEC involved.

### 3.3.2. Delaware District

Name: 21521 State Hwy #30 **CB-135-14, SJS 47586**  
Location: Colchester  
Type of Use: Residential  
Type of Violation: Haz Mat  
Date Discovered: 6/1/14  
Status: OPEN

Overview and Action:

DEP Police received a complaint of a diesel oil sheen and odor on the Pepacton Reservoir in the vicinity of the East Delaware Intake Chamber. Last year, investigation of a similar complaint in the same location resulted in the discovery and removal of a leaking, buried fuel tank. The officers that were on the scene of current complaint were unable to detect any sheen or odor. Aerial search confirmed presence of diesel oil sheen which was documented from the air with photos and color video. GPS coordinates of sheen location noted and area marked with a buoy for subsequent follow-up by DEP Haz Mat. The site is being monitored for any further sheen. DEP Police and DEP Haz Mat involved.

Name: State Route 30 **CB-342-14, SJS 51302**  
Location: Colchester  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 12/17/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping on city property consistent with camp garbage but yielding no traceable evidence. No impact to the water supply. DEP watershed maintainers notified for removal and request made to DEP Land Management to install a "NO DUMPING" sign at that location. DEP Police and DEP Land Management involved.

Name: Miller Hollow Road / State Route 30 **CB-095-15, SJS 52736**  
Location: Colchester  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 3/24/15  
Status: OPEN

Overview and Action:

DEP Police on sector patrol observed a dumpsite at road intersection consisting of recyclable materials which did not yield any traceable evidence. Materials removed by officer for proper disposal. Area noted as high frequency dumping area will be monitored for future activity and camera placement. DEP Police involved.

Name: Brush Ridge Road **CB-311-14, SJS 50855**  
Location: Middletown  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 11/19/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping of household refuse that did not yield any traceable evidence. DEP Land Management notified for removal. DEP Police involved.

Name: Lowe Road **CG-435-14, SJS 49520**  
Location: Neversink  
Type of Use: Rural

Type of Violation: Dumping  
Date Discovered: 9/10/14  
Status: Closed

Overview and Action:

DEP Police was notified by Town of Neversink Highway Supervisor of a dumping on Beaver Dam Sports Club property. Officer located the large dumping of trash bags and was able to obtain traceable evidence. Officer will continue investigation in an attempt to locate the responsible subject. Investigation was not able to determine the responsible subject. DEP Police involved.

Name: State Route 42 **CG-471-14, SJS 49888**  
Location: Neversink  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 10/1/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping of seven large trash bags that did yield traceable evidence. The dumping location is next to a stream that leads to Beaver Dam Lake which eventually flows into the Rondout Reservoir. Officer went to address location and interviewed two subjects whom stated that a man named, "John", had taken the trash away intending to burn it. There was incomplete information for trash hauler; unable to identify/locate. Subjects did identify trash as theirs and the husband was issued ticket for Prohibited Disposal of Solid Waste (NYCRR) and Depositing Noisome or Unwholesome Substance On or Near Highway. DEP Police involved.

Name: State Route 42 **CG-516-14, SJS 50343**  
Location: Neversink  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 10/25/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping on NYC property directly adjacent to trailer park property, consisting of household appliance, entertainment system, dozens of black garbage bags, PVC piping, etc. Officer documented dumping with photos. Interviews with trailer park residents confirmed that previous renters were responsible for dumping and landlord, though fully aware of its existence, has never remediated the dumping site. DEP Police involved.

Name: State Route 268 **CB-001-15, SJS 51508**  
Location: Tompkins  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 1/1/15  
Status: Closed

Overview and Action:

DEP Police observed a small dump site along the side of the roadway on city property including

a small television set. Further investigation revealed numerous items of refuse strewn on both sides of the roadway from top of the hill down to the area of the Apex boat launch site and appeared to have either blown or fallen off of vehicle in transit with an uncovered load. No traceable evidence and negative impact to the water supply. Television set transported to 2<sup>nd</sup> Precinct for proper disposal by watershed maintainers. DEP Police involved.

Name: State Route 206 **CB-012-15, SJS 51648**  
Location: Walton  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 1/11/15  
Status: OPEN

Overview and Action:

DEP Police observed a large dumpsite of approximately 15 bags of unknown refuse, recyclables and cardboard boxes thrown over the embankment from the NYS maintained parking area, which appears to be ongoing as some bags were covered with snow and others (more recent) were not. No traceable evidence observed; however, officer was unable to investigate further due to steep terrain, thick vegetation and many of the bags being hung up in tree tops. No impact on water supply. DEC will be contacted to determine if they want to initiate further investigation or possible camera deployment. DEP Police and DEC involved.

Name: State Route 206 **CB-089-15, SJS 52628**  
Location: Walton  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 3/16/15  
Status: Closed

Overview and Action:

DEP Police observed several bags of garbage containing household refuse in the pull-off on State Route 206. No traceable evidence found. NYS Department of Transportation notified for removal. DEP Police and DOT involved.

Name: Bobs Brook Road **CB-103-15, SJS 52814**  
Location: Walton  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 3/29/15  
Status: Closed

Overview and Action:

DEP Police observed a dumpsite consisting of household refuse adjacent to the roadway while on sector patrol. No traceable evidence found and minimal impact to the water supply. DEP watershed maintainers notified for proper disposal. DEP Police and DEP Land Management involved.

Name: State Route 55 **CG-473-14, SJS 49899**  
Location: Wawarsing  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 10/2/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping on city property which did yield traceable evidence. Store receipt for purchase of NYS Fishing License later determined to be unreadable thus unable to identify subject. DEC contacted and also confirmed unable to read IDC number. DEP Police and DEC involved.

Name: Lundy Road **CG-589-14, SJS 51389**  
Location: Wawarsing  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 12/24/14  
Status: Closed

Overview and Action:

DEP Police identified a dumping of household refuse on city property which only yielded sale receipts from local stores with no traceable evidence. Site documented with photos and officer will continue to patrol the area regularly for further activity. DEP Police involved.

Name: State Route 55A **CG-128-15, SJS 52627**  
Location: Warwarsing  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 3/16/15  
Status: Closed

Overview and Action:

DEP Police observed numerous bags of trash in the middle of the roadway which did yield traceable evidence. Upon arrival at the address found in the trash, officer learned that addressee had recently died and next of kin was cleaning out deceased's residence. Subject stated that her husband must have overloaded the truck on his way to the transfer station and that she would remove bags from roadway as soon as possible. Removal was completed within the hour. DEP Police involved.

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

Name: Upper Hook Road **CE-1995-14, SJS 50059**  
Location: Bedford  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 10/12/14  
Status: Closed

Overview and Action:

DEP Police, while checking security at Cross River Reservoir, discovered a dumping of compost, potted plants and oil in black garbage bags which yielded no traceable evidence. DEP Land Management advised of location for removal. DEP Police and DEP Land Management involved.

Name: Belden Road **CE-2210-14, SJS 50720**  
Location: Carmel  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 11/12/14  
Status: Closed

Overview and Action:

DEP Police observed a small dumping across from the West Branch Boat Area #9. Upon investigation, the bags were found to contain wood scraps, broken sheet rock and insulation material. No traceable evidence found. DEP field crew notified for next available clean-up. DEP Police involved.

Name: 3670 Route 301 **CE-2311-14, SJS 51042**  
Location: Carmel  
Type of Use: Residential  
Type of Violation: Sewage Discharge  
Date Discovered: 11/30/14  
Status: Closed

Overview and Action:

DEP Police responded to a report of a sewage spill from a building near Lake Glenida. Upon arrival, officer met with Putnam County Sheriff Deputy whom stated that homeowner called the Putnam County Sheriff's Office to report the spill had been ongoing for three days. Officer observed an alarm box on a post located at the bottom of the driveway with sewage flowing from the ground below. Flow of sewage appears to have stopped at a parking area near the West Branch Reservoir. Phone number on alarm box reached Sewage Company for the Town of Carmel whose employee arrived and determined that the "lot pump" located underneath alarm box was working properly and that the overflow must be due to the snow melt which is "what normally happens" with this pump and tank. Shortly thereafter, local septic company employee arrived and pumped out the tank stopping the sewage flow. DEP Police and Putnam County Sheriff Office involved.

Name: 16 Samantha Lane **CE-2355-14, SJS 51149**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 12/7/14  
Status: Closed

Overview and Action:

DEP Police observed a dumping near the Croton Falls Reservoir next to Boat Area #1 consisting of paint cans, anti-freeze containers and self-contained fire suppression devices containing chemical material. No traceable evidence found, no threat to the water supply. DEP field crew

notified of dumping location for next available clean-up. DEP Police involved.

Name: Samantha Lane, Croton Falls Dam **CE-031-15, SJS 51601**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Haz Mat  
Date Discovered: 1/8/15  
Status: Closed

Overview and Action:

DEP Police were dispatched to the Croton Falls Dam construction site to investigate an oil spill of unknown origin approximately 2' by 2' in front of the entrance gate. DEP employee stated that no vehicle or person was present when he initially observed stain. No impact to the water supply, stain is contained to small area of crushed stone gravel which will be removed and properly disposed of by DEP Haz Mat. NYC DEP Police and DEP Haz Mat involved.

Name: West Shore Drive **CE-087-15, SJS 51792**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 1/21/15  
Status: Closed

Overview and Action:

DEP Police observed a small dumping of bagged household refuse in the vicinity of Boat Area #10, Croton Falls Reservoir. No traceable evidence found. DEP field crew notified for pick-up. DEP Police involved.

Name: Hemlock Dam Road, CF Dam Base **CE-197-15, SJS 52180**  
Location: Carmel **Spill # 1410927**  
Type of Use: Municipal  
Type of Violation: Haz Mat  
Date Discovered: 2/16/15  
Status: Closed

Overview and Action:

DEP Police were dispatched to the base of the Croton Falls Dam for a spill of approximately 3 gallons of hydraulic fluid from a boom lift near the pump station. DEC contacted for spill number. Spill was contained to a gravel area and cleaned up by environmental contractor on site. No negative impact to the water supply. DEP Police and DEC involved.

Name: Rte. 6, Windsor Road **CE-388-15, SJS 52796**  
Location: Carmel  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 3/27/15  
Status: Closed

Overview and Action:

DEP Police responded to an anonymous complaint near the Muscoot River Headworks involving the dumping of multiple television sets. Upon arrival, officer located two television sets and one computer monitor dumped on city property that did not yield any traceable evidence. Officer further observed a large amount of refuse scattered along the banks of the Muscoot River shoreline. DEP field crew notified regarding removal of dumped items and overall clean-up of the general area. DEP Police involved.

#### **3.3.4. Kensico Basin**

Name: Nannyhagen Road **CE-2079-14, SJS 50291**  
Location: Mt. Pleasant  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 10/23/14  
Status: Closed

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

DEP Police, while conducting a security check of the Hurricane Restoration site, observed a dumping of construction debris consisting of various lengths of wood (approximately 30 pieces), heavy piping, an expansion water heater and hoses. No traceable evidence, DEP field crew notified for clean-up. DEP Police involved.

Name: Nannyhagen Road **CE-2219-14, SJS 50739**  
Location: Mt. Pleasant  
Type of Use: Municipal  
Type of Violation: Dumping  
Date Discovered: 11/13/14  
Status: Closed

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

DEP Police observed a dumping of one black garbage bag containing ceramic tiles along with a porcelain toilet tank off Nannyhagen Road just above the Kensico Lime Plant. No traceable evidence found, DEP field crew notified of location for next available clean-up. DEP Police involved.

Name: 27 Old Post Road **CE-1782-14, SJS 49452**  
Location: North Castle  
Type of Use: Rural  
Type of Violation: Dumping  
Date Discovered: 9/7/14  
Status: Closed

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

DEP Police were notified by North Castle Police Department of a possible dumping on city property. Officer responded and found a 20' dumpster full of household items on city property. DEP Regional Land Steward notified. Case is still open, pending further investigation. Material removed from location by owner of dumpster and site remediated. North Castle Police Department requested additional details for case update. DEP Police and North Castle Police Department involved.