NYC 9/11 Public Portal Document

1999 - 2001

Office of the Mayor

Rudolph W. Giuliani

Deputy Mayors

JOSH FILLER
JOSEPH LHOTA

ENVIRONMENTAL PROTECTION
DEPARTMENT OF

0047
Folder
02/05/2/002
Box

ALPHA SYSTEMS

www.alpha-sys.com

NYC-WTC_000137580

NYC 9/11 Public Portal Document

DEP

October 14, 1999

Mr. Rubashkin
c/o RPL Realty Corp.
4310 14th Ave., Box 398
Brooklyn, NY 11219

Re: Brooklyn, Block 812, Lot 1
5301 First Ave., Bklyn, NY

Dear Mr. Rubashkin:

I am writing to summarize the discussion of October 7, 1999 regarding the water and sewer charges that were sold by the City of New York as part of the lien sale process. The charges in question were all billed during the period when the NYC Dept. of Finance was the Water Board's billing agent for water and sewer charges.

I have detailed below the charges incurred for water and sewer service (noted as "Utility" in the chart below), the interest applied to the unpaid balances, the date of the bill, the period covered and whether the bill was based on actual or estimated meter readings. The meter, as discussed, is a compound meter and each register on the meter is designated by a prefix of 1 or 2.

METER: 1-3658 (HIGH SIDE)

Bill Date	***Period Covered***	***Utility***	***Interest***	***Total***	***Read Type***
09/29/86	04/05/85-06/25/86	$ 14,148.29	$ 30,249.26	$ 44,397.55	Average
09/05/88	04/26/88-08/12/88	30,134.92	144,242.71	174,377.63	Estimated
12/26/88	08/12/88-11/01/88	56,205.29	257,284.54	313,489.83	Actual
04/03/89	11/01/88-02/17/89	80,592.18	308,170.95	388,763.13	Actual
02/01/93	07/28/89-06/12/92	177,229.48	306,367.22	483,596.70	Actual

METER: 2-3658 (LOW SIDE)

Bill Date	***Period Covered***	***Utility***	***Interest***	***Total***	***Read Type***
12/26/88	01/30/87-11/01/88	$ 8,042.66	$36,815.95	$44,858.61	Actual
12/25/89	01/10/89-07/28/89	9,734.65	37,223.66	46,958.31	Actual
02/04/91	07/28/89-12/12/90	1,880.59	5,496.19	7,376.78	Actual

NYC DEP BCS RDM Fax:718-595-7376 Nov 21 '00 11:46 P.02/04

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A total of $1,729,337.08 (this total includes interest) was sold in the lien sale which included water and sewer charges open at the Department of Finance. An additional $693.06 on account PII and $1,019.77 on account PII was sold as unpaid water and sewer charges billed by DEP.

In conclusion, I find that the charges billed were based on actual meter readings, with the exception of one bill. The bill that was estimated should a lower average daily consumption than actual bills during the period. The type of commercial activity (fabric dyeing) carried out at this location is a high consumer of water and therefore, I can find no reason to declare the charges to be invalid and I cannot declare the lien to be defective.

The NYC Water Board allows for an appeal of my decision to their Executive Director. I have detailed the appeal process below for your information.

Final Appeal

If a customer disagrees with the decision rendered by the Deputy Commissioner of BCCS, the customer may appeal such decision by submitting a written request to the Executive Director of the New York City Water Board within 30 days. The Final Appeal must include the identification of the property (street address, account number) and charge which the customer is disputing, a statement of the reason or reasons why the customer believes the decision with respect to the initial appeal was incorrect, and a copy of such written decision. The Executive Director shall render a decision in writing within 60 days of receipt. If circumstances within the control of the customer, including but not limited to failure to provide access to a premise or a meter, prohibit the Executive Director from making a decision, the customer shall be notified in writing stating why a decision cannot be rendered. If the Executive Director determines that the questioned charges are correct, the charges shall be due and payable as set forth on the bill and/or delinquency notices. If the questioned charges are determined to be incorrect, appropriate remedial action shall be taken including the issuance of cancellations and/or corrected bills, and providing information relating to requests for refunds or credits.

Disposition of Interest During the Appeals Process

1. Customers are advised to pay all charges and appeal afterward. During the appeals process, interest charges on unpaid bills shall continue to accrue until the bill is paid in full.
2. If a customer decides not to pay a bill and in the case of appeal being decided in favor of a customer, all interest charges in connection with the disputed bill shall be waived.
3. If a customer decides not to pay a bill and in the case of the appeals process taking longer than the time periods specified, except as noted above due to circumstances

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within the control of the customer, all interest charges in connection with the disputed bill shall be waived.

4. If a customer decides not to pay a bill and the questioned charges are determined to be correct, interest shall accrue from the original due date of the bill until the bill is paid in full.

If you choose to file an appeal, please submit it to: Diana Chapin, Executive Director
NYC Water Board
59-17 Junction Blvd., 8th Floor
Corona, NY 11368

The appeal must be filed within 30 days of the date of this letter. Please include a copy of this letter with your appeal.

Sincerely,

ORIGINAL SIGNED BY

Lawrence Schatt
Deputy Commissioner

c: A. Biderman
G. Lordi Boden
A. Ferone

NYC DEP BCS RDM Fax:718-595-7376 Nov 21 '00 11:47 P.04/04

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GIBSON, DUNN & CRUTCHER LLP

LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

200 PARK AVENUE

NEW YORK, NEW YORK 10166-0193

(212) 351-4000

FACSIMILE: (212) 351-4035

LOS ANGELES
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3197

CENTURY CITY
2029 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-3026

ORANGE COUNTY
4 PARK PLAZA
IRVINE, CALIFORNIA 92614-8557

SAN DIEGO
401 WEST A STREET
SAN DIEGO, CALIFORNIA 92101

SAN FRANCISCO
ONE MONTGOMERY STREET, TELESIS TOWER
SAN FRANCISCO, CALIFORNIA 94104-4505

PALO ALTO
1530 PAGE MILL ROAD
PALO ALTO, CALIFORNIA 94304-1125

JAS. A. GIBSON, 1852-1922
W. E. DUNN, 1861-1925
ALBERT CRUTCHER, 1860-1931

DALLAS
2100 McKINNEY AVENUE
DALLAS, TEXAS 75201-6911

DENVER
1801 CALIFORNIA STREET
DENVER, COLORADO 80202-2641

WASHINGTON
1050 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-5306

PARIS
166 RUE DU FAUBOURG SAINT HONORÉ
75008 PARIS, FRANCE

LONDON
30/35 PALL MALL
LONDON SW1Y 5LP

November 16, 2000

WRITER'S DIRECT DIAL NUMBER

(212) 351-3825

OUR FILE NUMBER

G 99999-00004

Honorable Joseph Lhota
Deputy Mayor of Operations
Office of the Mayor
City Hall
New York, New York 10007

Dear Deputy Mayor Lhota:

Enclosed is recent correspondence that this firm had with the Department of Environmental Protection. I write to request that your office review this matter and take whatever further action, if any, you determine is appropriate.

Very truly yours,

Randy M. Mastro

RMM/mfm

Enc.

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GIBSON, DUNN & CRUTCHER LLP

LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

200 PARK AVENUE
NEW YORK, NEW YORK 10166-0193

(212) 351-4000
FACSIMILE: (212) 351-4035

LOS ANGELES
333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-3197

CENTURY CITY
2029 CENTURY PARK EAST
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ONE MONTGOMERY STREET, TELESIS TOWER
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1717 MAIN STREET
DALLAS, TEXAS 75201-7390

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1801 CALIFORNIA STREET
DENVER, COLORADO 80202-2641

WASHINGTON
1050 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-5306

PARIS
104 AVENUE RAYMOND POINCARÉ
75116 PARIS, FRANCE

LONDON
30/35 PALL MALL
LONDON SW1Y 5LP

WRITER'S DIRECT DIAL NUMBER

(212) 351-3825

September 14, 2000

OUR FILE NUMBER

04473-00001

Hon. Joel A. Miele, Sr., P.E.
Commissioner
Department of Environmental Protection
59-17 Junction Blvd.
Corona, New York 11368

Re: *Abraham Rubashkin*

Dear Commissioner Miele:

I appeal to you to review a situation that will result in a terrible injustice absent your intervention.

My client is Abraham Rubashkin, who was the sole shareholder of RPL Realty Corporation ("RPL"), a New York corporation dissolved in the late 1990s. RPL was the listed owner of a property located at 5301 1st Avenue in Brooklyn (Block 812, Lot 1) that received enormous water bills over a several-year period. With interest and penalties, those bills now exceed $2.4 million and were made part of a lien sale in 1998.

Mr. Rubashkin is a senior citizen who use to operate a textile business there. He left the business to a relative in the early 1980s. Thereafter, the relative ran that business into the ground and apparently failed to pay many bills, including these water bills. Mr. Rubashkin was himself unaware of both the non-payment and the magnitude of these water bills. He advised that he did not receive notice of them and, therefore, was shocked more recently to learn of this huge outstanding liability. Tragically, his relative ran that business into the ground and abandoned the property, which is now in total disrepair.

As the situation now stands, Mr. Rubashkin would like to rehabilitate that abandoned property but could not possibly afford to do so if saddled with such a huge lien. Had he

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personally received timely notice, he would have challenged those water bills as excessive. Indeed, from his own past experiences in the textile business, and common experience with water billing problems in the late 1980s and early 1990s, it seems fair to say that such a challenge would have warranted serious consideration. In any event, he now faces not only those huge bill but also enormous interest and penalty charges. Surely, under these circumstances, there must be some room for relief.

I understand that Mr. Rubashkin recently made a personal attempt to raise these issues with other DEP administrators and that his appeal was rejected as untimely. In fairness, however, I urge you to review this unique situation and show some flexibility and mercy to an elder who wants to do right by the City but is being unduly punished for the sins of a relative. Surely, it would be in the City's interest to see this abandoned property returned to a productive use that is reflected on the tax rolls. Mr. Rubashkin is not denying all liability or all responsibility. He is simply asking for some legal and equitable consideration and accommodation.

We stand ready to provide any additional information necessary to resolve this issue and look forward to hearing from you.

Very truly yours,

Randy M. Mastro

RMM/mfm

NYC-WTC_000137586

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The City of New York

Department of Environmental Protection

59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

October 9, 2000

Randy Mastro
c/o Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, N.Y. 10166-0193

Re: Abraham Rubashkin

Dear Mr. Mastro:

I received your letter of September 14, 2000 regarding the above referenced property's owner's problems associated with unpaid water/sewer charges for Block 812, Lot 1, Brooklyn. I reviewed the property's records at the Dept. of Environmental Protection (DEP) and at the Dept. of Finance (DOF) which was the billing agent for water and sewer services prior to 1995. In consultation with my staff and the Water Board staff, my findings are detailed below.

The records note that this property had delinquent real estate taxes, water & sewer charges and other liens sold in August 1998 as part of the City's annual lien sale process. The liens were sold to J.E. Roberts with an initial redemptive value of $2,274,101.16, which included approximately $372,000 in unpaid real estate taxes and $1.7 million in water/sewer liens. With the 5% surcharge and accrued interest, the current balance is $3.3 million. Because the 1998 lien was not satisfied, an additional lien of $81,000 in unpaid real estate taxes was sold in July 2000. I also have been advised that the foreclosure action on this property is scheduled to commence shortly. A prior foreclosure action had been held-up in April 1999 when J.E. Roberts was advised that the customer was disputing the charges at DEP.

The DEP records note that October 1999, your client and his representative met with DEP Deputy Commissioner Larry Schatt to review the charges and to determine their validity. Based on the discussion and a review of the billing records, Deputy Commissioner Schatt wrote Mr. Rubashkin advising him that it was his opinion that the charges were valid and therefore the lien could not be declared defective. A letter was issued on October 14, 2000, detailing the unpaid charges and associated interest. The letter is enclosed for your information.

Subsequent to Deputy Commissioner Schatt's letter, your client appealed the decision on November 12, 1999 to Diana Chapin, in her capacity of Executive Director of the Water Board. The appeal was denied (see attached letter dated January 11, 2000), because no additional information was ever submitted to support the contention that the charges were not valid.

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP
www.ci.nyc.ny.us/dep
(718) DEP-HELP

While I am sensitive to the problems Mr. Rubashkin encountered with the operation of this property and the business by his relatives, neither DEP nor the Water Board has the ability to provide for cancellation of either the water/sewer charges or the interest that accrued while the valid charges went unpaid. Based on the records, I can find no basis to declare the liens defective and I am sorry to advise you that we can take no action to forestall the foreclosure action.

Sincerely,

Joel A. Miele Sr., P.E.
Commissioner

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MCB 1/11/00

New York City Water Board
One Lefrak City Plaza
59-17 Junction Blvd., 8th Flr.
Corona, N.Y. 11368-5107
(718) 595-3594
(718) 595-3595 (FAX)

CHAIRMAN
Mark R. Hellerer

January 11, 2000

Mr. Aaron Rubashkin
RPL Realty Corp.
4310 14th Avenue
Brooklyn, NY 11219

Re: BBL 3-812-1
5301 First Avenue, Brooklyn, NY

Dear Mr. Rubashkin:

Reference is made to your November 12, 1999 letter appealing Deputy Commissioner Lawrence Schatt's billing determination dated October 14, 1999 in connection with water and sewer charges for the above referenced property.

Deputy Commissioner Schatt has provided specific details of all the charges incurred for water and sewer service. The only specific claim indicated in your appeal is that you never received a copy of the bill. Please be advised that this is not an acceptable defense to non-payment of either a property tax or a water and sewer bill, both of which are statutory liens against the property served.

Your appeal does not provide any other specific contentions, only that you would like to meet to discuss the appeal in greater detail and to provide additional information. Regrettably, we cannot offer a meeting until we receive a more detailed appeal with the additional information relevant to the underlying validity of the charges you mentioned. Kindly forward a revised appeal to my attention within 30 days of the date of this letter.

Accordingly, your appeal of the validity of the charges is denied and the billing determination of Deputy Commissioner Lawrence Schatt dated October 14, 1999 is affirmed.

2 ACCT. #'S

PII

2000 SEP 32

SEP - BCCS

Very truly yours,

Diana Chapin
Executive Director

NYC-WTC_000137589

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The City of New York
Department of Environmental Protection
59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

Diana Chapin, Ph.D.
First Deputy
Commissioner

Tel. (718) 595-6576
Fax. (718) 595-3557
Dchapin@ nyanet.net

August 3, 2000

Mr. James R. McManus
McManus Midtown Democratic Association
345 West 44th Street
New York, NY 10036

Dear Mr. McManus:

After our discussion, I asked Deputy Commissioner of Water and Sewer Douglas Greeley to further investigate the problem the owners of 1251 Avenue of the Americas have been having with water intrusion. As a result, I have been informed that our leak detection unit found a circular split in a twelve inch watermain on 50th Street between 5th and 6th Avenues. The main was repaired on Saturday, July 28th and we believe the leak has been stopped.

It was good to speak with you again. Please let me know if the condition recurs.

Sincerely yours,

Diana Chapin, Ph.D.
First Deputy Commissioner

DC:ngm

xc: Anthony V. Carbonetti
Desmond Burke
Douglas Greeley

www.ci.nyc.ny.us/dep
(718) DEP-HELP

DEP Fax:718-595-3525 Aug 4 2000 17:06 P.02

NYC-WTC_000137590

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☆McManus Midtown Democratic Association☆

345 West 44th Street, New York, NY 10036 - Tel: (212)582-1347 Fax: (212)581-2115

EMail: CMcmanus@ix.netcom.com Web: www.midtownmedia.com/mcmanus

Denise Spillane
James R. McManus
District Leaders

Carlos Menzano
State Committeeman
President

July 22, 2000

Ms. Diana Chapin
Executive Director
N.Y.C. Water Board
59-17 Junction Blvd.
Corona, NY 11368

Dear Ms. Chapin,

The owners of 1251 Avenue of the Americas are having water trouble. Although your department has been very cooperative, the water keeps coming in.

Please, if you would have your staff look into this matter. Enclosed is a fax from the owners that explains everything.

I thank you in advance. I am,

Sincerely,

James R. McManus

cc: Mr. Anthony Carbonetti
Mr. Desmond Burke

MAYOR'S OFFICE Fax:212-788-3127 Aug 4 '00 15:22 P.02
DEP Fax:718-595-3525 Aug 4 2000 17:06 P.03

NYC-WTC_000137591

DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 01
TIME: 15:23:59 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LV	6/30 SAL	PERC OF INCR.	AMOUNT OF INCREASE	NEW SALARY
CHAPIN	DIANA	PII	DEP ADMIN	8	$123,436	6.35	7838.00	$131,274
STASIUK JR.	WILLIAM		ADMIN ENGINEER	6	$119,670	6.35	7599.00	$127,269
SCHATT	LAWRENCE		ADM STAFF ANLS	6	$112,635	6.35	7152.00	$119,787
ADAMSKI	ROBERT		DIR ENG (DEP)	6	$110,723	6.35	7031.00	$117,754
GAFFOGLIO	ROBERT		DIR ENG (DEP)	6	$110,723	6.35	7031.00	$117,754
GREELEY	DOUGLAS		DIR ENG (DEP)	6	$110,537	6.35	7019.00	$117,556
STURCKEN	CHARLES		EXEC AGY COUNS	4	$109,806	6.35	6973.00	$116,779
TAZZI	LOUIS		ADM STAFF ANLS	6	$107,402	6.35	6820.00	$114,222
HOFFER	MARK		COUNSEL (DEP)	6	$105,955	6.35	6728.00	$112,683
AVALTRONI JR.	ROBERT		ADM STAFF ANLS	6	$102,317	6.35	6497.00	$108,814
FARAG	MAGDI		ADMIN ENGINEER	5	$101,361	6.35	6436.00	$107,797
KRYSKO	MICHAEL		ADMIN ENGINEER	5	$98,225	6.35	6237.00	$104,462
KURTZ	WARREN		ADMIN ENGINEER	5	$97,850	6.35	6213.00	$104,063
RAMAGLIA	JOSEPH		ADMIN ENGINEER	5	$97,850	6.35	6213.00	$104,063
ERDFARB	STUART		ADMIN ENGINEER	4	$97,200	6.35	6172.00	$103,372
BODEN	JOHN		ADMIN MANAGER	5	$95,870	4.75	4554.00	$100,424
LOPEZ	ALFONSO		ADMIN ENGINEER	4	$95,382	6.35	6057.00	$101,439
HECKLER	PHILIP		ADMIN ENGINEER	4	$95,315	6.35	6053.00	$101,368
RITZE	MARK		COMP SYS MGR	5	$95,116	6.35	6040.00	$101,156
LAPADULA	VINCENT		ADM STAFF ANLS	5	$95,000	6.35	6033.00	$101,033
HAAS JR	WARREN		ADMIN MANAGER	4	$94,717	6.35	6015.00	$100,732
PRINCIPE	MICHAEL		ADM DIR LAB	5	$93,081	6.35	5911.00	$98,992
ZOLTANETZKY JR	PAUL		DEP DIR ENG	5	$92,589	6.35	5879.00	$98,468

NOTES: 1 - Mandatory 6.35% for M-I Min.
2 - On loan to Mayor's Off. - OEM
3 - On loan to Mayor's Off. - Tran.
4 - On loan to Mayor's Off. - Wash.
5 - On loan to Mayor's Off. - OLR - EAP

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DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 02
TIME: 15:33:39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS -- EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LV	L	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY	
MEHL	LOUIS	PII	COMP SYS MGR	3		$91,890	6.35	5835.00	$97,725	
KETAS	JOSEPH		ADM STAFF ANLS	3		$91,601	6.35	5817.00	$97,418	
COLEMAN	EDWARD		ADMIN ENGINEER	4		$90,005	6.35	5715.00	$95,720	
OLIVERI	FRANK		ADMIN ENGINEER	4		$89,961	6.35	5713.00	$95,674	
KENSY JR	ROMAN		ADMIN ENGINEER	4		$89,934	6.35	5711.00	$95,645	
MCCLAIN	DENNIS		ADM STAFF ANLS	3		$89,404	4.75	4247.00	$93,651	
LEVINE	ROBIN		EXEC AGY COUNS	4		$89,238	6.35	5667.00	$94,905	
WEINBERG	MICHAEL		COMP SYS MGR	3		$89,069	6.35	5656.00	$94,725	
CAVAGNARO	ERNEST		SUP WAT SEW SYS	4		$88,039	6.35	5590.00	$93,629	
SINGLETON JR.	JOSEPH		ADM STAFF ANLS	4		$85,574	6.35	5434.00	$91,008	
GILSENAN	MICHAEL		ADM STAFF ANLS	3		$85,265	6.35	5414.00	$90,679	
SACHS	FREDERIC		DIR ASB ECP DEP	3		$85,264	6.35	5414.00	$90,678	
SONNENSCHEIN	MARCO		ADMIN MANAGER	3		$85,264	4.75	4050.00	$89,314	
VOKRAL	JOHN		ADMIN ENGINEER	3		$85,264	6.35	5414.00	$90,678	
DYDLAND	JOHN		MGR WATER SUPLY	3		$85,190	4.75	4047.00	$89,237	
HOCHSTADT	MARLENE		ADM STAFF ANLS	3		$85,029	6.35	5399.00	$90,428	
FURMAN	MATTHEW		ADM STAFF ANLS	3		$85,000	6.35	5398.00	$90,398	2
PETITO	JOHN		ADMIN ENGINEER	3		$84,067	6.35	5338.00	$89,405	
HOOK	THOMAS		ADMIN ENGINEER	4		$83,895	6.35	5327.00	$89,222	
DESANTIS	VINCENT		ADMIN ARCHITECT	4		$83,129	6.35	5279.00	$88,408	
PUKENIS	THOMAS		ADMIN ENGINEER	4		$82,867	6.35	5262.00	$88,129	
ALPERN	ROBERT		ADM STAFF ANLS	2		$82,806	0.00	0.00	$82,806	
COSENTINO	ANTHONY		ADMIN ENGINEER	2		$81,987	6.35	5206.00	$87,193	

NOTES: 1 - Mandatory 6.35% for M-I Min.
2 - On loan to Mayor's Off. - OEM
3 - On loan to Mayor's Off. - Tran.
4 - On loan to Mayor's Off. - Wash.
5 - On loan to Mayor's Off. - OLR - EAP

NYC-WTC_000137593

DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 03
TIME: 15:33:39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LVL	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY
ASHENDOREF	ARTHUR	PII	ADM DIR LAB	3	$81.838	6.35	5197.00	$87.035
STEIN	MARK		ADMIN ENGINEER	3	$81.240	6.35	5159.00	$86.399
LONG	GEORGE		ADMIN ENGINEER	5	$80.956	6.35	5141.00	$86.097
HAFEEZ	MOHAMED		ADMIN MANAGER	4	$80.601	6.35	5118.00	$85.719
TIPA	THOMAS		ADM DIR LAB	2	$80.445	6.35	5108.00	$85.553
SCHIANO	FRANCIS		ADMIN ENGINEER	3	$79.809	6.35	5068.00	$84.877
LORDI BODEN	GEORGETTE		ADMIN MANAGER	4	$79.808	4.75	3791.00	$83.599
KASS	HERBERT		ADMIN ENGINEER	2	$79.792	6.35	5067.00	$84.859
GROTELL	ROBERT		ADM STAFF ANLS	2	$79.310	6.35	5036.00	$84.346 [3]
GOPALAKRISHNAN	KRISHNAM		ADMIN ENGINEER	2	$79.240	6.35	5032.00	$84.272
MUNARI	FRANK		ADMIN MANAGER	2	$78.938	4.75	3750.00	$82.688
IANNUZZI	JOSEPH		ADMIN ENGINEER	3	$78.836	6.35	5006.00	$83.842
SCHULTZ	MICHAEL		COMP SYS MGR	2	$78.828	4.75	3744.00	$82.572
HART	GRACE		ADM STAFF ANLS	3	$78.783	0.00	0.00	$78.783
SCHNEIDER	SUSAN		ADM STAFF ANLS	3	$78.203	6.35	4966.00	$83.169
CLOONAN	JOHN		ADMIN ENGINEER	3	$78.156	6.35	4963.00	$83.119
LIPSKY	DAVID		ADM DIR LAB	3	$78.095	6.35	4959.00	$83.054
DONNELLAN	PAUL		ADMIN ENGINEER	3	$77.838	6.35	4943.00	$82.781
LIEBOLD	WARREN		ADM STAFF ANLS	2	$77.737	6.35	4936.00	$82.673
RAVALLO	ROBERT		ADM STAFF ANLS	2	$77.446	6.35	4918.00	$82.364
BOEK	JOSEPH		ADMIN ENGINEER	3	$77.433	6.35	4917.00	$82.350
ABBATINE	MICHAEL		SUP WAT SEW SYS	3	$77.380	4.75	3676.00	$81.056
PICHA	CARL		ADMIN ENGINEER	3	$77.277	6.35	4907.00	$82.184

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DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS AGE: 04
TIME: 15:33:39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LV L	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY
DENNER	ROBERT	PII	COMP SYS MGR	2	$77,247	0.00	0.00	$77,247
KUSTERBECK	WILLIAM		ADM STAFF ANLS	3	$77,075	6.35	4894.00	$81,969
GRANDE	PHILIP		ADMIN ENGINEER	3	$75,518	6.35	4795.00	$80,313
RUTKOWSKI	JOSEPH		ADMIN ENGINEER	3	$75,060	6.35	4766.00	$79,826
SAPIENZA	VINCENT		ADMIN ENGINEER	2	$74,371	6.35	4723.00	$79,094
MORRIS	WILLIAM		COMP SYS MGR	2	$74,263	6.35	4716.00	$78,979
ERISTOFF	ANNE		EXEC AGY COUNS	3	$74,234	4.75	3526.00	$77,760
STERN	IRA		ADMN CITY PLNR	3	$73,896	6.35	4692.00	$78,588
GREENBERG	MICHAEL		ADMIN ENGINEER	4	$73,775	4.75	3504.00	$77,279
YULINSKY	WILLIAM		MGR ENG & CONST	1	$73,414	4.75	3487.00	$76,901
LANDAU	JOSEPH		ADMN CITY PLNR	3	$73,272	4.75	3480.00	$76,752
FLOOD	JAMES		ADMIN ENGINEER	3	$73,208	6.35	4649.00	$77,857
WANG	PATRICK		SUP WAT SEW SYS	2	$73,146	4.75	3474.00	$76,620
KLOMAN JR	LESLIE		ADMIN ENGINEER	4	$73,048	6.35	4639.00	$77,687
KLEIN	LARRY		ADMIN ENGINEER	2	$73,046	4.75	3470.00	$76,516
QUINN	MICHAEL		ADMIN ENGINEER	2	$73,032	6.35	4638.00	$77,670
JOSEPH	RICHARD		ADMIN MANAGER	3	$72,806	4.75	3458.00	$76,264
DE ANGELO	PAUL		ADM STAFF ANLS	2	$72,709	6.35	4617.00	$77,326
CAKIADES	GEORGE		ADMIN ENGINEER	2	$72,588	6.35	4609.00	$77,197
COX	GERARD		ADMIN ENGINEER	3	$72,579	6.35	4609.00	$77,188
CAMAIORE	STEVEN		ADMIN ENGINEER	1	$72,490	4.75	3443.00	$75,933
GOYZUETA	WALTER		ADMIN ENGINEER	2	$72,422	6.35	4599.00	$77,021
KUNSCH	EDWARD		MGR WATER QLTY	2	$72,247	4.75	3432.00	$75,679

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DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 05
TIME: 15:33:39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99
CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LEVEL	6/30 SAL	PERC OF INCR.	AMOUNT OF INCREASE	NEW SALARY
LEEDS	MARK		EXEC AGY COUNS	2	$72.100	4.75	3425.00	$75.525
LEVINE	NANCY		ADM PUB INF SPC	1	$72.100	6.35	4578.00	$76.678
SALTER-JACKSON	SANDRA		EXEC AGY COUNS	2	$72.100	6.35	4578.00	$76.678
LEONFORTE	JOHN		ASST ADM	1	$72.097	6.35	4578.00	$76.675
MORAN	MICHAEL		DEP DIR ECB	3	$71.925	6.35	4567.00	$76.492
KELPIN	GERALDINE		ADM STAFF ANLS	3	$71.850	6.35	4562.00	$76.412
PATEL	DIPAK		ADMIN ENGINEER	2	$71.821	6.35	4561.00	$76.382
HINZ	GEORGE		SUP WAT SEW SYS	2	$71.650	6.35	4550.00	$76.200
SUBASIC	ROSEMARIE		ADM STAFF ANLS	3	$71.649	4.75	3403.00	$75.052
ANDERSEN	GEORGE		ADMIN ENGINEER	2	$71.312	4.75	3387.00	$74.699
MCGUIRE	JOSEPH		ADMIN ENGINEER	2	$71.301	6.35	4528.00	$75.829
HURWITZ	RAPHAEL		ADMIN ENGINEER	3	$71.292	4.75	3386.00	$74.678
LAGROTTA	ROBERT		ADMIN ENGINEER	2	$71.163	6.35	4519.00	$75.682
CAMPBELL	ZOEANN		ADM STAFF ANLS	2	$70.873	6.35	4500.00	$75.373
SINGH	BHUPINDAR		ADMIN ENGINEER	2	$70.633	4.75	3355.00	$73.988
DURIG	ROY		ADMIN ENGINEER	2	$70.512	4.75	3349.00	$73.861
TROTTI	SHARON		ADM STAFF ANLS	1	$70.485	4.75	3348.00	$73.833
SMITH	DOUGLAS		ADMIN ENGINEER	2	$70.462	6.35	4474.00	$74.936
GEIER	FRANK		ADMIN ENGINEER	2	$70.387	6.35	4470.00	$74.857
BERTINI	JOSEPH		SUP WAT SEW SYS	2	$70.141	6.35	4454.00	$74.595
NUDELMAN	HAROLD		DIR TECH SERV	1	$69.995	4.75	3325.00	$73.320
TERRACCIANO	JOSEPH		ADMIN ACCNTANT	1	$69.960	4.75	3323.00	$73.283
ROZELMAN	STELLA		ADMIN ENGINEER	2	$69.930	4.75	3322.00	$73.252

PII

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DATE: 09/16/1999 — MANAGERIAL SALARY ADJUSTMENTS — PAGE: 06
TIME: 15:33:39 — AGENCY NAME: DEPT. OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	L V L	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY	
YEE	GORDON	PII	ADMIN ENGINEER	1	$69,912	4.75	3321.00	$73,233	
LARSEN	ODD		ADMIN ENGINEER	2	$69,911	6.35	4439.00	$74,350	
SIMONIS	RICHARD		SUP WAT SEW SYS	2	$69,729	6.35	4428.00	$74,157	
RIDER	DAVID		ADMIN ENGINEER	1	$69,525	4.75	3302.00	$72,827	
COLLINS	MICHAEL		ADM STAFF ANLS	1	$69,210	0.00	0.00	$69,210	
DUNNE	JOHN		ADM STAFF ANLS	1	$68,959	4.75	3276.00	$72,235	
RADHAKRISHAN	RAJAPPAN		ADMIN ENGINEER	1	$68,695	4.75	3263.00	$71,958	
MARACIC	ANTHONY		ADMIN ENGINEER	1	$68,635	4.75	3260.00	$71,895	
MALACOS	GEORGE		ADMIN ENGINEER	1	$68,495	4.75	3254.00	$71,749	
SPANGEL	ARTHUR		ADMIN ENGINEER	2	$68,422	6.35	4345.00	$72,767	
KING	STEPHEN		EXEC AGY COUNS	1	$68,000	6.35	4318.00	$72,318	
TURNEY	DAVID		ADMIN MANAGER	1	$67,898	0.00	0.00	$67,898	
HAN	LONG		COMP SYS MGR	1	$67,622	4.75	3212.00	$70,834	
KANE	JOHN		ADMIN ENGINEER	2	$67,611	6.35	4293.00	$71,904	
CARRIO	LUIS		ADMIN ENGINEER	2	$67,565	4.75	3209.00	$70,774	
LIVINGSTON	ERNEST		ADMIN ENGINEER	2	$67,541	4.75	3208.00	$70,749	
CHEN	JOHN		ADM SL VSL OP	2	$67,525	4.75	3207.00	$70,732	
LALLY	PATRICK		ADM STAFF ANLS	2	$67,500	6.35	4286.00	$71,786	4
GRABON	GEORGE		MGR MGMT ANALYS	2	$67,367	4.75	3200.00	$70,567	
CHICOLA	ROBERT		ADMN INSP BLDGS	2	$67,155	6.35	4264.00	$71,419	
RIZZO	DENNIS		ADMIN ENGINEER	3	$67,105	6.35	4261.00	$71,366	
ROSS	JEROME		ADMIN MANAGER	2	$66,971	4.75	3181.00	$70,152	
ANNARUMA	ANTHONY		ADMIN ENGINEER	3	$66,905	6.35	4248.00	$71,153	

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DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 07
TIME: 15:33.39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LV	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY
JOSEPH	TERRY	PII	DIR LAB REL DEP	1	$66.770	6.35	4240.00	$71.010
BURKE-RICHARDS	ELIZABETH		ADM STAFF ANLS	2	$66.361	6.35	4214.00	$70.575
SERRANO	JACK		ADMIN MANAGER	3	$66.213	6.35	4205.00	$70.418
MOORE	GINNA		ADM PUB INF SPC	1	$66.075	4.75	3139.00	$69.214
GOLDMAN	SHELDON		ADMIN ENGINEER	2	$65.939	6.35	4187.00	$70.126
OSENNI	MARTHA		ADM STAFF ANLS	1	$65.939	6.35	4187.00	$70.126
SHERARD	MICHAEL		ADMIN ENGINEER	2	$65.939	4.75	3132.00	$69.071
SIMMONS	ELIZABETH		ADM STAFF ANLS	1	$65.920	6.35	4186.00	$70.106
PATEL	PRAVIN		ADMIN ENGINEER	1	$65.888	4.75	3130.00	$69.018
CHAUDHARY	NIRMAL		ADMIN ENGINEER	2	$65.812	6.35	4179.00	$69.991
ABRAHAM	MOOLAMAN		ADMIN ENGINEER	2	$65.808	6.35	4179.00	$69.987
MALIECKAL	ROBERT		ADMIN ENGINEER	1	$65.504	4.75	3111.00	$68.615
PATEL	YAKUB		ADMIN ENGINEER	2	$65.341	4.75	3104.00	$68.445
PATEL	CHIMANBHAI		ADMIN ENGINEER	1	$65.269	4.75	3100.00	$68.369
PECUNIES	RUSSELL		EXEC AGY COUNS	1	$65.037	6.35	4130.00	$69.167
SCHNEIDER	MICHAEL		ADM STAFF ANLS	3	$64.922	6.35	4123.00	$69.045
GREENWALD	RICHARD		ADMIN ENGINEER	2	$64.830	4.75	3079.00	$67.909
MADRASWALLA	TAHER		ADMIN ENGINEER	1	$64.574	6.35	4100.00	$68.674
GALLO	FRANK		ADMIN ENGINEER	2	$64.507	4.75	3064.00	$67.571
DIXIT	PURNIMA		ADM DIR LAB	1	$64.200	6.35	4077.00	$68.277
ABRUZZO	CARL		MGR ENG & CONST	1	$64.184	4.75	3049.00	$67.233
ANNUNZIATA	JON		SUP WAT SEW SYS	1	$63.972	4.75	3039.00	$67.011
DELANEY	DENNIS		SUP WAT SEW SYS	1	$63.972	4.75	3039.00	$67.011

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CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC-SEC-NO	TITLE	LV	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY
DELLECAVE	SALVATORE		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
DIMEGLIO	LOUIS		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
DIMEGLIO	RALPH		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
MAGGIULLI	WILLIAM		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
MARCHESE	ANTHONY		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
NELSON	RICHARD		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
QUICK	RICHARD		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
RICCI	FERDINAND		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
ROSADO	GUILLERMO		SUP WAT SEW SYS	1	$63,972	4.75	3039.00	$67,011
BAIERLEIN	HOWARD		SUP WAT SEW SYS	1	$63,965	4.75	3038.00	$67,003
SFORZA	STEPHEN		SUP WAT SEW SYS	1	$63,965	4.75	3038.00	$67,003
LYNN	MARCIA	PII	ADM STAFF ANLS	1	$63,856	4.75	3033.00	$66,889
DER ARIS	E. RICHARD		ADMIN ENGINEER	1	$63,836	4.75	3032.00	$66,868
EMILIO	CARMELO		ADM STAFF ANLS	1	$63,791	6.35	4051.00	$67,842
AGGARWAL	RAJ		ADMIN ENGINEER	1	$63,670	0.00	0.00	$63,670
NESTICO	FRANK		ADMIN ENGINEER	1	$63,665	6.35	4043.00	$67,708
TOBIAS	DAVID		ADMN CITY PLNR	1	$63,654	6.35	4042.00	$67,696
SHARMA	KAILASH		ADMIN ENGINEER	1	$63,640	6.35	4041.00	$67,681
BHEEMARAO	MIRMIRA		ADMIN ENGINEER	1	$63,411	6.35	4027.00	$67,438
DALY	TIMOTHY		MGR WATER SUPLY	1	$63,230	4.75	3003.00	$66,233
TENGELSEN	THOMAS		MGR WATER SUPLY	1	$63,230	6.35	4015.00	$67,245
ROSENBERG	GERALD		ADM STAFF ANLS	1	$63,021	6.35	4002.00	$67,023
LEANZO	VINCENT		MGR WATER SYSTM	1	$63,017	4.75	2993.00	$66,010

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NYC 9/11 Public Portal Document

ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC SEC NO	TITLE	LVL	6/30 SAL	PERC. OF INCR.	AMOUNT OF INCREASE	NEW SALARY
HRYCKOWIAN	STAN		SUP WAT SEW SYS	1	$62,859	6.35	3992.00	$66,851
FENVES	CAROL		ADM CONT SPEC	1	$62,766	6.35	3986.00	$66,752
MCCORKELL	GEORGE		ADM STAFF ANLS	1	$62,624	6.35	3977.00	$66,601
SCHINDLER	STEVEN		ADM DIR LAB	2	$62,500	4.75	2969.00	$65,469
POLISENO	PATRICK		ADMIN ENGINEER	2	$62,482	6.35	3968.00	$66,450
BREGLIO	PATRICIA		ADM STAFF ANLS	1	$62,338	4.75	2961.00	$65,299
MILIOTI	JOHN		ADM STAFF ANLS	2	$61,988	4.75	2944.00	$64,932
JATTANI	PURAN		ADMIN ENGINEER	1	$61,729	4.75	2932.00	$64,661
WASSERMAN	ALAN		ADM CONT SPEC	1	$61,670	4.75	2929.00	$64,599
GOLDBERGER	LASLO		ADMIN ENGINEER	1	$61,643	4.75	2928.00	$64,571
BRELAND	CAROL		ADMIN MANAGER	1	$61,593	6.35	3911.00	$65,504
KYRIAKIDES	STELLA	PII	ADM STAFF ANLS	1	$61,534	6.35	3907.00	$65,441
MOSS	ANDREW		ADMIN ACCNTANT	2	$61,534	4.75	2923.00	$64,457
URIKO	ADO		ADMIN ENGINEER	1	$61,490	4.75	2921.00	$64,411
TOM	JUNG		ADMIN ENGINEER	1	$61,481	4.75	2920.00	$64,401
FREEMAN	GEORGE		SUP WAT SEW SYS	1	$61,147	6.35	3883.00	$65,030
SEHGAL	JOGINDER		ADMIN ENGINEER	2	$61,098	4.75	2902.00	$64,000
KHARIVALA	BURJOR		ADMIN ENGINEER	1	$61,049	6.35	3877.00	$64,926
HODGE	RAPHAEL		ADMIN ENGINEER	2	$60,866	4.75	2891.00	$63,757
MEDINA	OSCAR		ADM STAFF ANLS	2	$60,732	6.35	3856.00	$64,588
NORGALIS	STANLEY		ADMIN ENGINEER	1	$60,673	4.75	2882.00	$63,555
ROTH	SHERRI		ADM STAFF ANLS	1	$60,572	4.75	2877.00	$63,449
STEINMETZ	ROBIN		ADM STAFF ANLS	2	$60,327	6.35	3831.00	$64,158

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ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC-SEC-NO	TITLE	LVL	6/30 SAL	PERC OF INCR	AMOUNT OF INCREASE	NEW SALARY
GOLDSTEIN	STANLEY	PII	ADM PROJ MGR	1	$60,289	4.75	2864.00	$63,153
BROOKS	CAROL		ADM STAFF ANLS	2	$60,085	6.35	3815.00	$63,900
KAIRAB	KAMESHWAR		ADMIN ENGINEER	1	$60,004	4.75	2850.00	$62,854
SUMOWICZ	ALESSANDRA		EXEC AGY COUNS	1	$60,000	6.35	3810.00	$63,810
DELACOUR	MARGARET		ADMIN MANAGER	2	$59,627	6.35	3786.00	$63,413
ROBERTS	JAMES		ADMIN ENGINEER	1	$59,573	6.35	3783.00	$63,356
MANNINO	MICHAEL		ADM STAFF ANLS	1	$59,306	4.75	2817.00	$62,123
SOI	YASH		ADMIN ENGINEER	2	$59,103	4.75	2807.00	$61,910
SMITH	FLOYD		ADMIN MANAGER	1	$59,017	4.75	2803.00	$61,820
CUGGY	JAMES		ADMIN MANAGER	1	$58,652	6.35	3724.00	$62,376
DEREVJANIK	ARLEEN		ADM STAFF ANLS	1	$58,465	6.35	3713.00	$62,178
PATNI	NARENDRA		ADM DIR LAB	2	$58,350	4.75	2772.00	$61,122
MILLER	ALFRED		ADM STAFF ANLS	1	$58,346	6.35	3705.00	$62,051
CALIFANA	JERRY		ADMIN ENGINEER	1	$58,165	4.75	2763.00	$60,928
KUMAR	SATISH		ADMIN ENGINEER	1	$58,053	6.35	3686.00	$61,739
SONDHI	SURESH		ADMIN ENGINEER	1	$58,053	4.75	2758.00	$60,811
SHAH	KIRTIKUMAR		ADMIN ENGINEER	1	$57,927	6.35	3678.00	$61,605
ROTHSTEIN	DAVID		ADM STAFF ANLS	1	$57,711	4.75	2741.00	$60,452
DESAI	BAKUL		ADMIN ENGINEER	1	$57,311	4.75	2722.00	$60,033
PINTO	JOHN		ADM STAFF ANLS	1	$57,143	4.75	2714.00	$59,857
RIVERA	EFRAIN		ADMIN MANAGER	1	$57,025	4.75	2709.00	$59,734
PADNOS	NORMAN		ADM STAFF ANLS	1	$56,895	4.75	2703.00	$59,598
LAWLER	TIMOTHY		ADMIN ENGINEER	1	$56,650	6.35	3597.00	$60,247

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5 - On loan to Mayor's Off. - OLR - EAP

DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE 11
TIME: 15:33:39 AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC-SEC-NO	TITLE	LVL	6/30 SAL	PERC OF INCR.	AMOUNT OF INCREASE	NEW SALARY	
MCHALE	ROBERT	PII	ADMIN MANAGER	1	$55,726	6.35	3539.00	$59,265	
ANDROS	ANGELO		ADMIN MANAGER	1	$55,720	0.00	0.00	$55,720	
LENTO	JOHN		ADM STAFF ANLS	1	$55,659	6.35	3534.00	$59,193	
CACOPARDO	JAMES		ADM STAFF ANLS	1	$54,905	4.75	2608.00	$57,513	
SHEAHAN	TIMOTHY		DIR EMP ASST PR	1	$54,905	6.35	3486.00	$58,391	5
MCMAHON	EUGENE		MGR WATER SYSTM	1	$54,742	6.35	3476.00	$58,218	
BUCHBERG	HAROLD		ADMIN ACCNTANT	2	$54,638	4.75	2595.00	$57,233	
ERFANI	MOHAMMAD		ADMIN ENGINEER	1	$54,437	4.75	2586.00	$57,023	
LUTZ	JAMES		ADM STAFF ANLS	1	$53,945	4.75	2562.00	$56,507	
SMYTH	VIRGINIA		ADM STAFF ANLS	1	$53,937	4.75	2562.00	$56,499	
MARTIN	IVAN		ADMIN MANAGER	1	$53,864	4.75	2559.00	$56,423	
ROTH	HERBERT		ADM STAFF ANLS	1	$53,864	4.75	2559.00	$56,423	
DE PALMA	CYNTHIA		ADM STAFF ANLS	1	$53,863	4.75	2558.00	$56,421	
DESANTI	CONSTANCE		ADM STAFF ANLS	1	$53,863	6.35	3420.00	$57,283	
GRIFFIN	JOHN		ADMIN MANAGER	1	$53,804	4.75	2556.00	$56,360	
BOPARDIKAR	PRABHAKAR		ADMIN ENGINEER	1	$52,241	4.75	2481.00	$54,722	
MILLER	BRIAN		ADMIN ENGINEER	1	$51,685	4.75	2455.00	$54,140	
MCCABE	KEVIN		ADMIN MANAGER	1	$51,430	4.75	2443.00	$53,873	
DEROSA	MARY		ADMIN MANAGER	1	$49,195	4.75	2337.00	$51,532	
GATTO	RONALD		ADMIN MANAGER	1	$45,073	0.00	0.00	$45,073	
EINSOHN	HILARY		ADMIN MANAGER	1	$38,785	6.35	2463.00	$41,248	
JOHNSON	LANA		ADMIN MANAGER	1	$38,124	6.35	2421.00	$40,545	
DINDIAL	ORMILA		ADMIN MANAGER	1	$36,816	6.35	2338.00	$39,154	1

NOTES: 1 - Mandatory 6.35% for M-I Min.
2 - On loan to Mayor's Off. - OEM
3 - On loan to Mayor's Off. - Tran.
4 - On loan to Mayor's Off. - Wash.
5 - On loan to Mayor's Off. - OLR - EAP

NYC 9/11 Public Portal Document

MANAGERIAL ...RY ADJUSTMENTS

AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826

ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY = JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC-SEC-NO.	TITLE	LVL	6/30 SAL	PERC. OF INCR.	AMOUNT OF INCREASE	NEW SALARY	
FERGUSON III	WILLIAM	PII	ADMIN MANAGER	1	$36.816	6.35	2338.00	$39.154	1
KELLEY	MICHELE		ADMIN MANAGER	1	$36.816	6.35	2338.00	$39.154	1
TOLES	DELORES		ADMIN MANAGER	1	$36.816	6.35	2338.00	$39.154	1

AGENCY COUNT: 256

NOTES: 1 - Mandatory 6.35% for M-I Min.
2 - On loan to Mayor's Off. - OEM
3 - On loan to Mayor's Off. - Tran.
4 - On loan to Mayor's Off. - Wash.
5 - On loan to Mayor's Off. - OLR - EAP

NYC 9/11 Public Portal Document

DATE: 09/16/1999 MANAGERIAL SALARY ADJUSTMENTS PAGE: 01
TIME: 14:43:52 - AGENCY NAME: DEPT OF ENVIRONMENTAL PROTECTION PYRL NO: 826
ELIGIBLE MANAGERS - EFFECTIVE 07/01/99

CURRENT SALARY ≠ JUNE 30 SALARY

LAST NAME	FIRST NAME	SOC-SEC-NO.	TITLE	LVL	6/30 SAL / CURR SAL	PERC OF INCR.	AMOUNT OF INCREASE	NEW SALARY
MCCARTHY	ANNE	PII	EXEC DIR ECB	5	$79.580 / $92.000 (08/09/1999)	6.35	5053.00	$97.053
MURPHY	MICHAEL		DIR MOTOR EQUIP	3	$73.896 / $82.764 (07/19/1999)	4.75	3510.00	$86.274
DELLICARPINI	CATHY		MGR PUB RELATNS	1	$66.731 / $70.000 (09/07/1999)	6.35	4237.00	$74.237
MARABETTI	ROSE		ADM PUB INF SPC	1	$62.026 / $66.988 (08/30/1999)	4.75	2946.00	$69.934
LANAGHAN	MARK		ADM STAFF ANLS	3	$57.140 / $70.000 (07/06/1999)	6.35	3628.00	$73.628

AGENCY COUNT: 5

NYC 9/11 Public Portal Document

Environmental Control Board
Citizen Members and Vacancies

			Date of Term Expiration
•	Eric A. Goldstein	(Air Specialist)	March 5, 1997
•	Annette Zaner	(Noise Specialist)	July 27, 1995
•	Jonathan Ballan	(Real Estate Specialist)	November 24, 1997
•	Joseph A. Mazur	(General Representative)	June 25, 1999
•	Vacancy	(Water Pollution Specialist)	
•	Vacancy	(Small Business Representative)	

New York City Charter: "§1404. ***Environmental control board.*** *a. There shall be in the department an environmental control board consisting of the commissioner, who shall be chairman, the commissioner of sanitation, the commissioner of buildings, the commissioner of health, the police commissioner, the fire commissioner and the commission of consumer affairs, all of whom shall serve on the board without compensation and all of whom shall have the power to exercise or delegate any of their functions, powers and duties as member of the board, and six persons to be appointed by the mayor, with the advice and consent of the city council, who are not otherwise employed by the city, one to be possessed of a broad general background and experience in the field of air pollution control, one with such background and experience in the field of water pollution control, one with such background and experience in the field of noise pollution control, one with such background and experience in the real estate field, one with such background and experience in the business community , and one member of the public, and who shall serve for four-year terms. Such members shall be compensated at the rate of one hundred fifty dollars per day when performing the work of the board....."*

The members can continue to serve beyond the expiration of their terms until reappointed or a new appointment is made.

Regarding the members, Eric Goldstein has sat on the Board since about 1982--I'm not sure he's so keen on being reappointed but who knows?; Annette Zaner has been on the Board since 1992 and would like to be reappointed which would be good for the Board; Jonathan Ballan was appointed by Mayor Giuliani--I'm not sure if he would like to be reappointed; Judge Joseph Mazur was also appointed by Mayor Giuliani--again, I'm not sure if he would like to be reappointed since he spends at least half of his time at his retirement home in Florida. The two vacancies were last filled by Robert LoPinto as the water pollution specialist who resigned due to personal reasons and Al Abney as the small business representative, who resigned shortly after his appointment in 1993 to become a commissioner at city planning.

The City of New York

Department of Environmental Protection

59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

March 15, 2000

Honorable Carolyn Maloney
Congresswoman

Honorable Roy Goodman
State Senator

Honorable Olga Mendez
State Senator

Honorable Alexander Grannis
State Assembly Member

Honorable John Ravitz
State Assembly Member

Honorable A. Gifford Miller
City Council Member

Dear Colleagues:

I am writing in response to your joint letter of January 24, 2000, and Council Member Miller's letter of February 16, 2000, both of which address mosquito infestation on East 91st Street.

DEP's contractor has uncovered large colonies of mosquitoes while repairing two broken sewer connections on East 91st Street. These broken connections were recently discovered by a DEP Field Operations crew working with a remote-controlled camera that was inside the sewer. DEP issued orders to the building owners to repair the house connection. Although the building owners initially delayed making the repairs, persistent DEP employees persuaded the building owners that failure to repair the connections immediately was in their, and the City's best interest. As related to our field staff, when the contractor hired by the building owners excavated to make the repair they found swarms of mosquitoes that were living in soil "pockets" created by the sewage that escaped via the breaks in the house connections. We are very hopeful that elimination of the mosquito breeding grounds created by the broken connections will greatly reduce or even eliminate the mosquito problem.

If the outrage referred to in your January 29, 2000 letter is directed at DEP, I believe it is inappropriate. DEP has inspected private house connections on two blocks of East 91st, flushed the sewers with chlorine, replaced a section of the sewer, relined the remainder of the sewer, and asked an entomologist to advise us. We inspected the bakery in the area to minimize the contribution waste yeast and flour from that site might make to mosquito infestation. Finally, we notified the contractor working at the gutted structure at 91st Street and First Avenue that stagnant water in their connection could be a breeding area for mosquitoes. In short, I am satisfied that my staff has diligently responded to this problem of insect control. As noted earlier, my staff is hopeful that by compelling two building owners to repair their house connections we will be eliminating two significant sources of infestation. If the problem persists, we will, of course continue our efforts.

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP
www.ci.nyc.ny.us/dep
(718) DEP-HELP

NYC 9/11 Public Portal Document

It is not clear that the meeting proposed in your letter would be useful or timely. DEP will, of course, continue to monitor the area. I hope your office will continue to help us by keeping in communication with your constituents, so that my staff hears, as soon as possible, of any information from residents that is relevant.

If you have further questions, please call myself or Mark Lanaghan, Assistant Commissioner for Intergovernmental Relations at 718-595-3519.

Very truly yours,

Joel A. Miele, Sr., P.E.

c: Chris Augostini
Scott Cantone

OUTLINE FOR E-BUSINESS
at the
DEPARTMENT OF ENVIRONMENTAL PROTECTION

I. Agency Wide Issues

A. Storage of Records
   1. State Standards (ESRA) need to be followed (not finalized as yet)
   2. Law Department Sign-off needed as to time frames and admissibility of documents
   3. Technologically, City needs to establish uniform program for retrieval of documents

B. Acceptance of documents with electronic signatures
   1. State Standards (ESRA) need to be followed (not finalized as yet)
   2. Law Department Sign-off needed as to admissibility of documents
   3. Technologically, City needs to establish uniform guidelines for acceptance of electronic documents
   4. Operationally, DEP needs to change the way it does business to allow for possibility of accepting electronic documents with electronic signatures (from manual process to computerized process)
      a. Functions include:
         (1) Filing of meter request forms
         (2) Filing of Sewer plans
         (3) Sewer/Tapping permits
         (4) ECB Clearance Requests/Satisfactions
         (5) Hunting/Hiking/Fishing Permit applications

C. Complaints
   1. Ability to access Hansen on the internet
      a. Security issues
   2. Ability to e-mail complaints directly into Hansen
      a. Control number given
      b. Automatic acknowledgment generation

II. City Wide Issues

A. Acceptance of Electronic Bids
B. Electronic Contracts
C. Electronic Employment Applications and Job Postings
D. DOI Clearances/Vendex
E. FOIL Issues

III. **Bureau Issues**

A. Water and Sewer Operations
   1. Access to Sewer Maps online (not for general public)
   2. Access to Capital Project status (DDC issue)
   3. Electronic filing of permit applications (requires electronic signature)

B. Air/Noise/Hazardous Materials
   1. AFS on-line look up
      a. Security issues
      b. Direct access
   2. SARA Right-to-Know Database
      a. Security issues
      b. Ability to electronically file FIFs each year (Elec. Signature req'd.)
   3. Asbestos
      a. Electronic filing of ACP-7s (requires elec. signature)
   4. Boiler Registration & Certificates of Operation (requires elec. signature)
   5. EEDAU — on line help for business and industry

C. ACCO
   1. Electronic bids

D. Legal
   1. Electronic filing of court papers (must be acceptable to the courts)

E. Customer and Conservation Services
   1. Payment of Water Bills (must accept credit cards)
   2. On-line meter application and scheduling of appointments
   3. Access account information
      a. Security/privacy issues
      b. Next scheduled reading

F. Environmental Control Board
   1. On-line access to ECB violations (DOF will coordinate as a NYSERV application)
   2. Submissions for Adjudication by Mail (Interactive--will have questions to be answered on line which respondents will have to answer)
   3. Requests for information/clearances
   4. On-line payments (must accept credit cards)

G. Human Resources
   1. Electronic job postings (should be City-wide application)

H. Public Affairs
   1. Website (already available)

I. Environmental Engineering
   1. Electronic bids

J. Environmental Planning and Assessment
   1. EIS submissions (requires electronic signature)

K. 24-Hour Help Center
   1. Complaint status inquiry

IV. **Issues**

A. How do you notarize an electronic signature?
B. How do you ensure that the public's privacy is protected vis-a-vis billing issues and violation issues?
C. Should there be a registration of individual users requesting information?

NYC 9/11 Public Portal Document

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

File

COPY: LAPADULA
COLLINS
FARRELL
MIELE
GROTELL
KATH-LAW
HIRST

File DEP.

RECEIVED
AUG 17 2000
00-00681
DEPUTY MAYOR OPERATIONS

AUG 15 2000

Honorable Joseph J. Lhota
Deputy Mayor for Operations
City Hall
New York, New York 10007

Dear Honorable Lhota:

This is to let you know that the U.S. Environmental Protection Agency (EPA) Region 2 New York City Office will host a public meeting on September 14, 2000 at 290 Broadway, Room 27A, from 9:30-11:30 a.m. EPA is hosting the meeting to solicit and incorporate public feedback, where appropriate, for EPA Region 2's program priorities for the five Boroughs of New York City beginning October 1, 2000. The public meeting is a follow-up to the November 20, 1999 Enforcement Workshop hosted by EPA and the Department of Justice on behalf of the Interagency Task Force. EPA committed at the Enforcement Workshop to host a public meeting during the summer of 2000 in response to the public's request for a community role in government's program priority setting process. Subsequently, community leaders requested EPA to hold the meeting in September in order to avoid summer vacation schedule conflicts and maximize public participation.

A copy of EPA's invitation letter to the public is enclosed for your information. If you have any questions, please call me or have your staff contact Deborah Craig by phone at (212) 637-3521 or by e-mail at craig.deborah@epa.gov

Sincerely,

Jeanne M. Fox

Jeanne M. Fox
Regional Administrator

Enclosure

cc: Betsy Collins, Senior Policy Analyst, Office of Deputy Mayor for Operations
Gregory Belcamino, Deputy Director, Mayor's Office of Environmental Coordination

NYC-WTC_000137611

NYC 9/11 Public Portal Document

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 27 2000

Dear Concerned Citizen:

On November 20, 1999, EPA Region 2 and the Department of Justice hosted an enforcement workshop at the Brooklyn Law School. The workshop was entitled "Enforcing Environmental Law in New York City - A Workshop for Communities." The workshop was held in fulfillment of a commitment we made at the March 6, 1999 White House Council on Environmental Quality forum on environmental justice in New York City. Workshop feedback from citizens, environmental justice and community groups included a request for a community role in government's program priority setting process. At the workshop, I committed to EPA hosting a meeting during the summer of 2000 to solicit and incorporate public feedback, where appropriate, for EPA Region 2's program priorities for the five Boroughs of New York City beginning October 1, 2000. Subsequently, community leaders have requested that I hold the meeting in September in order to avoid summer vacation schedule conflicts and maximize public participation.

I am pleased to invite you to participate in a September 14, 2000 public meeting to be held at the EPA Region 2 NYC Office at 290 Broadway, Room 27A, from 9:30 a.m. - 11:30 a.m. While EPA will accept public comments during the meeting, I encourage you to send your written suggested EPA program priorities for the five Boroughs of New York City to EPA before the meeting. Public comments on suggested program priorities may be sent to EPA, in writing, up until September 30, 2000.

Following the public meeting, a training session will be provided on how the public can access EPA's "Envirofacts" and other EPA Internet based information systems to obtain inspection, enforcement, permit, and other data. "Envirofacts" is an environmental warehouse of information which the public can access on-line as an alternative to submitting written requests to EPA for facility information under the Freedom of Information Act (FOIA). The EPA Internet site address for "Envirofacts" is: www.epa.gov/enviro/index_java.html

I would also like to take this opportunity to tell you about EPA Region 2's improved process for public filing of citizen complaints. I had previously announced at the enforcement workshop EPA Region 2's new e-mail account for filing of citizen complaints: R2EPA.HELP2EPA.GOV I have also designated Mr. Joseph A. Clore of my staff as the single point of contact for handling EPA Region 2 citizen complaints. You may reach Mr. Clore by phone at: 212-637-4040. Written complaints are encouraged and may be sent to: Mr. Joseph A. Clore, Citizen Complaint

NYC-WTC_000137612

NYC 9/11 Public Portal Document

Coordinator, USEPA Region 2, 290 Broadway 21st Floor, DECA-CAPS, New York, New York 10007-1866. A fact sheet is enclosed that includes suggested tips on what types of information citizens should report when filing a complaint. As noted on the fact sheet, EPA will inform citizens of follow-up actions taken in response to complaints.

Again, your suggestions on EPA program priorities are welcome and should be sent to Ms. Deborah Craig of my staff by September 30, 2000. I encourage you to send your written suggestions to EPA prior to the September 14th public meeting. Please let Ms. Craig know if you are interested in attending the meeting and or the EPA Internet training session. If you are unable to attend the training session, copies of the training materials will be sent to you upon request. You may contact Ms. Craig as follows:

Ms. Deborah Craig
USEPA Region 2
290 Broadway
21st Floor, DECA-CAPS
New York, New York 10007-1866
Phone: (212) 637-3521
Fax: (212) 637-4086
e-mail: craig.deborah@epa.gov

Thank you for your interest. We look forward to hearing from you.

Sincerely,

George Pavlou, Director
Division of Enforcement and Compliance Assistance

Enclosure

HOW TO FILE A CITIZEN COMPLAINT WITH USEPA REGION 2

1. WHAT INFORMATION SHOULD A CITIZEN REPORT?

- Description of activity which is subject of complaint
- Time(s) and date(s) of activity
- Duration of activity
- Location of activity (facility name/address/phone number & name/title of individual if known)
- Potential public health/environmental concerns regarding the activity
- Any photos or videotapes of activity
- Citizen's name, address, and telephone number (Anonymous complaints will be accepted but may be harder for EPA to follow-up on if we do not have a contact person and telephone number.)

2. WHO DO THEY REPORT IT TO?

By Letter: Mr. Joseph A. Clore
Citizen Complaint Coordinator
USEPA Region 2
290 Broadway, 21st Floor
DECA-CAPS
New York, NY 10007-1866

By Fax: (212) 637-4086
Attention: Joseph A. Clore, Citizen Complaint Coordinator

By E-mail: **R2EPA.HELP@EPA.GOV**

By Phone: USEPA Region 2 Citizen Complaint Hotline Number: (212) 637-4040

3. EPA FOLLOW-UP ON COMPLAINT:

- EPA will follow-up on the complaint and notify the citizen of actions taken including but not limited to: a facility record review, inspection, enforcement action, and determination that the facility is in compliance or has been brought into compliance.
- Follow-up actions may take place over an extended period of time and, in certain instances, EPA may need to refer the complaint to a city, State, or other Federal agency for follow-up action. EPA will notify the citizen in those instances when a referral is made to another agency.

NYC 9/11 Public Portal Document

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

File
DEP
JJL
FYI

LAURENCE A. LEVY
DEPUTY COUNSEL TO THE MAYOR
(212) 788-8111
FAX (212) 788-7649
LLEVY@CITYHALL.CI.NYC.NY.US

MEMORANDUM

TO: Michael Hess

FROM: Laurence A. Levy

DATE: August 17, 2000

RE: Notice of Intent to Sue

I recently received a blind copy of the annexed "Notice of Intent to Sue" signed by Robert F. Kennedy on behalf of Hudson Riverkeeper, Inc., et al. While I assume your office already received the notice, I am forwarding it to insure you have timely notice.

Enc.

cc: Vincent La Padula

NYC 9/11 Public Portal Document

RIVERKEEPER.

August 9, 2000

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Joel A. Miele, Sr., Commissioner
New York City Department of Environmental Protection
59-17 Junction Blvd, 19th Floor
Corona, NY 11368-5107

Honorable Rudolph W. Giuliani
Mayor
City of New York
City Hall
New York, NY, 10007

care of: Michael D. Hess
Corporation Counsel of the City of New York
100 Church Street
New York, NY 10007

Re. Notice of Intent to Sue

Dear Commissioner Miele,

Section 1449(b) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300j-8(b), requires that sixty (60) days prior to the filing of a citizen's suit in any federal district court, the alleged violator, the U.S. Environmental Protection Agency, and the State in which the alleged violations have occurred be notified of the alleged violations pursuant to SDWA § 1449(a), 42 U.S.C. § 300j-8(a).

Riverkeeper, Inc (Riverkeeper), 25 Wing and Wing, Garrison, NY 10524-0130, (914) 424-4149; **New York Public Interest Research Group**, 9 Murray Street, New York, NY 10007, (212) 349-6460; **Fernando Ferrer, Bronx Borough President**, 851 Grand Concourse, Bronx, NY 10451, (718) 590-8555; **Trout Unlimited, Croton Watershed Chapter**, P.O. Box 298, White Plains, NY 10602, (914) 946-7161; **Concerned Residents of Southeast**, P.O. Box 762, Brewster, NY 10509, (914) 669-8226; **Friends of Jerome Park Reservoir**, 3446 Giles Place, Bronx, NY 10463, (718) 549-2387; **Friends of the Great Swamp**, P.O. Box 373, Pawling, NY 12564, (914) 855-1917; **Sierra Club, Lower Hudson Group**, 5 Algonquin Drive, Chappaqua, NY 10514, (914) 238-8846; **Croton Watershed Clean Water Coalition**, 9 Old Corner Road, Bedford, NY 10506, (914) 234-3179; **Concerned Residents of Kent**, 39 Longfellow Drive, Lake Carmel, NY 10512, (914) 228-1334; **Regional Review League**, P.O. Box 479, Bedford, NY 10506; **HDFC Coalition**, 601 W. 136th Street, Suite 1, New York, NY 10031-8101; and **Patterson Land Watch**, 368 Bullethole Road, Patterson, NY 12563, (914) 878-4585, (hereinafter "Plaintiffs"), hereby notify you pursuant to SDWA § 1449(b), 42 U.S.C. § 300j-8(b), that they believe that the City of New York and its agency, the New York City Department of Environmental Protection (NYC DEP) have violated SDWA § 1411(g), 42 U.S.C. § 300g by failing to comply with the filtration avoidance provisions of the National Primary Drinking Water Regulations, 40 C.F.R. §141.71.

The terms of New York City's compliance with the SDWA are detailed in the May 1997 Filtration Avoidance Determination (FAD) granted to New York City (City) by the United States Environmental Protection Agency and further elaborated in the New York City Watershed Memorandum of Agreement dated January 21, 1997 (Watershed Agreement). Plaintiffs believe that the City has failed

Pace Environmental Litigation Clinic • 78 N. Broadway • White Plains, NY 10603
914.422.4343 • fax: 914.422.4437 • www.riverkeeper.org

NYC-WTC_000137616

to comply with significant provisions of both the FAD and the Watershed Agreement. Any act or omission which violates the FAD must also be considered to be a violation of the National Primary Drinking Water Regulations, and thus the SDWA. The Safe Drinking Water Act provides that all surface drinking water suppliers construct filtration plants unless the water purveyor can demonstrate "through ownership and/or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the source water." 40 CFR 414.71(b)(2)(iii).

The 1997 New York City Watershed Memorandum of Agreement was designed to meet this stringent requirement. The Agreement obligates New York City to spend approximately $1.2 billion rebuilding environmental infrastructure and to purchase and protect sensitive lands upon which development could otherwise threaten water quality.

In return for these investments, the watershed communities agreed to allow the City to promulgate and enforce regulations to control pollution sources and discourage dangerous development within the Watershed. The Agreement itself does not prohibit dangerous land uses but grants New York City officials the power to exercise control over land uses which harm water quality. The Agreement will not prevent pollution of the water supply if the City fails to aggressively enforce its regulations and the other state and federal environmental laws that it has the authority to enforce. Since signing the Agreement in 1997, the City has failed to enforce its terms or to meet its obligations.

The City's lax enforcement of the Watershed Agreement, coupled with the explosive development of impervious surfaces in East of Hudson watershed (Putnam and Westchester Counties) make it impossible for New York City to meet the Safe Drinking Water Act's requirements for filtration avoidance. As a result of the City's failure to enforce the Watershed Agreement, Putnam County is now the fastest growing county in the state with growth concentrated in undeveloped watershed lands. Development in Westchester County during the past three years has outstripped the pace set between 1988 and 1996 when 11,630 acres were developed. The current boom in development East of Hudson is adding thousands of acres of impervious surfaces to this area of the City's watershed, straining the reservoirs' ability to absorb pollutants.

The construction of impervious surfaces is a "human activit[y] which may have an adverse impact on the microbiological quality of source water" within the meaning of the SDWA. DEP's own studies confirm the connection between impervious surfaces and declining water quality. These studies link impervious surfaces to the occurrence of nitrogen and phosphates, as well as Giardia and Cryptosporidium in the City's reservoirs. Indeed, impervious surfaces are the largest source of pathogens in the watershed.[1] Any rise in the levels of these pollutants threatens to violate the terms of the City's filtration waiver, and Safe Drinking Water Act's filtration avoidance criteria set forth at 40 C.F.R. § 171.71(b)(2).

In addition to violating the general SDWA requirement to establish control over watershed lands, Plaintiffs wishes to place New York City and the NYC DEP on notice of the following specific violations:

1) FAD Task 311-b requires the City to implement and administer the new Watershed Rules and Regulations, Rules of the City of New York, Title 15, Chapter 18 (Watershed Rules). The City must

[1] Recent research models developed in the Pacific Northwest (Booth, 1991, and Booth and Reinelt, 1993) suggest that a threshold for urban stream stability exists at about 10% imperviousness. Watershed development beyond this threshold consistently resulted in unstable and eroding channels. *See* <http://www.pipeline.com/~mrrunoff/imperv.htm>

also comply with New York State Department of Health ("NYS DOH") regulations which are incorporated into the Watershed Rules. See 18 R.C.N.Y. § 38(a)(2). NYS DOH regulation Title 10, Appendix 75-A limits septic systems installation to sites with no greater than a 15% slope. See 10 N.Y.C.R.R. §75-A.4(1). In response to clamoring by upstate developers, DEP violated the State Public Health Law, NYS DOH regulations and the City watershed regulations by issuing a new policy in September 1998 that allows developers to install septic systems on steep slopes (slopes steeper than a 15% grade) within the New York City watersheds. This rule promulgated by the New York City Department of Environmental Protection by e-mail on September 9, 1998 and confirmed and expanded upon in a letter of September 14, 1998, directly contradicts the above regulation by allowing development on slopes of up to 20%. According to Putnam County, twenty-five percent of all new housing starts in the county utilize this new loophole created by DEP officials in violation of the Watershed Agreement.

2) FAD Task 308 mandates that the City shall implement a strategy for reducing non-point source loadings. Section 18-39 of the Watershed Regulations (15 R.C.N.Y. § 18-39) limits the creation of impervious surfaces adjacent to streams, rivers, lakes, and reservoirs within the watershed. This section also requires that developers prepare stormwater pollution prevention plans (SPPPs) which protect water quality by assuring that post-construction loading shall not exceed pre-construction loadings. DEP's failure to use storm water formulas that accurately calculate pollution loadings or to require developers to implement Best Management Practices that reduce pollution to pre-development conditions violates FAD Task 308. Furthermore, NYC DEP engineers consistently fail to conduct field studies of proposed developments before issuing approvals. By neglecting to adequately review on-site conditions, the City has effectively abdicated its mandated oversight capacity.

Inadequate formulas for projecting storm flows, faulty BMPs for controlling them, and shoddy quality reviews mean that the City approvals do not reflect real stormwater conditions, and result in new stormwater loadings in the watershed that are forbidden under the Agreement.

3) FAD Task 312n-1 requires the City to ensure that owners of wastewater treatment plants in the watershed "secure NYC DEP approval of facility upgrade plans and compliance schedules" by November 1, 1998. These plants discharge effluent into watershed waters, including chemicals, nutrients, bacteria and enteric viruses. As of April 2000, none of the 102 plants has an approved Plant Upgrade Plan. Only half of the plants have completed the fourth step of the 30 step upgrade process. The City's failure to properly manage and implement the Upgrade Program makes it inevitable that the upgrades will be unfinished by the May 2002 deadline. According to a recent report by the Watershed Inspector General, the City will require a minimum of two additional years to complete upgrades to the required improvements to these facilities. The dangerous lapses in Plant Upgrade schedules constitute an ongoing threat to the safety of the watershed and a clear violation of FAD Task 312n-1.

4) FAD Task 310g requires the City to implement and fund a program to rehabilitate failing individual septic systems in the watershed. The City has violated FAD Task 310g by underfunding and delaying its septic system replacement program. The extent of the problem of failing and substandard septic systems was seriously underestimated by City officials in the Watershed Agreement. A survey of septic systems in the Delaware Watershed which were approved by the NYC DEP prior to 1990 has revealed that the vast majority should be considered substandard. NYC DEP relied upon inaccurate soil suitability assumptions in determining the expected septic failure rate within the Delaware watershed. As a result, the City seriously underestimated the relative cost of replacing the systems. Given the limited land available for replacement systems, the average rehabilitation cost is well in excess of $10,000. The majority of pre-1990 septic systems were installed in hardpan soils with shallow seepage basins. The cost of upgrading these systems will surpass the conservative estimate upon which the City bases its rehabilitation program. It is not reasonable to expect successful pollutant attenuation from the existing substandard septic systems. According to the Delaware County Soil and Water Conservation District and

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Department of Watershed Affairs, the likelihood for the water supply to be contaminated remains "unacceptably high" unless the City dramatically improves its rehabilitation program.

5) FAD Task 308j requires the City to implement and administer a Wetlands Protection Program. An integral component of such a Program must be a concerted policy of broad wetlands designation, regulation, and protection. Despite the passage of nearly three years since the signing of the Watershed Agreement, the City has failed to extend protection to smaller wetlands, instead regulating only the larger wetlands mapped by New York State despite commitments to map watershed wetlands down to 1 acre in size. [2]

Furthermore, the City has consistently taken a position which encourages development related destruction of watershed wetlands. DEP has refused to seek restrictions on the use of CWA § 404 Nationwide Permits within the watershed. In a letter dated February 5, 1999, Commissioner Miele reversed DEP's position regarding Nationwide Permits as it had been represented to EPA by Deputy Commissioner William N. Stasiuk in DEP's Quarterly Report on the Status of Implementing Projects Designed to Reduce Nonpoint Source Pollution, dated December 31, 1998. Stasiuk unequivocally stated that Nationwide Permits "should not be employed in the New York City drinking water supply watershed and that allowing losses of wetlands up to 1/3 acre may impact the City's drinking water supply." [3]

In fact, the City's continued effort to eliminate use of the Nationwide Permits in the Watershed had been one of the central commitments made to EPA in exchange for the City's filtration avoidance order. In abandoning that position, Miele and the DEP have also abandoned their obligation under the Watershed Agreement to preserve vital wetlands in the watersheds.

6) FAD Task 312b-1 requires the City-owned wastewater treatment plants in the Watershed to comply with their Final Effluent Limitations. As evidenced by the recent consent decree between the City and the New York State Department of Environmental Conservation, the Margaretville and Tannersville plants have violated their permitted effluent limitations. Such discharges are per se violations of the FAD.

7) The Surface Water Treatment Rule obligates the City to demonstrate "through ownership and/or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the source water." 40 CFR 414.71(b)(2)(iii). This requirement is incorporated into the FAD as Task 301. The City's land acquisition program has failed to give it control over critical resource lands within the watershed. The city's failure to close on more parcels is directly related to City procedures that forbid the City from offering reasonable option prices to persuade land owners to hold the land during the City's lengthy review process. Generally, the City's policies result in an 18 to 24 month delay between contract signing and closing. DEP is only offering 3% for an option price. Such long delays and low option prices are not conducive to a successful land acquisition program. Indeed, many real estate entities within the Watershed are now refusing to deal with the City. As a result of this slow pace of land acquisition, the City has only purchased 17 acres in the critical and vulnerable Kensico watershed and has lost myriad opportunities to protect critical parcels.

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[2] NYC DEP maintains the position that it is only responsible for exercising its jurisdiction over wetlands mapped by the NYS DEC. Under state law, DEC mapped wetlands must be at least 12.4 acres in size.

[3] DEP's position opposing use of Nationwide Permits in the Watershed has been endorsed by members of the New York State Senate and Assembly, the New York City Congressional delegation, watershed Congressional members Maurice Hinchey, and Nita Lowey, the New York City Council, Bronx Borough President Fernando Ferrer, the Public Advocate Mark Green, New York City Comptroller Alan Hevesi, the Westchester County Board of Legislators, Westchester County Executive Andrew Spano, and the entire environmental community.

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8) Since the signing of the Agreement, the City has effectively added new reservoirs to its unfiltered Catskill-Delaware System without including their watersheds in the land acquisition program. Alternative water distribution measures that were unforeseen by the United States Environmental Protection Agency or the other Watershed Agreement signatories include increases in the pump capacity at the Cross River and Croton Falls reservoirs, allowing the City to increase use of Croton system water in the Catskill-Delaware distribution system. The City's failure to include these two reservoirs in the land acquisition program is a violation of the Watershed Agreement.

9) FAD Task 311-b mandates that the City "implement and administer" the Watershed Regulations, including enforcement of the regulations against watershed polluters.. Despite six years of commitments from City Hall and two DEP commissioners, DEP has failed to adequately staff its Environmental Enforcement Division. There are still only six police officers detailed to environmental enforcement in a 2,000 square mile watershed, which is home to over 250,000 people, contains over 80,000 septic systems, 112 sewage treatment plants and thousands of other pollution sources. There are only four officers, one captain and three green recruits, assigned to environmental protection East of Hudson. The West of Hudson environmental enforcement unit, although theoretically staffed with three officers, has ceased making pollution arrests altogether. As a result, DEP is violating the 1997 EPA FAD, which requires the maintenance of environmental enforcement staff at levels described in previous FADs. In addition, daily sector patrols required by the FAD to uncover environmental crimes are not occurring.

10) NYC DEP has approved Zenon and other experimental sewage treatment technologies that are being used by developers to circumvent the Watershed Agreement. The Watershed Agreement limits the number of new sewer plants allowed within sixty days travel time from the systems water consumers in order to prevent microbiological contamination of the supply. The ban on new sewer plants was intended to prevent microbiological contamination by the plant itself and by the construction of impervious surfaces associated with growth and development. The three pilot plants provided for in the Agreement must strictly control their own phosphate discharges and allow for and control all pollution discharges associated with induced growth of impervious surfaces. Experimental technology recently approved by the NYC DEP allows the construction of new sewer plants within the sixty day travel zone without any limitation on impervious surface pollution associated with or induced by the plants.

Zenon enables developers to recycle most of their wastewater, significantly cutting the waste stream and reducing the need for conventional disposal to ground or surface waters. While the Zenon system may promise substantial benefits for existing businesses and communities in sensitive areas, the conditional approval policy announced by DEP ignores the potentially catastrophic growth inducing aspects of Zenon and similar systems that are not contemplated by the Watershed Agreement. Already, the least responsible watershed developers are lining up to incorporate Zenon technology into their proposed projects, in many cases to avoid the sprawl-limiting sewage discharge restrictions in DEP's new watershed regulations.

The New York City Department of Environmental Protection (DEP) has shown little willingness to fight the tough political and legal battles necessary to establish control over "all human activities that may have an adverse impact on the microbiological quality of the source water." 40 CFR 414.71(b)(2)(iii). In a series of stunning policy decisions, DEP leadership has instead opened up thousands of acres of watershed land that were formerly protected from the threat of development due to wetlands, steep slopes or restrictions on the construction of new sewage treatment plants. DEP engineers use discredited and outdated stormwater models that encourage dangerous development; they routinely fail to conduct site visits prior to issuing approvals; they regularly miss opportunities to steer development projects out of sensitive areas by failing to attend local planning board meetings. DEP has abandoned its powers to map and protect small wetlands or to use the State Environmental Quality Review Act to fight

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harmful projects and support positive watershed protection initiatives. In short, DEP leadership is principally concerned with paper compliance with the technical formulations of the City's watershed regulations; they have abandoned their broader missions to control development inconsistent with water quality and to protect the public health and pocket book.

Plaintiffs believe that this NOTICE OF INTENT TO SUE letter gives adequate notice to the City of its SDWA violations and states the grounds for enforcement under the SDWA. Plaintiffs reserves its right to include in any enforcement action any related violations that it learns of before a complaint is filed to initiate such action. If you have any questions or wish to discuss this matter, please contact me at (914) 422-4343.

Sincerely,

Robert F. Kennedy, Jr.
Chief Prosecuting Attorney
Hudson Riverkeeper, Inc.

cc: Attached distribution list

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File

file: DEP
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MEMORANDUM

To: Joseph J. Lhota, Deputy Mayor for Operations

From: Commissioner Joel A. Miele Sr., P.E.

Re: Monthly Report - July 2000

Date: August 15, 2000

Emerging Issues

Surcharge

After an initial surge of calls regarding the issuance of the surcharge for failure to install a water meter in residential properties, the volume of calls has dropped to normal levels, although we have seen an increase in letters and e-mails regarding this issue. The calls that are now being received include many whose water/sewer bills are paid through their mortgage company. In some cases, mortgage companies are now advising property owners that they have paid the surcharge and are requesting that their escrow be increased. In situations of this nature, because bills and prior warning notices were mailed to the mortgage company, we are canceling the surcharge and establishing a work order for the installation of a meter, based on the premise that the customer may not have received any prior notification of the surcharge. Conversely, due to the high volume of open work orders for DEP contractors, where a surcharge has been issued and the customer did not take any action to either install a water meter or request that DEP make the installation, prior to July 1, 2000, the surcharge will remain until the property owner secures a licensed plumber to do the work under the Water Board's "Reimbursable Metering Program". As of August 2, 2000, a total of 40,021 properties are still subject to the surcharge. On July 1, 2000, the total number was 43,142. A breakdown of the number of properties, by borough, follows:

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Manhattan:	3,890
Bronx:	6,150
Brooklyn	19,335
Queens:	8,604
Staten Island:	2,042
Total:	40,021

Break in Lines Feeding Chlorine to the Catskill System
On Wednesday (8/9/00) at 11:10 a.m. (approx.) the contractor installing water lines for the Town of MT. Pleasant broke both lines feeding chlorine to the Catskill system. The lines were supposed to be 10 - 15 feet from where they actually were. One line is for service and the second is the spare or backup line. The system responded according to design and shut off immediately with no gas escaping. The Westchester County Health Department, the affected communities, Catskill, Hillview and Kensico lab were notified. Chlorination was restored at 2:30 p.m. with the repair of one line. The second line was repaired at 3:45 p.m.. It is estimated that 70MGD was untreated.

Fire Insurance Liens
DEP has initiated a pilot program, in conjunction with the Department of Finance, to secure payment from fire insurance proceeds where there are open water/sewer charges on the properties that experienced fire damage or destruction. According to Section 22 of the NYC General Municipal Law and Section 331 of the NYS Insurance Law, outstanding special liens, such as water and sewer charges, are collectible against the proceeds of fire insurance policies. However, the lien holder must serve the insurance company within 20 days of the notification of the loss. In order to take advantage of the potential revenue stream, DOF has agreed to notify DEP immediately when a notice of claim is received by DOF at their offices. DOF will also access the DEP water/sewer billing computer system to determine if there are outstanding charges and simultaneously DEP will review the charges to ensure that they are accurate and valid. Where necessary, the account will be reconciled so that the claims can be made without challenges. As part of the agreement with DOF, any revenues collected for water/sewer charges will be paid to DEP and the account will be credited with the payment. We are projecting a collection of $5 million per year, utilizing one staff person.

USEPA Pretreatment Program Order
On June 26th, the USEPA Region 2 office issued its Official Audit Report, containing results of the NYCDEP Pretreatment Program Audit it had conducted earlier in the year. This audit is a comprehensive investigation of the Agency's industrial pretreatment activities, thus there is expectation that federal auditors will be able to cite an occasional failure of strict adherence to federal regulations. In this instance we were surprised to receive an extensive list of citations, claiming violations of reporting procedures, not issuing pretreatment permits within specified time frames, and many more. The Audit Report provides a comment period, in this case extending into September, to respond to the citations, whether disagreeing, complying with remedies, or suggesting alternative actions.

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While staff was engaged in preparing the Agency's response demonstrating that almost all of the citations were inaccurate, previously approved procedures or no longer existing problems, we were upset and disappointed to receive an USEPA Order of July 14th containing notices of violations, under the general heading of failure to fulfill the conditions of our industrial pretreatment permit. Certain violations were to be corrected immediately, and the remainder requiring compliance within 90 days. This was completely unexpected and essentially subverted our anticipated response to the Audit Report. A letter has been sent to the Region 2 office, requesting a meeting to discuss this matter further and, hopefully, to arrange the withdraw of the order.

*Expansion of the Con*solidated *Edison Steam Plant at East 14th Street and Avenue C; Manhattan*
Representatives from several DEP Bureaus, Consolidated Edison (Con Ed), NYC Economic Development Corporation (EDC), and their consultant have held several meetings and discussions related to the design plans for Phase I of the Steam Plant expansion in the area of Stuyvesant Cove (East 14th Street and FDR Drive). Local opposition is emerging to Con Edison's proposal. An umbrella organization, East River Environmental Coalition (ERIC) is holding a community meeting on August 21st with federal, state and local officials. DEP has formally requested that the NYC Economic Development Corporation (EDC), and their consultant engineer, act as DEP's agent to provide watermain improvements within the scope of EDC's current capital contract for the Stuyvesant Cove area. This contract, which covers Avenue C between East 18th and East 23rd Streets, includes part of the Con Edison Steam Plant expansion. Under the Stuyvesant Cove work, new 24" water mains will be constructed in Avenue C from East 18th to East 23rd Streets. Existing catch basin chutes under the FDR Drive will be raised. Additionally, existing sewers within the project limits are now being reviewed by DEP for possible work. Con Edison has agreed to provide the necessary funds for the water main design cost, test pits, and the videotape costs. DEP shall provide funding for water main construction and resident engineering costs. This work shall be performed by EDC and their contractor as a change order to the work presently underway. In meetings and discussions, it was further agreed that a second capital contract will be ordered by NYC EDC which will include Phase II of the water main and sewer work. The scope of work for this project is still being developed by DEP, but will include the construction of new 24" water mains in East 20th Street, Avenue C, East 15th Street, and south of East 14th Street in Avenue C. As part of the Article X permitting process, the Department has submitted comments to the New York State Public Service Commission regarding the completeness of Con Edison's Application for Certification of a Major Generating Facility. We have requested that the analyses be supplemented with a cumulative air quality impact study. This type of study focuses on the combined effect of proposed and existing large facilities in the immediate neighborhood surrounding a site. It is not necessarily required by the State but is routinely requested as part of our air permitting process for facilities with the potential to have significant emissions. To date, Con Edison appears willing to comply. We have also requested an analysis of potential odors emitted by the project, a construction related noise analysis and more information with regard to their potential hazardous materials site investigation.

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Nitrogen Program
On August 3rd DEP and Law Department staff presented OMB with an overview of the entire nitrogen program. An agreement on nitrogen with DEC is currently under discussion as part of our negotiations on Newtown Creek Track III. OMB's approval is needed to move forward on this agreement. Among items discussed were the need for sludge and centrate relocation contracts.

Bronx Beach Closures
Six private beaches in the Eastchester Bay section of the Bronx were closed by NYC DOH due to elevated coliform readings detected by DOH's water survey units. The elevated coliform levels were due to CSO conditions caused by the recent heavy rains.

West Nile Virus
DEP continues to be involved in several facets of the fight against West Nile Virus:

- *The NY City EIS Task Force:* The meeting at the Mayor's Office of Environmental Coordination was mostly spent on conference calls with EPA and State Department of Health (NYSDOH) to further clarify what type of information is (or is not) available under the Freedom of Information Act regarding the composition of inert ingredients and impurities present in insecticides.

- *Mosquito Larvae Surveillance:* A field survey was conducted for the presence of mosquitoes around stormwater Best Management Practice (BMP) sites along the Western shore of Kensico Reservoir. Larvae were observed at one site where stagnant water was present. Area residents have expressed some concern over the possibility of mosquitoes breeding in these detention basins. DEP will continue to conduct regular surveys and treat as necessary.

- *Mosquito Insecticide Spraying:* Overnight spraying of Anvil from trucks has been intensified following laboratory reports of findings of West Nile Virus in mosquitoes and dead birds in Staten Island, Queens, Manhattan and upstate counties. The Centers for Disease Control (CDC) and NYSDOH recommendations include the treatment of a 2-mile radius from sites where mosquitoes carrying West Nile Virus are identified. Westchester and Rockland County have also been using Anvil. DEP has coordinated with the Westchester County Department of Health to ensure that spraying does not have an impact on the water supply. DEP has asked the County not to spray in the immediate vicinity of water supply intakes and near watercourses. Our personnel accompany sprayers to verify compliance

Emergency Response

Sewer Collapse - West 110th Street between 8th and Manhattan Avenues; Manhattan
At 10:52 a.m., Tuesday, August 1, 2000 Con Edison reported a street depression in 110th Street between 8th and Manhattan Avenues. At 1:01 p.m. the Mayor's Office of Emergency Management (OEM) reported that the Street had collapsed at that location.

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DEP personnel responded and were on location at 2:05 p.m. and found Con Edison had removed the pavement over a 25 X 15 X 3 foot deep void along the north curb line of West 110th Street. NYC Department of Transportation (DOT) and OEM were on location and had secured the area around the void. It was determined that a leak on the 12 inch water main in the north side of 110th Street had infiltrated the sewer on that side of the street creating the void. The sewer and water main are being evaluated to determine the extent of damage and method of repair. During the evaluation DEP staff found that a contractor working on a nearby sidewalk disposed of the rubble from the old sidewalk into a nearby manhole. We are investigating with DOT to find the contractor.

Sewer Collapse - East 33rd Street between 2nd and 3rd Avenues; Manhattan
The emergency repair contractor has completed replacing the 110 linear feet of twelve inch ductile iron water main that was compromised when a section of 5 X 4 foot elliptical sewer collapsed. Reconstruction of the collapsed section of sewer is underway. Approximately one hundred feet of sewer will be replaced. Reconstruction of the sewer and roadway in East 33rd Street will take an additional four to six weeks.

West 58th Street & Riverside Drive, Manhattan
On August 3, 2000, the New York State Department of Environmental Conservation requested Department of Environmental Protection assistance in investigating the source of an on-going NYCDEC remediation project in the vicinity of W. 158th Street and Riverside Drive. We are presently investigating the origin of an oil-water mixture flowing through a 5' x 6' sewer which does not appear on our records and which we believe to be abandoned. Our present course of action is to clean and televise the sewer, as well as perform dye-testing in mapped sewers and buildings in the surrounding area in order to discover and subsequently terminate the flow through this sewer.

Interagency Matters

Meeting with Parks Department to Broaden use of Biosold Based Compost
DEP recently met with landscape and design representatives of the Department of Parks and Recreation. The main purpose of the meeting was to discuss revisions to DPR draft specifications on the use of compost on park properties. A revision would permit the inclusion of Class A compost produced from City biosolids by a DEP contractor. We addressed the concerns expressed by DPR, and answered their many questions. We consider this a productive meeting, as adding City compost to the specifications will go a long way towards the expansion and general acceptance of the use of beneficial biosolids within the City itself, and will be a signal as to the high quality of our biosolids products.

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Re-engineering/Planning

East Side Access Program - Long Island Railroad (MTA); Queens and Manhattan
On Thursday, July 20, 2000, representatives from DEP met with the project management team from the Metropolitan Transit Authority/Long Island Railroad to discuss the proposed MTA LIRR East Side Access Plan. Currently, the East Side Access Plan has a proposed budget of $4.3 billion dollars in order to provide access to Grand Central Terminal for the Long Island Railroad. The work, which will be performed in stages, will include providing access to the 63rd Street Tunnel for the LIRR via the Sunnyside Rail Yard and construction of new train lines in Park Avenue using the existing MetroNorth track area in addition to new stations in Manhattan and Queens. It is expected that the work will take eight (8) to ten (10) years to complete. Preliminary design plans and scopes are being prepared for some of the stages. Engineers from DEP's Water and Sewer Operations will review all such plans as they are submitted by MTA/LIRR or their consultant engineers.

Sewer Reconstruction - Amsterdam Avenue 156th Street to 157th Street; Manhattan
In order to ensure that there is no possibility of sewer contaminants infiltrating into Shaft 29 on the Croton Aqueduct, the emergency sewer repair contractor has relocated the sewer that was an integral part of the shaft structure. The work to construct the new sewer has been completed and the contractor is restoring the roadway pavement. The restoration will be completed today. Croton Aqueduct dewatering will commence this week.

New York Botanical Gardens Infrastructure Improvement; Bronx
A meeting was held on Friday, July 28, 2000 involving DEP representatives and the New York Botanical Garden and their consultant engineers. Discussion at the meeting involved a presentation of a proposal by the Botanical Gardens to improve existing infrastructure and construction of new facilities as part of a major improvement project. Much of the major work will include construction of a new plant Propagation Range and a new Visitor's Center in addition to enlarging the Garden Cafe building. DEP will review the design plans when they are submitted for their impact on existing water and sewer facilities. Additional meetings with the consultants and Botanical Gardens will be held if necessary.

Updates

General Water Quality and Quantity
Due to heavy rains, turbidity levels in the Rondout reservoir have risen significantly. DEP has reduced the draw from the reservoir to 440 million gallons per day (mgd), versus a more normal 700-800 mgd. The turbidity continues to settle out in downstream reservoirs and does not pose a threat to the drinking water intakes at this time. Staff continues to monitor the situation closely. As of August 15, the reservoirs were at 96.7% of capacity. Normal capacity for this time of year is 86.0%. Consumption for August 14 was 1280.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

DEP Fax:718-595-3557 Aug 15 2000 16:22 P.07

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Reservoir Operations: Mobile Chlorination Unit
On Thursday, July 27, 2000 during one of our routine water sampling procedures, it was determined that there was no chlorine residual in some of the samples at Clark Avenue and Amber Street in Staten Island. The chlorine residual acts as a bactericide . The Mobile Chlorination Unit was sent to the location where chlorine was injected into the distribution system to an acceptable residual level. This area had experienced poor water circulation in the distribution system in the past so staff are reviewing the system in order to make adjustments to the flow patterns in the area to prevent a reoccurrence.

Rules of the City of New York, Title 15, Revised Chapter 20
Rules Revision Committee - Governing and Restricting the Use of Water
On Tuesday, July 25, 2000, the City Record published the Notice of Promulgation for the Revised Chapter 20 of the Rules of the City of New York, Title 15 - Governing and Restricting the Use of Water. The Revised Chapter and Rules will become effective thirty (30) days after the publication.

Water Shut-Off Notice at 304 Manhattan Street; Staten Island
As of Monday, July 24, 2000, the Licensed Plumber hired by the owner of this premises had obtained all necessary permits to commence connecting the location to the fronting City sewer line. All work will be inspected by DEP upon completion.

Local Law 65/96 Notifications and Notices of Violations (NOV): Citywide
In order to insure greater compliance to Local Law 65/96, DEP has asked the NYC Department of Design and Construction (DDC) to provide complete information regarding all sanitary and combined sewers built since 1996. This information will be compared to the data currently on file at DEP to insure all homeowners have connected their premises to these sewers.

Community Service
DEP recently completed its summer activities with a Washington Heights youth group, known as Fresh Youth Initiatives. The young people enrolled in this program perform a variety of service related projects in this northern Manhattan community. DEP has conducted a fire hydrant painting program with this organization for the past three years. This year, sixteen youngsters received instruction on the mechanics of the fire hydrant, the different types of hydrants, painting lessons, supplies and a lecture on fire hydrant safety. Other program components included an explanation of DEP's water analysis techniques at a water sampling station, a tour of the North River Water Pollution Control Plant, a visit to the water testing labs. In the coming weeks, Fresh Youth Initiatives will forward to DEP a list of the hydrants that have been painted and those that require repair work.

cc: Chris Augustini
Robert Grotell

DEP Fax:718-595-3557 Aug 15 2000 16:22 P.08

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THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
JOEL A. MIELE, SR., P.E. Commissioner

PHONE (718) 595-6568
FAX (718) 595-3525

CHARLES G. STURCKEN, Esq.
Chief of Staff
Special Counsel

Faxed to Sen. Marino

FAX COVER SHEET

To Fax No: 212-788-3127

Deliver To: V. LaPadula

From: C. Sturcken

 # Of Pages:
(Including Cover Sheet) 6

Questions or Problems Contact: Carmen

Telephone No: 718-595-6568

Comments: V.L.: (1) Met Life satisfied, see attached.
(2) Met w/ Thalle; they said they would present info by end of next week.
Charlie

59-17 Junction Boulevard, 19th Floor, Corona, New York 11368-5107

DEP Fax:718-595-3525 Aug 15 2000 14:00 P.01

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317 Avenue C, New York, NY 10009
Tel 212 598-5210 Fax 212 598-5289

A. G. Piotrovsky
Director
Project & Facilities Management

MetLife®

July 25, 2000

Mr. Lawrence Schatt
Deputy Commissioner
Department of Environmental Protection
59-17 Junction Boulevard – 13th Floor
Corona, NY 11368

Dear Mr. Schatt:

Thank you for your letter dated July 19, 2000. Attached, please find the credit acceptance agreement, which I have signed and dated.

Very truly yours,

Al Piotrovsky
Director
Project & Facilities Management

Enc.

2000 JUL 27 P 3:03

DEP Fax:718-595-3525 Aug 15 2000 14:00 P.02

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The City of New York
Department of Environmental Protection
59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

Lawrence E. Schatt
Deputy Commissioner

Bureau of Customer Services

Tel (718) 595-6650
Fax (718) 595-7337

SchattL@
Dep1lan.nycnet.dl.nyc.ny.us

July 19, 2000

Al Piotrovsky
Director-Operations
MetLife Insurance Company
317 Avenue C
NY, NY 10009

Re: Stuyvesant Town/Peter Cooper Village
Water/Sewer Charges

Dear Mr. Piotrovsky:

I am writing to advise you of the status of the water quality analysis jointly conducted between MetLife and DEP and the impact on the water/sewer charges for Stuyvesant Town and Peter Cooper Village. At DEP's request, to help identify and isolate the source of complaints regarding their water, Stuyvesant Town and Peter Cooper Village engaged in flushing and other actions which consumed water that was not used by residents. I have been advised by DEP Deputy Commissioner Douglas Greeley that MetLife confirms that the efforts on the part of both organizations have alleviated the problem and that as of July 1, 2000, no additional measures are required at the two housing complexes. Therefore, I would like to advise you of the adjustments that will be made to your water/sewer account to off-set the cost of the increased water consumption created by the system flushing that was conducted to determine the source of the problem. but was "wasted" from a billing perspective.

Specifically, we have reviewed your analysis of the water consumption associated with the additional maintenance of the infrastructure conducted from Sept. 1998 to June 2000. The items noted in your analysis have been determined to be within the guidelines discussed with DEP and the associated costs are consistent with the schedule-detailed in your analysis.

In conclusion, DEP will credit your water/sewer account a total of $185,676.21, which represents a monthly cost of $8,866.59 for the 18-month period from September 1998 until June 2000; the costs to your company for water/sewer services for the additional consumption required to participate in the analysis of the distribution system in and around the area occupied by Stuyvesant Town and Peter Cooper Village. The credit shall be applied to future water/sewer charges and will not be refunded to you.

While DEP appreciates MetLife's cooperation with this matter, please note that as of July 1, 2000, any and all continuing maintenance procedures will not be considered to be at the request of DEP and any costs associated with any increased water consumption must be born in their entirety by MetLife. In the event that you experience problems in the future, you should promptly contact Douglas Greeley,

DEP
www.ci.nyc.ny.us/dep

DEP Fax:718-595-3525 Aug 15 2000 14:00 P.03

NYC-WTC_000137632

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Deputy Commissioner of the DEP Bureau of Water & Sewer Operations at (718) 595-5330.

If you are in agreement with this proposal, please indicate your acceptance by signing and dating the bottom of this letter where indicated. Once I receive your written agreement, I will have the credit applied to your account.

If you have any questions, please feel free to contact me at (718) 595-6650.

Thank you for your cooperation in this matter.

Sincerely,

Lawrence Schatt

Lawrence Schatt
Deputy Commissioner

Lawrence E. Schatt
Deputy Commissioner

Bureau of Customer Services

Tel (718) 595-6650
Fax (718) 595-7337

SchattL@
Dep1lan.nycnet.ci.nyc.ny.us

c: Diana Chapin
Mark Hoffer
Douglas Greeley
William Kusterbeck
Marco Sonnenschein
Don Oral

MetLife hereby agrees to accept the credit amount referenced above as full reimbursement for the costs associated with participation in the joint effort to analyze water distribution issues at Stuyvesant Town and Peter Cooper Village.

By: _____
Al Piotrovsky, Director-Operation

Date: July 24, 2000

DEP - BCCS
2000 JUL 27 P 3:04

DEP Fax:718-595-3525 Aug 15 2000 14:01 P.04

NYC-WTC_000137633

NYC 9/11 Public Portal Document

MARINO, BERNSTEIN, CALLANAN & MURASKIN, PLLC
ATTORNEYS AT LAW

NASSAU COUNTY OFFICE
TOWNSEND SQUARE
P.O. BOX 150
SUITE 210
SYOSSET BAY, NY 11771-0150
TEL: 516.922.4040
FAX: 516.922.4046
EMAIL: MBMLAWFIRM@HOTMAIL.COM

SUFFOLK COUNTY OFFICE
201 NORTH SERVICE ROAD
SUITE 100
MELVILLE, NY 11747-3126
TEL: 631.423.8600
FAX: 631.423.8004

NEW YORK CITY OFFICE
299 BROADWAY, SUITE 1405
NEW YORK, NY 10007
TOLL FREE: 800.294.1213

August 11, 2000

Christopher L. Augostini
Chief of Staff, Deputy Mayor for Operations
Office of the Mayor
City Hall, Room 1
New York, New York 10007

Dear Chris,

I know you're very busy and since its been a while since we met, I'd like to refresh your recollection of that meeting.

My client, Met Life, is having a problem with New York City on two fronts. As you recall, the buses around Madison Square Park were becoming an eyesore. About six months ago, we went on a bus tour of the area and decided that buses could congregate at 15th Street, between Avenues C and D. Drew Hollander said he would advise the local Community Board. Nothing has happened since. Mr. Hollander is at the Department of Transportation.

NYP or POT

The second Met Life problem involves Stuyvesant Town/Peter Cooper Village complexes. I'm enclosing a copy of a letter indicating that D.E.P. recognized that the City was responsible for some water quality concerns at the complexes and that Met Life would receive a credit on its water bills (see attached letter). These credits have not been forthcoming, although promised on numerous occasions by Deputy Commissioner Charles Sturkin, Deputy Commissioner Douglas Greeley and Deputy Commissioner for Finance, Larry Schait.

I would appreciate your intervening at this point so as to resolve these two problems. Thank you for your cooperation.

Best personal regards.

Very truly yours,

RALPH D. MARINO

RJM/sh
Enclosure
Via Facsimile & mail

P.S. Please call me upon receipt of this letter. Thanks.

DEP Fax:718-595-3525 Aug 15 2000 14:01 P.05

MAYOR'S OFFICE Fax:212-788-3127 Aug 14 '00 16:05 P.02

NYC-WTC_000137634

NYC 9/11 Public Portal Document

The City of New York
Department of Environmental Protection
[illegible]
Joel A. Miele Sr., P.E.
Commissioner
Douglas S. Greeley, P.E.
Deputy Commissioner
Bureau of Water and Sewer Operations
Tel: (718) [illegible]
Fax: (718) [illegible]

BY FAX

Al Pietrovsky
Director, Project and Facilities Management
Met Life
317 Avenue C
New York, New York 10009

Dear Mr. Pietrovsky:

Per our recent phone conversation, please be advised that based upon our inspection of your water meter strainers on January 6, 2000, I am preparing a report on water quality concerns in the Stuyvesant Town/Peter Cooper Village complexes. This report will state our belief that there is evidence that a portion of the water quality concerns are originating from our distribution system.

Very truly yours,

D. Greeley

Douglas S. Greeley, P.E.
Deputy Commissioner and Director

Post-it® Fax Note	To [illegible]
To Dave Ekmidt	From A. Pietrovsky
Co./Dept.	Co. MetLife
Phone #	Phone # 212-[illegible]
Fax #	Fax #

MAYOR'S OFFICE Fax:212-788-3127 Aug 14 '00 16:06 P.03

DEP Fax:718-595-3525 Aug 15 2000 14:01 P.06

NYC-WTC_000137635

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THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, N.Y. 10006
http://nyc.gov/html/olr

JAMES F. HANLEY
Commissioner
CAROLINE I. SULLIVAN
First Deputy Commissioner

RECEIVED
SEP 01 2000
00-00769
DEPUTY MAYOR OPERATIONS

File

DEP

COPY: VL ✓ Joel Miele

518 433 6700

MEMORANDUM

Date: August 15, 2000

To: Robert M. Harding, Deputy Mayor for Economic Development and Finance

From: James F. Hanley James F. Hanley

Subject: DEP Watershed Issues

Yesterday, representatives from my office met with Tom McWalters from Local 15, IUOE, and Tom Meyer, one of two DEP Oilers assigned to perform tasks in various DEP facilities upstate.

DEP's Terry Joseph (Labor Relations), Charmaine Richardson (Health and Safety) and Robert Selja (Test Operations and Service) also attended the meeting.

Local 15 had called to complain that mandatory training in hazardous materials and the use of respirators is being given to its members so that they may perform work on types of equipment that have been associated with mercury and PCB contamination.

Under certain circumstances, the wearing of personal protective equipment ("PPE") such as Tyvek suits, boot coverings, gloves and approved respirators is indicated when performing work in some areas. The work itself is apparently within the employee's job specification, but the union is objecting to having to perform the work in "hazardous" conditions except on a "volunteer" basis.

The Unions representing Machinists and Electricians have been advised of the 40-hour training program which is scheduled to begin in two weeks. So far, there have been no negative reactions according to DEP.

We explained to Local 15 that the training is mandatory, and that any employee once trained and properly equipped with the necessary PPE is expected to perform the duties of the job.

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Although Local 15 said its members were not refusing to do the work, there is a likelihood that this union would react in the event that any one of its members is ordered to work in the areas requiring the PPE.

Much publicity has already been generated around the upstate watershed facilities. On March 31, 2000, OLR held a labor management meeting with DC 37 and other unions during which the DEP's "Mercury Task Force" (Lynn Sadosky), outside counsel (Paul Schechtman) and Corporation Counsel (Susan Kath) were on hand to discuss the environmental test results performed in the context of the criminal investigation.

DEP has received an Administrative Order from the U.S. EPA with respect to remediation work that will be done at Shafts 9, 10, 17 and 18. This phase requires DEP to develop a plan to provide employees or their lawful representatives with updates on progress of the work performed under the Order, the results of air monitoring, and notice of other potential contamination concerns, should they occur.

The City's exposure would be from the adverse publicity attached to any reports that employees are refusing to perform work under allegedly hazardous conditions involving contaminants surrounding the City's drinking water. The Union would only have to file a TRO to attempt to stop their members from having to perform this work. Whether or not the Union succeeds, the damage may come from a public relations aspect.

OLR recommends that DEP consult with Susan Kath of the Law Department to determine whether or not the work expected to be performed by Oilers and other DEP employees is prudent given the potential environmental condition of these facilities.

c: Gayle Gavin
Ralph Pavia
Richard Yates

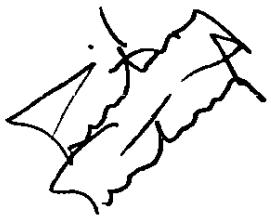
DEP Oilers.doc

NYC-WTC_000137637

NYC 9/11 Public Portal Document

WESTCHESTER DIVERSION

Bullet Points



1. Westchester blind-sided DEP staff at meeting on 7/6. Meeting was supposed to discuss (and narrow differences on) amount of $ City was contribute UNDER MOA 140(l) towards diversion of

Yorktown
Riverwoods
Random Farms

140(l) amount is the "avoided upgrade cost" (that is, what the City is no longer obligated to spend to design and construct the necessary upgrades at the above plant - CAPITAL ONLY - no O&M piece).

2. County instead pronounced list of pre-conditions to diversion

* City pays for whole project:

capital cost of diversion project
cost of expanding Peekskill (technically not necessary)
O&M of project facilities
host community benefits (i.e, goodies) to Peekskill

* County was unclear about costs (used different numbers at different times), but appeared to be asking for

$ 26 Million for capital
$25 Million for Peekskill expansion and host community benefits (and perhaps another $5-10 Million for goodies)
$1 Million per annum for O&M

* County will contribute nothing out of the East of Hudson fund ($38 Million) paid to County under MOA - despite fact that diversion was preferred use discussed in negotiations, and first (of several) permitted uses listed in MOA

* County has other diversion projects it wants to do; expects City to pick up all costs on those as well.

* County says City should pay for all of this, but this is what County thinks the City should do to protect the health of its citizens

NYC-WTC_000137638

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3. Our response should be firm and to the point:

* We are upset with being blind-sided at the meeting.

* The Yorktown plant is an embarrassment to the County and a threat to its environment, as well as a problem for the City. The County should be just as eager as we to at least divert Yorktown out of watershed.

* We are only obligated, under the MOA, to make a capital contribution equal to our avoided upgrade costs (MOA, par. 140(l)).

* We are not that far off from the County on numbers - it looks like the City contribution for diverting Yorktown, under MOA 140(l), will probably be in the $16 Million range

THEREFORE, Yorktown diversion is doable - if Peekskill isn't expanded (and it does NOT have to be), the cost of a project taking Yorktown to Peekskill drops to $10-11 Million (County's numbers) - there should be more than enough $ to do this project, and still have some left over to give to Peekskill if the County decides to do so.

Moreover, under this scenario, the County doesn't even have to touch the $38 Million previously paid by the City.

* The City's bottom line is that we are only obligated to make a capital contribution equal to avoided upgrade costs; the Mayor is prepared to live by that obligation, but no further.

* While we think diversion is preferable, we are VERY confident of our ability to protect public health through upgrading, and our Croton filtration facility, if the County does not want to move ahead

* We think discussions should be refocused on Yorktown, as described above. If this is acceptable, we would be prepared to meet and move ahead quickly; if not, we should fold our tent and look at other ways to work together - there is little time left before we (City) must elect whether to spend time and money on diversion (and persuade EPA that it is worth the wait), or simply move ahead with upgrades to the individual facilities, including Yorktown.

WCBULL.WPD

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PS - Westchester has come back and has now refined its proposal:

Divert Yorktown (w/o expanding Peekskill), Riverwoods and Stanwood
Estimated cost per WC is $22 MM for this project

Estimated 140(l) payment by City, per WC, is $19 MM

WC wants City to fund the $3MM "gap", and wants City to pay for annual O&M associated with the diversion project facilities (pump station(s) and pipeline) (estimated by WC at $1 MM per year).

Meeting tentatively set up for 9/12/2000 with WC staff (MH, Polese, Ravallo and Law Dept to attend).

NYC 9/11 Public Portal Document

The City of New York
Office of Management and Budget
75 Park Place, 8th Floor • New York, New York 10007 - 2146

Fax Routing Slip

File Building DSR

To: Vincent LaPadula

Fax: 8-3127

From: David Rubenstein

FAX: (212) 788- 6301

Pages Transmitted:

Following this page there are 2 pages being faxed to the individual listed above.

Actions or Comments:

This compares Budget to Actuals.

If there are any problems with this transmission please call (212) 788-5891. Thank you.

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NEW YORK CITY DEPARTMENT OF BUILDINGS

FY01 Allocated Positions vs Actuals

Classf	Line #	Title Code	Description	FY 01 Adp Alloc Pos	(8/1/00) Actuals	Vacancies
CLR	1433	10251	Clerical Associate	136	133	3
CLR	1414	56056	Community Assistant	4	7	(3)
CLR	1413	56057	Community Associate	2	5	(3)
CLR	1202	56058	Community Coordinator	5	6	(1)
CLR	1221	06688	Investigator (Employee Discipline)	14	11	3
CLR	1411	30080	Paralegal Aide	1	1	0
CLR	1201	10124	Principal Administrative Associate	57	55	2
CLR	1452	12158	Procurement Analyst	2	2	0
CLR	1434	10252	Secretary	29	23	6
CLR	1110	12867	Secretary to Department	1	1	0
CLR	1114	12846	Secretary to the Commissioner	0	0	0
CLR	1422	12200	Stock Worker	0	0	0
			Subtotal Clericals	**251**	**244**	**7**
ENG	1174	21215	Architect	1	1	0
ENG	1215	21210	Assistant Architect	4	3	1
ENG	1214	20210	Assistant Civil Engineer	8	8	0
ENG	1210	20410	Assistant Mechanical Engineer	5	5	0
ENG	1205	22405	Assistant Plan Examiner	13	16	(3)
ENG	1212	20118	Associate Engineer Technician	1	1	0
ENG	1255	22427	Associate Project Manager	1	2	(1)
ENG	1187	31220	Associate Public Health Sanitarian	1	1	0
ENG	1181	80183	Associate Space Analyst	1	1	0
ENG	1182	20215	Civil Engineer	5	7	(2)
ENG	1357	20121	Estimator (General Construction)	0	0	0
ENG	1358	20122	Estimator (General Construction)	5	5	0
ENG	1190	20415	Mechanical Engineer	2	2	0
ENG	1226	22401	Multiple Dwelling Specialist	3	2	1
ENG	1180	22410	Plan Examiner	24	16	8
ENG	1185	20127	Senior Estimator	2	2	0
ENG	1280	34220	Supervisor of Electrical Installation	2	2	0
			Subtotal Engineers	**78**	**74**	**4**
INSP	1290	31647	Associate Inspector Hoisting & Rigging	4	3	1
INSP	1315	31640	Associate Inspector - BOILERS	1	1	0
INSP	1325	31644	Associate Inspector - ELEVATOR	42	35	7
INSP	1355	31676	Associate Inspector - LOW PRESSURE BO	3	3	0
INSP	1360	31620	Inspector - BOILERS	1	1	0
INSP	1375	31624	Inspector - ELEVATOR	15	3	12
INSP	1380	31627	Inspector - Hoisting & Rigging	6	4	2
INSP	1395	31626	Inspector - Highway & Sewer	1	1	0
INSP	1415	31671	Inspector - LOW PRESS BOILERS	5	7	(2)
INSP	1295	31645	Associate Inspector Highway & Sewer	2	2	0
INSP	1310	31643	Associate Inspector - ELECTRICAL	19	17	2
INSP	1320	31642	Associate Inspector - CONSTRUCTION	37	38	(1)

NYC-WTC_000137642

NYC 9/11 Public Portal Document

NEW YORK CITY DEPARTMENT OF BUILDINGS

FY01 Allocated Positions vs Actuals

Classf	Line #	Title Code	Description	FY 01 Adp Alloc Pos	(8/1/00) Actuals	Vacancies
INSP	1335	31649	Associate Inspector - PLUMBING	10	11	(1)
INSP	1365	31622	Inspector - CONSTRUCTION	88	81	7
INSP	1385	31623	Inspector - ELECTRICAL	14	14	0
INSP	1390	31629	Inspector - PLUMBING	19	22	(3)
			Subtotal Inspectors	**267**	**243**	**24**
OTH	1222	40510	Accountant	0	0	0
OTH	1150	10026	Admin Staff Analyst	10	11	(1)
OTH	1170	10004	Administrative Architect	0	0	0
OTH	1112	10007	Administrative Borough Superintendents	15	13	2
OTH	1122	10015	Administrative Engineer	3	0	3
OTH	1145	10073	Administrative Inspector - BUILDINGS	9	6	3
OTH	1146	10077	Administrative Inspector - ELECTRICAL	1	1	0
OTH	1162	10025	Administrative Manager	0	1	(1)
OTH	1120	83008	Administrative Project Manager	1	1	0
OTH	1136	30087	Agency Attorney	7	5	2
OTH	1135	30086	Agency Attorney Intern	8	7	1
OTH	1107	95508	Assistant Commissioner for Labor Relation	1	1	0
OTH	1175	12627	Associate Staff Analyst (1262B-UNION)	37	33	4
OTH	1131	30115	Attorney	0	0	0
OTH	1134	30085	Attorney at Law	5	3	2
OTH	1199	90699	City Debris Remover	0	0	0
OTH	1200	90702	City Laborer	0	0	0
OTH	1100	94355	Commissioner of Buildings	1	1	0
OTH	1229	13631	Computer Associate (SOFTWARE)	6	9	(3)
OTH	1231	13611	Computer Associate (TECHNICAL)	2	2	0
OTH	1230	13651	Computer Program Analyst	1	1	0
OTH	1227	13632	Computer Specialist	8	9	(1)
OTH	1154	10050	Computer Systems Manager	6	5	1
OTH	1130	95506	Counsel (Dept of Buildings)	1	1	0
OTH	1218	06317	Director Discipline	0	0	0
OTH	1129	95005	Executive Agency Counsel	5	5	0
OTH	1250	22426	Project Manager	3	1	2
OTH	1132	60910	Research Assistant	6	7	(1)
OTH	1177	12626	Staff Analyst	8	10	(2)
			Subtotal All Others	**144**	**133**	**11**

TOTAL AGENCY	**740**	**694**	**46**
Subtotal Inspectors	**267**	**243**	**24**
Subtotal Engineers	**78**	**74**	**4**
Subtotal Clericals	**251**	**244**	**7**
Subtotal All Others	**144**	**133**	**11**

NYC-WTC_000137643

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The City of New York

DEPARTMENT OF HOMELESS SERVICES

Office for Policy & Planning
33 Beaver Street, 17th Floor
New York, NY 10004

(212) 361-8000
Fax: (212) 361-7950

MARTIN OESTERREICH
COMMISSIONER

GAIL CLOTT
ASSISTANT COMMISSIONER

To:	Deputy Mayor Joseph Lhota	788-3142
	P.V. Anantharam, Office of Management and Budget	788-6400
	Leonard Koerner, Law Department	791-9716
	Tom Crane, Law Department	788-1298
cc:	DHS Executive Staff	
	Vincent La Padula	788-3127
	Judy Pincus	788-1668
	Fareen Parvez	788-6400

From: Jill Berry, Department of Homeless Services

Date: 09-08-00

Subject: Department of Homeless Services Daily Report

Number of pages including cover sheet: 3

If you have any questions, please call 361-7957.

Thank you.

NYC-WTC_000137644

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FIRST DEPUTY COMM. Fax:212-361-7950 Sep 8 2000 13:21 P.02

Department of Homeless Services Daily Report

9/8/2000

(Data from Thursday, September 7)

ADULTS

	Census	Vacancies	Avail. Capacity	% Used Cap.	Surge	Off line	Total Cap.
Men	5261	524	5785	90.9%	0	6	5791
Women	1575	29	1604	98.2%	0	76	1680
Total	**6836**	**553**	**7389**	**92.5%**	**0**	**82**	**7471**

Drop-in center overnight census	433	
Outreach placements	23	(8/23/00)
Church/Synagogue census	178	

FAMILIES

	Census	Vacancies	Avail. Cap.	% Used Cap.	Off line	Total Cap.
Families with children	5096	76	5172	98.5%	83	5255
Adult families	286	7	293	97.6%	0	293
Total	**5382**	**83**	**5465**	**98.5%**	**83**	**5548**

EAU applicants (# of families)	48	
Over 24 hours (# of families)	11	(These figures represent applicants who applied on 8/20/00)

FACILITIES

	City	Contracted	Total
ADULTS			
Shelters	7	35	42
Drop-in	0	8	8
FAMILIES			
EAU	1	0	1
Overnight Facilities and Reception Centers	3	24	27
Adult Families	0	9	9
Families with children	3	65	68
TOTAL	14	141	155

NYC-WTC_000137645

Lighting Risk Tech.
Conference – Tuesday
Tuesday

- Michael Rosenberg
- Rep - 914 742 - 2030

$5900

Physics / Vallone –
City Hall Conservancy.

Jerry Peterson

NYC 9/11 Public Portal Document

The City of New York

Department of Environmental Protection
Executive Offices
59-17 Junction Boulevard-19th floor
Corona, New York 11368-5107
(718) 595-6565 Fax #: (718) 595-3525
Joel A. Miele Sr., P.E., Commissioner

CONFIDENTIAL FAX MEMO
FOR IMMEDIATE DELIVERY

Pages sent: 8 **Date:** 8/15/00

To: **Deputy Mayor Lhota / Vincent Lapadula / Robert Grotell**

Fax number: (212) 788-3142/3127/2782

From: **Joel A. Miele Sr., P.E., Commissioner**

Subject: Monthly Report

Contact: Michael J. Egan
(718) 595-6573
(718) 595-3557 (fax)

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

EXECUTIVE OFFICES
59-17 JUNCTION BLVD., 19TH FLOOR, CORONA, NEW YORK 11368-5107

JOEL A. MIELE, SR., P.E., COMMISSIONER

(718) 595-6565 FAX: (718) 595-3525
E-mail Jmiele@pppmail.nyscr.net

MEMORANDUM

To: Joseph J. Lhota, Deputy Mayor for Operations

From: Commissioner Joel A. Miele Sr., P.E.

Re: Monthly Report - July 2000

Date: August 15, 2000

Emerging Issues

Surcharge

After an initial surge of calls regarding the issuance of the surcharge for failure to install a water meter in residential properties, the volume of calls has dropped to normal levels, although we have seen an increase in letters and e-mails regarding this issue. The calls that are now being received include many whose water/sewer bills are paid through their mortgage company. In some cases, mortgage companies are now advising property owners that they have paid the surcharge and are requesting that their escrow be increased. In situations of this nature, because bills and prior warning notices were mailed to the mortgage company, we are canceling the surcharge and establishing a work order for the installation of a meter, based on the premise that the customer may not have received any prior notification of the surcharge. Conversely, due to the high volume of open work orders for DEP contractors, where a surcharge has been issued and the customer did not take any action to either install a water meter or request that DEP make the installation, prior to July 1, 2000, the surcharge will remain until the property owner secures a licensed plumber to do the work under the Water Board's "Reimbursable Metering Program". As of August 2, 2000, a total of 40,021 properties are still subject to the surcharge. On July 1, 2000, the total number was 43,142. A breakdown of the number of properties, by borough, follows:

NYC-WTC_000137648

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Manhattan:	3,890
Bronx:	6,150
Brooklyn	19,335
Queens:	8,604
Staten Island:	2,042
Total:	40,021

Break in Lines Feeding Chlorine to the Catskill System

On Wednesday (8/9/00) at 11:10 a.m. (approx.) the contractor installing water lines for the Town of MT. Pleasant broke both lines feeding chlorine to the Catskill system. The lines were supposed to be 10 - 15 feet from where they actually were. One line is for service and the second is the spare or backup line. The system responded according to design and shut off immediately with no gas escaping. The Westchester County Health Department, the affected communities, Catskill, Hillview and Kensico lab were notified. Chlorination was restored at 2:30 p.m. with the repair of one line. The second line was repaired at 3:45 p.m.. It is estimated that 70MGD was untreated.

Fire Insurance Liens

DEP has initiated a pilot program, in conjunction with the Department of Finance, to secure payment from fire insurance proceeds where there are open water/sewer charges on the properties that experienced fire damage or destruction. According to Section 22 of the NYC General Municipal Law and Section 331 of the NYS Insurance Law, outstanding special liens, such as water and sewer charges, are collectible against the proceeds of fire insurance policies. However, the lien holder must serve the insurance company within 20 days of the notification of the loss. In order to take advantage of the potential revenue stream, DOF has agreed to notify DEP immediately when a notice of claim is received by DOF at their offices. DOF will also access the DEP water/sewer billing computer system to determine if there are outstanding charges and simultaneously DEP will review the charges to ensure that they are accurate and valid. Where necessary, the account will be reconciled so that the claims can be made without challenges. As part of the agreement with DOF, any revenues collected for water/sewer charges will be paid to DEP and the account will be credited with the payment. We are projecting a collection of $5 million per year, utilizing one staff person.

USEPA Pretreatment Program Order

On June 26th, the USEPA Region 2 office issued its Official Audit Report, containing results of the NYCDEP Pretreatment Program Audit it had conducted earlier in the year. This audit is a comprehensive investigation of the Agency's industrial pretreatment activities, thus there is expectation that federal auditors will be able to cite an occasional failure of strict adherence to federal regulations. In this instance we were surprised to receive an extensive list of citations, claiming violations of reporting procedures, not issuing pretreatment permits within specified time frames, and many more. The Audit Report provides a comment period, in this case extending into September, to respond to the citations, whether disagreeing, complying with remedies, or suggesting alternative actions.

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While staff was engaged in preparing the Agency's response demonstrating that almost all of the citations were inaccurate, previously approved procedures or no longer existing problems, we were upset and disappointed to receive an USEPA Order of July 14th containing notices of violations, under the general heading of failure to fulfill the conditions of our industrial pretreatment permit. Certain violations were to be corrected immediately, and the remainder requiring compliance within 90 days. This was completely unexpected and essentially subverted our anticipated response to the Audit Report. A letter has been sent to the Region 2 office, requesting a meeting to discuss this matter further and, hopefully, to arrange the withdraw of the order.

Expansion of the Consolidated Edison Steam Plant at East 14th Street and Avenue C; Manhattan
Representatives from several DEP Bureaus, Consolidated Edison (Con Ed), NYC Economic Development Corporation (EDC), and their consultant have held several meetings and discussions related to the design plans for Phase I of the Steam Plant expansion in the area of Stuyvesant Cove (East 14th Street and FDR Drive). Local opposition is emerging to Con Edison's proposal. An umbrella organization, East River Environmental Coalition (ERIC) is holding a community meeting on August 21st with federal, state and local officials. DEP has formally requested that the NYC Economic Development Corporation (EDC), and their consultant engineer, act as DEP's agent to provide watermain improvements within the scope of EDC's current capital contract for the Stuyvesant Cove area. This contract, which covers Avenue C between East 18th and East 23rd Streets, includes part of the Con Edison Steam Plant expansion. Under the Stuyvesant Cove work, new 24" water mains will be constructed in Avenue C from East 18th to East 23rd Streets. Existing catch basin chutes under the FDR Drive will be raised. Additionally, existing sewers within the project limits are now being reviewed by DEP for possible work. Con Edison has agreed to provide the necessary funds for the water main design cost, test pits, and the videotape costs. DEP shall provide funding for water main construction and resident engineering costs. This work shall be performed by EDC and their contractor as a change order to the work presently underway. In meetings and discussions, it was further agreed that a second capital contract will be ordered by NYC EDC which will include Phase II of the water main and sewer work. The scope of work for this project is still being developed by DEP, but will include the construction of new 24" water mains in East 20th Street, Avenue C, East 15th Street, and south of East 14th Street in Avenue C. As part of the Article X permitting process, the Department has submitted comments to the New York State Public Service Commission regarding the completeness of Con Edison's Application for Certification of a Major Generating Facility. We have requested that the analyses be supplemented with a cumulative air quality impact study. This type of study focuses on the combined effect of proposed and existing large facilities in the immediate neighborhood surrounding a site. It is not necessarily required by the State but is routinely requested as part of our air permitting process for facilities with the potential to have significant emissions. To date, Con Edison appears willing to comply. We have also requested an analysis of potential odors emitted by the project, a construction related noise analysis and more information with regard to their potential hazardous materials site investigation.

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Nitrogen Program
On August 3rd DEP and Law Department staff presented OMB with an overview of the entire nitrogen program. An agreement on nitrogen with DEC is currently under discussion as part of our negotiations on Newtown Creek Track III. OMB's approval is needed to move forward on this agreement. Among items discussed were the need for sludge and centrate relocation contracts.

Bronx Beach Closures
Six private beaches in the Eastchester Bay section of the Bronx were closed by NYC DOH due to elevated coliform readings detected by DOH's water survey units. The elevated coliform levels were due to CSO conditions caused by the recent heavy rains.

West Nile Virus
DEP continues to be involved in several facets of the fight against West Nile Virus:

- *The NY City EIS Task Force:* The meeting at the Mayor's Office of Environmental Coordination was mostly spent on conference calls with EPA and State Department of Health (NYSDOH) to further clarify what type of information is (or is not) available under the Freedom of Information Act regarding the composition of inert ingredients and impurities present in insecticides.

- *Mosquito Larvae Surveillance:* A field survey was conducted for the presence of mosquitoes around stormwater Best Management Practice (BMP) sites along the Western shore of Kensico Reservoir. Larvae were observed at one site where stagnant water was present. Area residents have expressed some concern over the possibility of mosquitoes breeding in these detention basins. DEP will continue to conduct regular surveys and treat as necessary.

- *Mosquito Insecticide Spraying:* Overnight spraying of Anvil from trucks has been intensified following laboratory reports of findings of West Nile Virus in mosquitoes and dead birds in Staten Island, Queens, Manhattan and upstate counties. The Centers for Disease Control (CDC) and NYSDOH recommendations include the treatment of a 2-mile radius from sites where mosquitoes carrying West Nile Virus are identified. Westchester and Rockland County have also been using Anvil. DEP has coordinated with the Westchester County Department of Health to ensure that spraying does not have an impact on the water supply. DEP has asked the County not to spray in the immediate vicinity of water supply intakes and near watercourses. Our personnel accompany sprayers to verify compliance

Emergency Response

Sewer Collapse - West 110th Street between 8th and Manhattan Avenues; Manhattan
At 10:52 a.m., Tuesday, August 1, 2000 Con Edison reported a street depression in 110th Street between 8th and Manhattan Avenues. At 1:01 p.m. the Mayor's Office of Emergency Management (OEM) reported that the Street had collapsed at that location.

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DEP personnel responded and were on location at 2:05 p.m. and found Con Edison had removed the pavement over a 25 X 15 X 3 foot deep void along the north curb line of West 110th Street. NYC Department of Transportation (DOT) and OEM were on location and had secured the area around the void. It was determined that a leak on the 12 inch water main in the north side of 110th Street had infiltrated the sewer on that side of the street creating the void. The sewer and water main are being evaluated to determine the extent of damage and method of repair. During the evaluation DEP staff found that a contractor working on a nearby sidewalk disposed of the rubble from the old sidewalk into a nearby manhole. We are investigating with DOT to find the contractor.

Sewer Collapse - East 33rd Street between 2nd and 3rd Avenues; Manhattan
The emergency repair contractor has completed replacing the 110 linear feet of twelve inch ductile iron water main that was compromised when a section of 5 X 4 foot elliptical sewer collapsed. Reconstruction of the collapsed section of sewer is underway. Approximately one hundred feet of sewer will be replaced. Reconstruction of the sewer and roadway in East 33rd Street will take an additional four to six weeks.

West 58th Street & Riverside Drive, Manhattan
On August 3, 2000, the New York State Department of Environmental Conservation requested Department of Environmental Protection assistance in investigating the source of an on-going NYCDEC remediation project in the vicinity of W. 158th Street and Riverside Drive. We are presently investigating the origin of an oil-water mixture flowing through a 5' x 6' sewer which does not appear on our records and which we believe to be abandoned. Our present course of action is to clean and televise the sewer, as well as perform dye-testing in mapped sewers and buildings in the surrounding area in order to discover and subsequently terminate the flow through this sewer.

Interagency Matters

Meeting with Parks Department to Broaden use of Biosold Based Compost
DEP recently met with landscape and design representatives of the Department of Parks and Recreation. The main purpose of the meeting was to discuss revisions to DPR draft specifications on the use of compost on park properties. A revision would permit the inclusion of Class A compost produced from City biosolids by a DEP contractor. We addressed the concerns expressed by DPR, and answered their many questions. We consider this a productive meeting, as adding City compost to the specifications will go a long way towards the expansion and general acceptance of the use of beneficial biosolids within the City itself, and will be a signal as to the high quality of our biosolids products.

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Re-engineering/Planning

East Side Access Program - Long Island Railroad (MTA); Queens and Manhattan
On Thursday, July 20, 2000, representatives from DEP met with the project management team from the Metropolitan Transit Authority/Long Island Railroad to discuss the proposed MTA LIRR East Side Access Plan. Currently, the East Side Access Plan has a proposed budget of $4.3 billion dollars in order to provide access to Grand Central Terminal for the Long Island Railroad. The work, which will be performed in stages, will include providing access to the 63rd Street Tunnel for the LIRR via the Sunnyside Rail Yard and construction of new train lines in Park Avenue using the existing MetroNorth track area in addition to new stations in Manhattan and Queens. It is expected that the work will take eight (8) to ten (10) years to complete. Preliminary design plans and scopes are being prepared for some of the stages. Engineers from DEP's Water and Sewer Operations will review all such plans as they are submitted by MTA/LIRR or their consultant engineers.

Sewer Reconstruction - Amsterdam Avenue 156th Street to 157th Street; Manhattan
In order to ensure that there is no possibility of sewer contaminants infiltrating into Shaft 29 on the Croton Aqueduct, the emergency sewer repair contractor has relocated the sewer that was an integral part of the shaft structure. The work to construct the new sewer has been completed and the contractor is restoring the roadway pavement. The restoration will be completed today. Croton Aqueduct dewatering will commence this week.

New York Botanical Gardens Infrastructure Improvement; Bronx
A meeting was held on Friday, July 28, 2000 involving DEP representatives and the New York Botanical Garden and their consultant engineers. Discussion at the meeting involved a presentation of a proposal by the Botanical Gardens to improve existing infrastructure and construction of new facilities as part of a major improvement project. Much of the major work will include construction of a new plant Propagation Range and a new Visitor's Center in addition to enlarging the Garden Cafe building. DEP will review the design plans when they are submitted for their impact on existing water and sewer facilities. Additional meetings with the consultants and Botanical Gardens will be held if necessary.

Updates

General Water Quality and Quantity
Due to heavy rains, turbidity levels in the Rondout reservoir have risen significantly. DEP has reduced the draw from the reservoir to 440 million gallons per day (mgd), versus a more normal 700-800 mgd. The turbidity continues to settle out in downstream reservoirs and does not pose a threat to the drinking water intakes at this time. Staff continues to monitor the situation closely. As of August 15, the reservoirs were at 96.7% of capacity. Normal capacity for this time of year is 86.0%. Consumption for August 14 was 1280.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

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Reservoir Operations: Mobile Chlorination Unit
On Thursday, July 27, 2000 during one of our routine water sampling procedures, it was determined that there was no chlorine residual in some of the samples at Clark Avenue and Amber Street in Staten Island. The chlorine residual acts as a bactericide . The Mobile Chlorination Unit was sent to the location where chlorine was injected into the distribution system to an acceptable residual level. This area had experienced poor water circulation in the distribution system in the past so staff are reviewing the system in order to make adjustments to the flow patterns in the area to prevent a reoccurrence.

Rules of the City of New York, Title 15, Revised Chapter 20
Rules Revision Committee - Governing and Restricting the Use of Water
On Tuesday, July 25, 2000, the City Record published the Notice of Promulgation for the Revised Chapter 20 of the Rules of the City of New York, Title 15 - Governing and Restricting the Use of Water. The Revised Chapter and Rules will become effective thirty (30) days after the publication.

Water Shut-Off Notice at 304 Manhattan Street, Staten Island
As of Monday, July 24, 2000, the Licensed Plumber hired by the owner of this premises had obtained all necessary permits to commence connecting the location to the fronting City sewer line. All work will be inspected by DEP upon completion.

Local Law 65/96 Notifications and Notices of Violations (NOV): Citywide
In order to insure greater compliance to Local Law 65/96, DEP has asked the NYC Department of Design and Construction (DDC) to provide complete information regarding all sanitary and combined sewers built since 1996. This information will be compared to the data currently on file at DEP to insure all homeowners have connected their premises to these sewers.

Community Service
DEP recently completed its summer activities with a Washington Heights youth group, known as Fresh Youth Initiatives. The young people enrolled in this program perform a variety of service related projects in this northern Manhattan community. DEP has conducted a fire hydrant painting program with this organization for the past three years. This year, sixteen youngsters received instruction on the mechanics of the fire hydrant, the different types of hydrants, painting lessons, supplies and a lecture on fire hydrant safety. Other program components included an explanation of DEP's water analysis techniques at a water sampling station, a tour of the North River Water Pollution Control Plant, a visit to the water testing labs. In the coming weeks, Fresh Youth Initiatives will forward to DEP a list of the hydrants that have been painted and those that require repair work.

cc: Chris Augustini
Robert Grotell

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RFK Jr.'s River of Trouble

When he backed a convicted bird smuggler to be Riverkeeper's staff scientist, Robert Kennedy Jr. set off a firestorm within the environmental organization.

By Pope Brock

As mutinies go, it was over very quickly. The victorious insurgents remained behind in a conference room and took up the next item of business. The vanquished leader and his loyalists adjourned to the New York Yacht Club on West 44th Street, a hideaway of dark mahogany and exquisite model ships. There they took a table and held a little Irish wake. The Hudson River suffered but kept quiet.

All in all, June 20 of this year was a night of massive trauma. Riverkeeper, one of the nation's toughest and most glamorous environmental groups, and the savior of the Hudson River Valley, was split like an oak by lightning when eight members of its board of directors resigned in a body. The fight, which pitted Riverkeeper's

"He's a very smart guy." Kennedy gave Riverkeeper clout and class as it fought to save the Hudson River.

KENNEDY: JASPER SKY; HUDSON RIVER: WOLFGANG KAEHLER

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"I'm not an avenging angel." Robert Boyle, here at his home above the Hudson, lost the battle to keep William Wegner out of the organization Boyle founded.

chief prosecuting attorney, Robert F. Kennedy Jr., against its president and founder, Robert H. Boyle, left Kennedy in command—but of what, only the future will show.

To outsiders at least, the immediate cause of the showdown seemed peculiar indeed. For months Kennedy had been insisting on filling a job as Riverkeeper's staff scientist (a key monitor of polluters throughout much of New York state) with a convicted environmental criminal. The individual in question, William Wegner, had been the brains behind a sophisticated egg-smuggling ring, which for more than eight years slipped some 800 cockatoo eggs worth about $1.5 million out of Australia and into the United States. These birds, members of the parrot group, were then hatched and sold illegally by Wegner and his cohorts—who included his then-girlfriend, an animal keeper at the Playboy mansion in Los Angeles.

The vigor, even ferocity with which Kennedy fought to hire this man has left various people appalled. "I found it absolutely bizarre, reckless, and very damaging to the environmental movement," says Boyle, voicing an opinion that has many echoes. Though Kennedy, 46, still has a legion of vigorous supporters—his faction did prevail when it came to a showdown—elsewhere there's a free-floating fear that he has imperiled Riverkeeper's reputation and future effectiveness by forcing Wegner onto the staff. What has added to the confusion, and even grief, in some quarters, is that Kennedy has done this to an organization for which he has done outstanding work over the past 16 years.

Indeed, no environmental group has gained more clout and class, since Kennedy came on board in 1984. The Hudson River was once a greasy loo, a joke on *The Tonight Show*. It has been Riverkeeper that has led the long campaign to reclaim it, with more than 100 successful suits against polluters resulting in more than $1 billion in fines; that money has funded a massive cleanup that has brought the Hudson back from the dead. At the same time, Riverkeeper has become the chief tormentor of New York City's mayor Rudolph Giuliani on environmental issues, especially regarding the purity of the city's water supply. And on top of that, the success of Riverkeeper has spawned a nationwide movement: There are now dozens of river- and baykeepers around the country, and more being formed, all under the umbrella of the Water Keeper Alliance.

For much of this the country has Kennedy to thank. Though not the founder, he has become the face of the movement, the tousle-haired zealot with the quick sword. "He's a very smart guy," says Professor Richard Bopp, an environmental scientist who has worked with Kennedy in the past. "I remember writing him about some different aspects of contaminant geochemistry. He picked it up right away. That's how I judge environmental lawyers: The best can understand and internalize the scientific and technical." And the political. In 1997 Kennedy was praised as the bridge builder in constructing what's known as the "watershed agreement," a pact with New York City to improve the reservoir system—negotiations that took as much care and skill as blowing Venetian glass.

In other ways Kennedy's star power has been a more complex asset, at least for Riverkeeper. During the '90s the group's operating budget shot up, thanks largely to Kennedy's fund-raising and his ability to attract celebrities to the cause, like actors Alec Baldwin, Glenn Close, and Lorraine Bracco. Riverkeeper's annual dinner dance, which last year grossed about $600,000, has become one of New York's social highlights. (Former treasurer John Fry was cautiously grateful. "It's a hugely successful way of making money," he says now, "but that doesn't necessarily mean you get the most informed people running the organization.") When Ted Turner was the benefit's guest of honor in 1997, *In Style* magazine was there to report on the swirl of Kennedys and movie stars.

Maybe there's a cautionary tale here, about how a nonprofit organization can reach toxic levels of chic. But if so, it pales beside the core conundrum of why Bobby Kennedy Jr., champion of the environment, went to the mat for a wildlife criminal. Why would he drive out Bob Boyle, the man he has often called his mentor? Why would he risk Riverkeeper's good name and perhaps his own as well?

Weeks after the June 20 vote, Boyle is still seething. "I'm not out to do in William Wegner," he says. "I'm not an avenging angel. This is damaging to him as well, to be thrust into the public arena this way. But he does not belong in the environmental movement. I'm not going to hire a child molester to run a nursery school." He paws through months of memos, the history of the Wegner fight. "Riverkeeper had a sterling reputation, and now there's a huge blot on it, put there by Mr. Kennedy."

From the deck of his house in Putnam County, Boyle has a view of 15 miles of the Hudson Highlands, seen from way up where the hawks float. He doesn't give it a glance. Compact and bald, Boyle at 72 has the prowling energy of a small bear—"a curmudgeon and a genius," former Riverkeeper board member Ann Tonetti calls him. Born in New York City, Boyle was a staff writer for *Sports Illustrated* for more than 25 years; it was while researching articles for the magazine that he became infatuated with the Hudson. A natural-born warrior, he founded the Hudson River Fishermen's Association in 1966, and this rough-and-ready, mostly blue-collar group launched a fight to reclaim their river that would mark the birth of modern environmental law.

The battle was joined over Storm King, a magnificent 1,355-foot mountain rising from the banks of the Hudson. Consolidated Edison had announced its intention to construct the largest pump storage fa-

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cility in the world there. The proposed project was a model of total desecration through building, blasting, and the stringing of wire. In addition, the plant's steady, gargantuan inhalations of water would slaughter untold millions of fish.

Boyle led the fight that stopped the whole thing. Brandishing a report stating that close to 90 percent of the Hudson's striped bass laid their eggs near the mountain, he and his supporters went to court. It took 15 years, but they prevailed. And they established the legal precedent we now take for granted: that citizens have the right to sue corporations over threats to natural surroundings. *The Riverkeepers*, the 1997 book Kennedy coauthored, calls the Storm King fight "the most important lawsuit in the history of environmental jurisprudence."

But Boyle was just beginning. His next idea was to put citizen patrols on the river to search out polluters in every bend and inlet. In 1983 Boyle offered the job of "riverkeeper" to John Cronin, a sandy-haired young man from Yonkers, at a salary of $50 a week. Cronin took his boat out, spied Exxon tankers dumping oil and stealing water, and nailed his first fine.

Robert Kennedy Jr. joined Boyle's organization (now called Riverkeeper) the following year. It wasn't entirely by choice. A graduate, like his father, of Harvard and the University of Virginia law school, Kennedy had been arrested for possession of heroin in 1983. He wound up doing community service work with the Natural Resources Defense Council, which had represented Riverkeeper in court. Before long Kennedy was on his way to becoming Riverkeeper's chief prosecuting attorney. He also continued working for the NRDC and went on to found the Environmental Litigation Clinic at Pace University, a legal boot camp for new soldiers in the environmental movement. As Boyle says, "Kennedy said to me, 'Riverkeeper has saved my life. It's given me something to live for.'"

For a decade and a half these three men—Boyle, Kennedy, and Cronin—were Riverkeeper's Father, Son, and Holy Ghost. They presided over the comeback of the blue crab, the sturgeon, and the two hundred varieties of shad, and they did it with style. "They were enchanting," Tonetti says, "these three spirited Irishmen, bantering with each other."

About two years ago, the bantering ended.

In 1998 Kennedy announced that he wanted to found a bottled water company and use the Riverkeeper name. Boyle and others opposed him. Even though Kennedy proposed donating all profits to environmental causes, some objected that a venture like that would only confuse the public. "Riverkeeper was designed to protect the Hudson River," says then–board member Fletcher Hodges. "To create a bottled water company seemed to capitalize on there being dirty water. It's a basic conflict of interest." Boyle agreed: "If we point out pollution, people will just say it's to make them buy our water." Cronin too opposed the project, according to Riverkeeper's ex-treasurer John Fry. (Cronin declined to be interviewed for this article.) Kennedy, bucking Boyle, showered the board members with his proposal, and the fight was on.

It was the bottled water episode that revealed the fault line in Riverkeeper, especially on its board of directors. When Kennedy's application to use the Riverkeeper name failed in the fall of 1998, those loyal to him were outraged. "We based it on the Paul Newman way of making money," says Lorraine Bracco, a Riverkeeper board member. "Here we are killing ourselves with fundraisers. We need over $1 million a year to run this organization. It's not easy. Do you want us to go to Mobil Oil? Do you want us to ask tobacco companies?"

The issue engendered so much acrimony that Kennedy sent Boyle his letter of resignation that fall. "Bob Boyle accepted it," Fry says. "Then Kennedy said he didn't expect it to be taken seriously." In any case, Kennedy stayed. He founded a water company on his own, calling it Keeper Springs. But "he bitterly resented the bottled water decision," says Hodges, and after that things were never the same.

Over the next year or so there were increasingly rancorous disputes between Kennedy and what he'd come to regard as Riverkeeper's old-boy network of Boyle, Fry, and others. In memos, Kennedy kept demanding more "democracy and openness" and an end to Boyle's "bullying." Boyle's faction was ever more irate over Kennedy's refusal to come to staff meetings, his insistence on being, in Hodges's words, "a one-man band." In fact Kennedy and Hodges, then interim executive director, came to regard each other with undiluted loathing. They fought over fund-raising, over the choice of next year's dinner dance honoree. (Hodges had chosen philanthropist Arthur Ross; Kennedy backed *Rolling Stone* publisher Jann Wenner.) At last, in a letter to Boyle dated September 24, 1999, Hodges wrote, "I think we should get rid of Kennedy immediately.... This will cost us some money and maybe some bad publicity, but as a rogue staff member he is hurting us as much as his fund-raising is helping us." In fact, Fry did a study in 1999 to see what life without Kennedy would be like, and shared his results with the group's executive committee. "We came to the conclusion," says Fry, "that his leaving would result in a diminution of $450,000 to $520,000 out of next year's budget of $1.3 million to $1.4 million." According to Fry, some board members were willing to take the loss. "They said, 'Okay, let's downsize. We're paying too steep a price here.'"

But, then as now, Kennedy had his passionate defenders. Around this time Alec Baldwin, a member of Riverkeeper's advisory board, wrote a blistering letter to Boyle and Fry: "I have kept tabs through other people on the personality-related clashes between various individuals in the organization and I want all of you to understand clearly that I don't believe Kennedy is responsible for any of this. In fact, I think some people to whom I'm sending this letter may be responsible for this and want to pin it on [him].... If you allow whatever valid disagreements people have with each other to become the fodder for driving Kennedy out of the organization, you are making an irreversible mistake."

Boyle himself thought the situation past saving. In October he scribbled a note to Fry about Kennedy: "He's attacking, attacking, attacking, and he will come forth with one false issue after another. He's a head case."

Board member Brenda Boozer referred to cockatoos as "vermin": Below, the endangered sulphur-crested cockatoo.

ERIC AND DAVID HOSKING/CORBIS

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Into this radioactive climate, the name of William Wegner was introduced.

It happened in the form of a phone call from Kennedy to Hodges in mid-November 1999, in which Kennedy proposed hiring Wegner. "He called and asked me if he could do it," Hodges says. "He said William Wegner had had a small contretemps with the law. Said he'd been arrested and jailed unfairly, and that the charges against him had never been proven." According to Hodges, Kennedy "was very eager to get Wegner. And he said, 'He's cheap.'" Hodges gave the go-ahead and told Boyle, who did some checking on Wegner himself. That's when they learned that, as Hodges puts it, "there was much more to the situation than Bobby Kennedy had indicated."

Blame it on *Baretta*. In the late '70s Robert Blake starred in this television series as a droopy-drawers detective whose sidekick was a sulphur-crested cockatoo named Fred. Viewers were entranced—at least by the bird. They loved his crown—that shot of hot yellow in a '50s flip—his lunatic eyes and his endless gymnastics. Thus began the American stampede for cockatoos, sulphur-crested and otherwise. By 1980 the price of the average cockatoo was upward of $1,000, and as the tide continued, well into the '90s, some were going for more than 15 times that. Only a few types were bred in the U.S., however. Australia was the mother lode. Of the approximately 20 varieties of cockatoo 13 are found only there, making Australia an object of avid interest to prospective owners.

Unfortunately for them, Australia has laws banning the export of its native wildlife. But for every appetite there are feeders, and one of them was William Wegner. Now 49, Wegner has a long-standing and legitimate fascination with birds: a master falconer, with a master's degree in biology from the State University of New York at New Paltz, he studied ornithology there under professor Heinz Meng. "He was very good-looking," Meng recalls. "Long blond hair. Girls were always hanging around him. He looked a little like this Fabio guy, but better-looking."

Whether moved by a passion for birds, a passion for money, or some of both, Wegner began smuggling cockatoo eggs in 1983. (When I tried to talk to Wegner, Kennedy responded that Wegner could not be interviewed.)

Illegal trade in wildlife is an enormous business; it ranks second only to drugs as the most lucrative type of smuggling around the world. Wegner founded his own network in New Paltz, where he recruited some of his old high school friends to make regular runs to Australia. There, he and his couriers scouted locations, assembled maps, took photographs. Then they shinnied up likely trees, broke into nesting hollows, and removed the eggs (each about half the size of a hen's egg), which were kept warm, sometimes with hair dryers, till it was time to fly them out.

The actual smuggling of cockatoo eggs requires nerve, lots of pockets, and a cold heart. Wegner's runners boarded their flights home wearing "egg vests" under their clothes with as many as 48 pockets, an egg in each. During the 14-hour flight from Sydney to the States, the smugglers' own body heat kept the eggs incubated. If any birds hatched during flight, the couriers were instructed to flush them down the toilet of the plane.

Trade was brisk. More and more people in New Paltz got involved in Wegner's operation, and they began forming competing groups. Some found themselves making so many trips to Australia that they obtained false passports to divert suspicion. In one case, when a new recruit joined up, he was forced to apply for a false passport because another smuggler was already using his name.

The scheme flourished for eight years, and ultimately involved at least six species: the rose-breasted cockatoo, Major Mitchell's cockatoo, the sulphur-crested, the slender-billed, the white-tailed black, and the red-tailed black. Under company names like Hudson Valley Aviaries, Wegner hatched and sold them to what an agent with the U.S. Fish & Wildlife Service describes as a "don't ask, don't tell" clientele. Prices ranged from roughly $1,000 to $16,000, depending on the species.

By the early '90s, however, the plot was coming undone. Fish & Wildlife had noticed a boost in the number of these species in America, which could only be due to illegal imports. And Wegner himself was getting careless, shopping a screenplay around Hollywood about rare-egg smuggling. He also wrote a couple of articles for a trade publication, *American Cage-Bird* magazine, which detailed his experiences breeding red-tailed black cockatoos—a variety no American breeder was supposed to have. Says Dr. Donald Bruning, the chief bird expert at the Bronx Zoo, "Fish & Wildlife asked me, 'Where would he get them?' I said, 'There's no legal source.'"

In 1993 agents dropped the net, and by 1994 Wegner and 14 co-conspirators had been indicted. Fish & Wildlife considered it an important case. Says Ernest Mayer, special agent in charge, who supervised the investigation, "Others smuggle [cockatoo eggs] once, twice, three times. But from total number of birds and secretiveness and size, the William Wegner group was unique." All of the defendants pleaded guilty except one, Wegner's girlfriend; she was convicted in July 1995. She stood sobbing at her sentencing; her lawyer said his client had fallen victim to Wegner's "Svengali effect."

As for Wegner himself, he pleaded guilty to violating various wildlife-protection

Big fish: Robert Kennedy attracted celebrities to the Riverkeeper cause, including Lorraine Bracco, below, with husband Edward James Olmos and, bottom, Alec Baldwin with Kennedy.

NYC-WTC_000137658

NYC 9/11 Public Portal Document

laws, including Title 16 of the U.S. Endangered Species Act; he also pleaded guilty to tax fraud and perjury, the last for having lied at his girlfriend's trial. According to his presentencing report, Wegner said he was "very regretful for his involvement" in the scheme and would never do it again, but that he nevertheless "believed it was better for the birds to be owned privately in the United States than for them to be subjected to harsh conditions prevalent in the wild." Wegner received a five-year sentence. He went to prison in California in January 1996 and served three years and seven months. He was released in August 1999.

That fall Kennedy offered him a job.

"I began getting calls from animal educators like Jim Fowler [of *Mutual of Omaha's Wild Kingdom*], saying Wegner was being released and was looking for a job," Kennedy says. Both experts in the sport of falconry, Kennedy and Wegner already knew each other. They had met sometime in the '80s. In his interview with me, Kennedy was not forthcoming about how well he came to know Wegner in the years that followed—well enough, however, to write a letter to the sentencing judge in 1995 testifying to Wegner's good qualities. (After answering several questions about the Wegner hire, Kennedy declined thereafter to say anything for publication. Jim Fowler, who also wrote the judge supporting Wegner, declined to be interviewed.)

After Bob Boyle got word of the hiring in November, he spent a couple of days peering into Wegner's background. What he found incensed him. Asserting his right as president to hire and fire, he ordered Wegner dismissed on November 22. Kennedy refused.

It should be stressed at this point that there is no reason to doubt one of Kennedy's principal lines of defense, then and now: that Wegner's vow to renounce crime is genuine, and that he is presently dedicated to environmental work. According to Kennedy there were other compelling arguments, too.

He has always fiercely maintained that Wegner deserves another chance. It's a notion close to Kennedy's heart; defending Wegner, he has often cited his own drug arrest in the early '80s. ("Where would any of us be if we didn't get a second chance?" he asked *The New York Times* just after the breakup of the board.) He has talked often about how cheap Wegner comes—$38,000 a year, originally to be paid by foundation money—and defends him as a "spectacular scientist."

But from the outset one of Kennedy's more problematic tactics was to drastically minimize Wegner's crime, a practice he persists in to this day. In his telephone interview, Kennedy claimed that most of the birds Wegner smuggled were "nuisance species" preying on crops, that they were "subject to massive eradication efforts" by the Australian government, that in fact there are "hundreds of millions" of cockatoos, and that rose-breasted cockatoos in particular are like "starlings in this country." In short, he made it sound as though Hitchcock could have used cockatoos when he filmed *The Birds*. Clearly some Kennedy loyalists at Riverkeeper have absorbed this view. (In a telephone interview, board member Brenda Boozer referred to cockatoos as "vermin.") However, Dr. Joseph M. Forshaw, for one, crisply disputes it. An Australian ornithologist and author of *Parrots of the World*, he appeared as an expert witness at Wegner's sentencing hearing. Forshaw says that Wegner's activities had "a very strong impact on local populations," and that the claim that his group focused on common birds is "absolute nonsense. They were robbing birds from national parks and nature preserves. These birds are not pests."

As the war over Wegner intensified, so did the struggle to understand what was driving Kennedy. Some came to suspect—as John Cronin wrote in a memo—that he had "more up his sleeve than he has yet to reveal." Today some just call it "hubris," the native arrogance of being a Kennedy. But the most common view of those now departed, from Boyle on down, is that Kennedy seized on Wegner as a way to take over the organization. With that hire, as one ex-board member says, "Bobby Kennedy drew a line in the sand. He knew Bob Boyle would not tolerate it. And Kennedy was right."

At the time, the most pressing concern of Boyle and his allies was that employing an environmental felon could sabotage Riverkeeper's mission. As Boyle wrote to board members early on: "Can you imagine...what Mayor Rudolph Giuliani, a former hardball United States Attorney who has taken some hard knocks from Bobby over the watershed, would do if he discovered that Wegner was working for us? It boggles the mind." Fry had objections of his own: "As treasurer I thought it would make fund-raising much harder for years to come. How would you feel if you're a foundation, and Riverkeeper uses your money to hire a convicted felon?" Others asked, What was this birder doing in the job at all? Weren't there a lot of people more qualified? In his interview, Kennedy made reference to a "national search." John Fry says flatly, "There was no search."

JOEL MEYEROWITZ

"Hero of the Planet": John Cronin, the Hudson's first riverkeeper, fell out with Kennedy, and a friendship was ended.

At least once in these early weeks Kennedy seems to have questioned himself. Privately, says a former board member, "Bobby told me it was a mistake hiring Wegner." But publicly he was relentless. By Christmas the whole board was caught in a tornado of ill will brought on by the Wegner dispute, among other clashes. One climaxed in the final break between Kennedy and Cronin. Their friendship had long been famous; as late as August 1999 the two were given a dreamy salute by *Time* as "Heroes of the Planet." But their relationship had soured by then, and the Wegner issue was one of the finishing blows. On February 4 Kennedy wrote Cronin a caustic letter that included the line, "I would appreciate it if you would show [Wegner] respect...or at least try not to seethe so demonstrably." Later that month Cronin resigned.

Wegner, meanwhile, was still working—despite Boyle's continuing objections—attached to Riverkeeper's umbrella organization, the Water Keeper Alliance. Over the next few months moderates on the board tried to craft proposals whereby Wegner would do consulting work for River-

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NYC 9/11 Public Portal Document

keeper without being an actual employee. Boyle would have none of it. He wrote to Fry on February 2, "If Riverkeeper pays Wegner, it amounts to rehiring him, no matter how coy and convoluted the language.... If Wegner is hired, I am gone."

Thus Riverkeeper stumbled through the spring. If Kennedy was intemperate—and he was—Boyle was equally so. He had an ego to match Kennedy's; he had reigned over the organization as president since 1966. But by now both his friends and his foes had realized it was time for him to quit the post, whatever the outcome on Wegner. No one could call Boyle a diplomat, and that's what the job cried out for now, someone who could make peace. Still, facing this change may not have been easy for Boyle. "He built this organization," one friend says. "He'd given his life to it. And he was angry that it had gotten away from him, that it wasn't completely in his control anymore, that a lot of the fund-raising was being done without him, that he couldn't call the shots." In any case, Boyle announced his intention to step down and take a regular place on the board—if the board got rid of Wegner, that is. Otherwise he would quit entirely.

The vote on Wegner, up or down, was finally scheduled for June 20. Bayonets were fixed. As Fry says, "It was either Kennedy or Boyle." And according to Alex Zagoreos, then on the board, "Going in, it was not at all clear how the vote was going to come out."

The meeting was held that evening in a conference room of the Manhattan law firm Willkie Farr & Gallagher. About 20 board members were present, with several more on speakerphone.

As it turned out, a lot of this last debate centered on whether refusing to hire Wegner constituted a violation of New York state's civil rights law. Kennedy insisted that it did. Just prior to the meeting he'd sent everyone a memo, drafted by an associate at Pace, contending that if Wegner was denied a job he could sue not only Riverkeeper itself but "any board member personally and directly involved in his firing"—a tactic Boyle regarded as the baldest kind of intimidation. At the meeting itself Kennedy also maintained, as he did later in his telephone interview, that discriminating against convicted felons was, legally, the same as discriminating against blacks and gays. "If I had to fire a black or gay, I'd have to resign," he said, and the same held true for Wegner. Patrick Crow, among others present, recalls this whole line of argument as "a ridiculous affront to minorities."

What Boyle's side seized on was the law's exception clause, which states that refusing to hire a convict is allowed if there is a "direct relationship" between any of his crimes and the "employment being sought." To them it was obvious: This was not only their out, it was the reason they didn't want Wegner in the first place.

Even there at the table, moderates like Zagoreos were still trying to rescue the situation, to craft some last-minute compromise. To no avail: About 40 minutes in, the vote was called. Kennedy won, 13-8. (Not all 13 were slaves to Kennedy; at least a couple of people say they were moved by the "compassion element.") Boyle and most of his supporters packed up and left. Another member, Ann Tonetti, voted with Kennedy but resigned two days later, angry at the lack of respect some of his supporters had shown to Bob Boyle.

"Boyle is a genius, uncompromisable. Kennedy has star quality," says Alex Zagoreos. "It could have been magical."

Riverkeeper is now rebuilding. Board member Dick Knabel, who threw in with Kennedy in the late going, has been installed as interim president, replacing Boyle, and Kennedy himself is now listed as vice president. As of July, there is a new executive director—John Cronin's old job—namely, Alex Matthiessen (son of naturalist Peter Matthiessen). William Wegner has moved from the Alliance to the Riverkeeper staff.

The group will need to marshal its energies quickly. At least 15 new power plants have recently been proposed in the Hudson River Valley region, including five on or near the riverbank itself. And as always there are threats to local wildlife. Sturgeon have become a hot issue of late, because of the growing illicit trade in Hudson River caviar. Last fall, to protect what he termed "these extraordinary fishes," Kennedy called for a sharp crackdown on smugglers.

The new regime at Riverkeeper also faces the challenge of rerallying its own troops—those dozen or so unsung staffers based in Garrison, New York, the ones out there daily testing fish and checking reports of illegal dumping. "There were a lot of tears over this," says one staffer who asked not to be named. "Bob Boyle is the guru. We lost our leader."

Views of Riverkeeper's future are all over the map. Lorraine Bracco says, "The prospects are endless. We've just started. This is a baby." At the other extreme Fletcher Hodges believes that "Riverkeeper as a strong force is absolutely finished." Several, including Boyle in moderate moments, take a middle view, though there is some concern that Kennedy's dominance will reduce Riverkeeper to a political lobbying group. "What's it going to be now, the fourth ward of the Democratic Party?" asks Boyle. "It'll live. I hope it does good work. But the integrity of the organization is compromised."

Kennedy's own future too is hard to guess. "Bobby has said to me on two occasions that he has no intention of running for public office," says Fry. "But that's how people are thinking, that Bobby's headed for the Senate, or some top job in Washington—like head of the Environmental Protection Agency, if Gore gets elected. But this Wegner thing throws a whole new light on it. It was reckless and foolish, and it's bound to come up. If Bobby really does have such ambitions, this will not do him any good in Washington."

Of course Kennedy's energy, talents, and formidable fund-raising skills remain undiminished. And after his rough passage Wegner is, for the moment, among friends. "I believe we got a very brilliant man at a discount price because he made a mistake," Bracco says. Brenda Boozer describes Wegner now as "a lovely, gentle soul" who is doing "devoted, dedicated work."

Finally, no one can be certain of Kennedy's motives—whether he decided at some point to use Wegner as a crowbar to dislodge Boyle and the rest. Whether he did or not, he's the last man standing.

"Bob Boyle is innovative, a genius, uncompromisable," says Alex Zagoreos. "Bobby Kennedy has star quality. And if we'd had a balance between the two sides it could have been magical. Together they would have been unbeatable." ■

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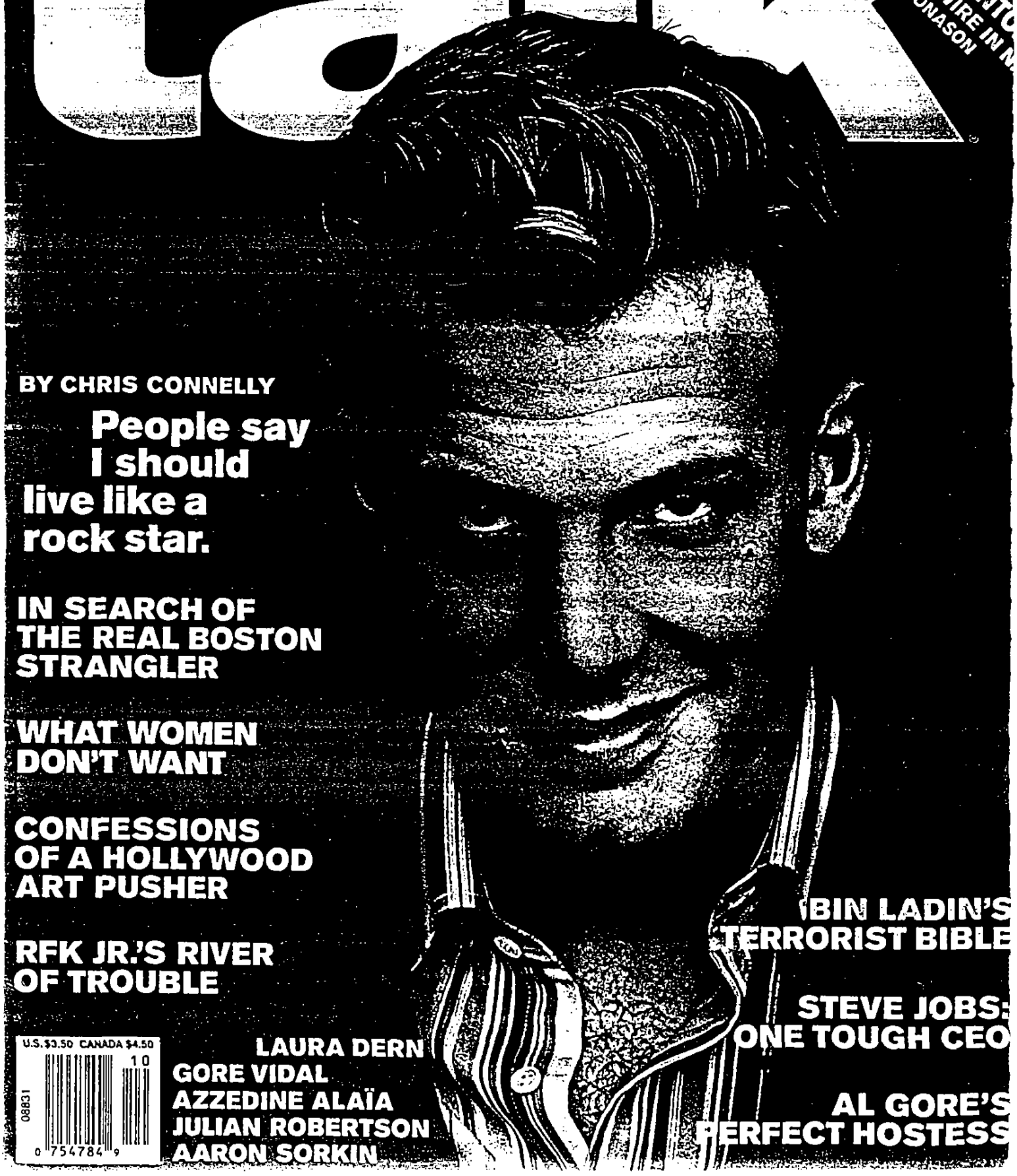
NYC 9/11 Public Portal Document

OCTOBER 2000

talk

HILLARY CLINTO
DOWN TO THE WIRE IN N
BY JOE CONASON



BY CHRIS CONNELLY

People say I should live like a rock star.

IN SEARCH OF THE REAL BOSTON STRANGLER

WHAT WOMEN DON'T WANT

CONFESSIONS OF A HOLLYWOOD ART PUSHER

RFK JR.'S RIVER OF TROUBLE

BIN LADIN'S TERRORIST BIBLE

STEVE JOBS: ONE TOUGH CEO

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LAURA DERN
GORE VIDAL
AZZEDINE ALAÏA
JULIAN ROBERTSON
AARON SORKIN

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DEP

Annette
PS E
Alessandra
if she's
Sorry to
this ?

The City of New York
Department of Environmental Protection
59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

RECEIVED
SEP 25 2000
00-00933
DEPUTY MAYOR OPERATIONS

September 21, 2000

Conflicts w/ brownfields conference

Dear Community Member:

The New York City Department of Environmental Protection, in conjunction with the National Park Service and the New York State Department of Environmental Conservation, has developed a concept for public use and enhanced vegetation for the former Pennsylvania and Fountain Avenue Landfills.

The agencies will present the land use concept to the public on Wednesday, October 11, 2000, at I.S. 166, located at 800 Van Siclen Avenue, Brooklyn, New York, from 7 p.m. to 9 p.m.

The presentation will include a status report for the closure activities for both landfills, and discussion of the components of the end-use concept. This will be followed by a question and answer period.

TO Alessandra LaRochelle

We look forward to your attendance and participation at this meeting as we lay the groundwork for the next phase of planning and development for public use of the former landfills.

Very truly yours,

Joel A. Miele Sr., P.E.
Commissioner, DEP

Mary Ellen Kris
Regional Director
NYSDEC

Billy G. Garrett
Superintendent, Jamaica Bay Unit, National Park Service

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP
www.ci.nyc.ny.us/dep
(718) DEP-HELP

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

File OEP

SEP 14 2000

Gregory Belcamino, Project Director
Mayor's Office of Environmental Coordination
The City of New York
100 Gold Street, 2nd Floor
New York, New York 10038

RECEIVED
SEP 22 2000
00-00924
DEPUTY MAYOR OPERATIONS

Re: Brownfields Assessment Pilot Cooperative Agreement No. BP 992444-01-2

Dear Mr. Belcamino,

I am writing in response to the February 2, 2000 letter and back-up documentation dated May 10, 2000 which Annette Barbacia submitted to the Environmental Protection Agency on behalf of the City of New York. As per the City of New York Brownfields Assessment Demonstration Pilot Cooperative Agreement requirements, the letter requests EPA pre-approval for site assessment expenditures under the Cooperative Agreement. The letter identifies 5 priority brownfields sites and requests approval for Pilot funds to be used for assessment activities and activities to involve the community and stakeholders affected by the sites targeted for assessment.

The nominated assessment demonstration sites are city-owned and the proposed environmental investigation activities will facilitate end use projects which hold significant public benefit. Past uses suggest that all sites are contaminated and are thus eligible for assessment funding. It is understood that public funding support for environmental assessment activities will facilitate the cleanup and end use of these sites which will enhance the social, economic and environmental well-being of the areas in which these sites are located. Below is a brief description of the sites.

Barretto Point, Hunts Point, South Bronx

Barretto Point is a 13 acre city owned waterfront brownfields site located in Hunts Point. The site was condemned and acquired by the city in 1969 and 1976. Former use includes a sand and gravel operation, an asphalt plant, and a paint/varnish manufacture. Contaminants associated with these operations include PAHs, heavy metals, and petroleum related compounds.

The City has received a NYS Clean Water/Clean Air Bond Act grant for investigation of the site. It is understood that the city has designed a state approved investigation program to characterize the contamination.

Approximately $5,000 of the EPA funding will be used to develop a findings report characterizing the contaminants on site. The report will provide relevant information for similar waterfront sites within the city. The report will also be useful in identifying appropriate assessment technologies and the characteristics of fill in the area. The Pilot funding will also support site specific public outreach and involvement activities and information sessions explaining the site contamination and end use planning.

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It is understood that the end use plan provides public benefits in the form of green space and infrastructure improvements to meet water quality objectives.

Bushwick Housing, Bushwick, Brooklyn

This 8 acre city owned site is slated for affordable housing, commercial and community facility development. Former uses of this property include: auto repair, waste paper plant, steel storage, food manufacture, sheet metal works, and a beer brewery. It is anticipated that the types of contaminants that may be encountered include ammonia, zinc compounds, chlorine, metals, solvents and petroleum compounds. The City has received NYS Bond Act funds to investigate the site.

Approximately $ 5,000 of pilot funds will be used for end use and remedial planning and community outreach activities. A report will be produced. The report will be useful in identifying appropriate remedial technologies and engineering options for residential end use projects.

The lead partner in the redevelopment of the site is the NYC Housing and Preservation Department and that the planned end use may include a combination of affordable housing, commercial space and a community facility.

Carroll Gardens, Public Place, Brooklyn

The Public Place site is a 6 acre parcel located in Carroll Gardens, Brooklyn. The site is a former Brooklyn Union Gas facility. Illegal dumping has contributed to contamination at the site. Pilot funds will be used for Phase I preliminary assessment activities to delineate the city's portion of the assessment and cleanup as related to dumping. Keyspan will be covering the investigation and remediation costs related to former use as a manufactured gas plant. While the end use is not yet defined, the assessment will facilitate the ultimate redevelopment of the site and thereby remedy the negative impacts the site currently imposes on the surrounding mixed-use neighborhood.

Approximately $ 5, 000 of pilot funds will also be used to convene a Task Force to inform affected parties of the investigation activities and related remediation planning and end use planning.

Vernam Barbadoes, Rockaway, Queens

This 2 acre site will be used as a public park and allow small vessel access to Jamaica Bay. Adjacent past and present land uses have raised concerns about site contamination. The site is zoned light industrial and it is believed oils, metal waste and illegal dumping have contributed to site contamination. The area is under a NYS DEC consent order to remain as parkland. Through funding from an EPA Inter-Agency Agreement, the New York Division of the Army Corps of Engineers is providing $ 100,000 assistance for site investigation activities which include Phase I and Phase II environmental investigation, delineation of a boat launch area and the development of an appropriate remediation plan.

Approximately $ 5, 000 of Pilot funding will be used to inform the affected community and to relate end use to site assessment results. The site assessment will help to realize public and environmental benefits in that the project will provide waterfront and boating access to a community which has had limited access to the water due to conservation and endangered species protection efforts. A concession is planned to offer kayak and other small craft rentals.

Mariners Marsh, Port Ivory, Staten Island

This 10 acre site is slated for a public park and is adjacent to a 97 acre area planned for natural resource restoration and passive recreation. Former use of the property include a metal works, a shipbuilding yard, and the site has been subject to illegal dumping. It is understood that the NYC Department of Parks and Recreation has previously performed testing of the area and that Pilot funds will be used to complete a comprehensive site investigation. As per discussion, results of previous investigation activities should be submitted to EPA as back up documentation of the need for further site assessment activities.

The City has proposed to use approximately $10,000 for preliminary assessment activities of Mariners Marsh. The City will also use Pilot funds to create a community work group to keep affected parties informed and involved in the site investigation activities.

Additional Considerations

As per our discussion, if any Phase II site investigation activities are to be performed with Pilot funds then EPA Quality Assurance Project Plan (QAPP) guidelines must be followed. The QAPP requirements include EPA approval of a Sampling Analysis and Monitoring Plan and Health and Safety Plan prior to commencement of on-site activities.

Also as per the Cooperative Agreement, Pilot funds may not be used for the preparation of application for additional funds, such as the Bond Act.

The per site expenditure amounts requested for approval were approximations, as these figures become clear, please forward details. If there is a variation of more than $ 5,000 per site, and/or if the scope of the activities change or are expanded you must request approval for expenditures and changes to the scope of activities prior to incurring costs.

The original work plan details that a site from each Borough of New York City will be selected for site assessment. It is understood that the search for an appropriate site in the Borough of Manhattan remains open. When the City identifies a Manhattan site where there is justification for a publicly funded site assessment, a request to expend Pilot funds at such a site should be proposed to EPA. If a suitable site is not identified within a reasonable time period, the City should consider a request to amend the work plan accordingly.

Approval

The five sites described above meet the intent of EPA's Brownfields Initiative program which is to

provide site assessment support to spur brownfields end use. Since the EPA funding will provide a public benefit of supporting site assessments and related community involvement activities at the above described five sites and because there is clearly municipal commitment, as well as public and private support for revitalizing these sites, the expenditure for the above described five site assessments and related community involvement activities is approved by EPA as allowable costs under the Brownfields Assessment Pilot Demonstration Pilot Cooperative Agreement No. BP 992444-01-2.

If you have any questions, please do not hesitate to contact me at 212-637-4314 or your Pilot Manager, Chelsea Albucher at 212-637-4291.

We look forward to continuing to work with you to reclaim brownfields in New York City.

Sincerely,

Larry D'Andrea, Project Officer
Brownfields Coordinator

cc. Joseph Lhota
Kay Zias
Lee Ilan
Vince Pitruzzello
Chelsea Albucher

file DEP

Attached are my drafts of four definitions for discussion by the EJ Advisory Group. These are drafts for discussion purposes only, and are not to be construed as having been drafted or approved by New York City or the Mayor's Office. Please let me have any comments (or your alternative definitions) so that we may try to reach agreement on several definitions to present to the EJ Advisory Group for discussion by the group as a whole at our next meeting in New York City.

Affected Population: The population that can be demonstrated will experience significant adverse environmental or health impacts resulting from the operation of the source for which a New York State Department of Environmental Conservation (DEC) permit is sought. If such impacts are cumulative, the source must contribute measurably to the cumulative adverse impacts. Whenever possible, the determination that the source for which the DEC permit is sought would cause or contribute to a significant adverse environmental or health effect should be based on scientifically accepted criteria, such as an exceedance of a state or federal health or environmental standard (e.g., a National Ambient Air Quality Standard).

General Population: The total set of persons in a Jurisdiction.

Jurisdiction: The municipality or county (whichever is greater in population) that contains an Affected Population, provided, however, that

(a) if the Affected Population is contained within more than one municipality or county, the Jurisdiction shall consist of all municipalities or counties containing members of the Affected Population, and
(b) if the Affected Population comprises more than __% of the total population of the Jurisdiction as defined above, then the Jurisdiction shall be deemed to consist of all municipalities or counties including the Affected Population and all municipalities or counties contiguous to them.

Comparison Population: The General Population, excluding the Affected Population. Prior to granting a permit, DEC shall determine whether the Affected Population differs significantly from the Comparison Population in demographic characteristics and in the degree of adverse environmental and health impacts it will experience if the permit is granted. If DEC determines that the Affected Population and the Comparison Population differ significantly in both demographic characteristics and significant adverse environmental and health impacts, then DEC shall undertake an Environmental Justice Analysis to determine whether:

(a) the permit should be granted;
(b) the permit should be granted, provided that the applicant undertakes mitigation of the anticipated significant adverse environmental or health impacts as required by the DEC; or
(c) the permit should be denied.

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

VINCENT A. La PADULA
CHIEF OF STAFF
DEPUTY MAYOR FOR OPERATIONS

October 2, 2000

Mr. Martin O'Grady
PII

Dear Mr. O'Grady:

I am writing in response to the document you faxed to me regarding notices of violation issued to you by the Department of Environmental Protection.

My staff contacted DEP regarding this issue. DEP informed my staff that you raised issues regarding the conduct of an inspector and that you were told that issues of that matter were within the purview of the Inspector General. As such, the matter was referred to the Inspector General of the Department of Environmental Protection, Clive Morrick, who will investigate and respond to the issues you raised.

With respect to the Environmental Control Board, I believe you know that ECB is an administrative tribunal which adjudicates notices of violation returned to it by the City's enforcement agencies. Issues regarding ECB's policies and procedures must be directed to them. I have therefore taken the liberty of forwarding your documents to them for investigation and response as their procedures permit.

Thank you for bringing this matter to my attention.

Sincerely,

Vincent LaPadula

c: Clive Morrick w/attachments

NYC 9/11 Public Portal Document

Annette see me on this!

Mayor's Office of Environmental Coordination
Director, Alessandra Sumowicz
100 Gold Street, 2nd Floor
New York, NY 10038
Tel. 212-788-2924, Fax 212-788-2941

Fax

To: Vinnie LaPadula
8-3127

From: Alessandra *Tel. 212-788-*

Date: 9/26/00

Pages (including cover sheet): 8

Comments: ☐ Urgent ☒ For your review ☐ Reply ASAP

☐ Please comment ☒ Per your request

Re: O'Grady letter/fax

As per my e-mail, here is a draft response letter & other letters sent to Dr. O'Grady from DEP.

If there are any problems with this transmission, kindly call 212-788-2924.

This facsimile transmission may contain confidential or privileged information which is intended only for use by the individual entity to which the transmission is addressed. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, copying, or distribution of this transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of documents to us, at no cost to you.

NYC 9/11 Public Portal Document

Sumowicz, Alessandra

From: Sumowicz, Alessandra
Sent: Tuesday, September 26, 2000 4:33 PM
To: La Padula, Vincent
Subject: O'Grady Fax

I have a draft letter for you, prepared by DEP, to send to Mr. O'Grady. Everyone at DEP has been in contact - at various times - with Mr. O'Grady regarding his issues. I even have a copy of a letter DEP's General Counsel's office sent to O'Grady in May of this year, and a letter from Schatt's office sent in March. Mr. O'Grady is exploring every venue to air his issues, but refuses to show up at ECB to discuss the violations. Ann and her staff have repeated told him to come in, have postponed hearings.... There is a long history here. However, most recently, Mr. O'Grady made allegations regarding the conduct of one of the inspectors. Therefore, he was referred by Egan to Clive.

I will fax you a copy of the letter Ann and Mike prepared, as well as the other letters sent to Mr. O'Grady.

As for his phone calls to your office, you may want to have your staff advise him to call Clive Morrick (212) 442-0194. Please let me know what you think, and I will be glad to follow up.

NYC-WTC_000137670

NYC 9/11 Public Portal Document

Response Letter

Mr. Martin O'Grady

Dear Mr. O'Grady:

I am writing in response to the documents you faxed to me regarding notices of violation issued to you by the Department of Environmental Protection.

My staff contacted DEP regarding this issue. DEP informed my staff that you raised issues regarding the conduct of an inspector and that you were told that issues of that matter were within the purview of the Inspector General. As such, the matter was referred to the Inspector General of the Department of Environmental Protection, Clive Morrick, who will investigate and respond to the issues you raised.

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Thank you for bringing this matter to my attention.

NYC 9/11 Public Portal Document

THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
JOEL A. MIELE SR., P.E., Commissioner

Mark D. Hoffer
General Counsel

Bureau of
Legal Affairs

PHONE (718) 595-6555
FAX (718) 595-6543
www.ci.nyc.ny.us/dep

May 22, 2000

Mr. Martin J. O'Grady

PII

Dear Mr. O'Grady:

Your May 11, 2000 letter to Deputy Commissioner Douglas Greeley has been directed to me for reply. In response, I spoke to the Department employee involved with each incident which you discuss. You should be aware that the Notice of Violation which you received for failing to return meter permit No. 73637, was issued by our Bureau of Customer Service. Our records indicate that you currently have eight outstanding permits and I have enclosed a list for your reference. The leaking sewer line fell under the jurisdiction of another of our operating bureaus, Water and Sewer Operations. Employees in each of these bureaus report up a different chain of command to a separate Deputy Commissioner. The people with whom I discussed your letter knew nothing of your contacts with the other bureau and it is very clear that your complaint about a "vendetta" is without merit.

Regarding the violation which you received, I have been informed that enforcement action has commenced against other plumbers who have also failed to return meter permits. Our ability to properly bill customers depends on plumbers timely return of permits. The various trade associations representing the plumbing industry were adequately consulted prior to our commencing our current campaign to enforce the regulations governing this matter. I have enclosed for your information a letter sent to you and addressed to the location which is on file for you with the Department of Buildings which was intended to put you on notice of the potential for violations. I have been informed that the letter was returned as undeliverable. Subsequent attempts to obtain a valid mailing address revealed that you are listed at several different addresses including PII

PII

With regard to the leaking service connection, you should be aware that the New York City Administrative Code and the Department's regulations are very clear in requiring that a property owner repair or replace a defective service line at his/her own cost and expense. I have been informed that the Dyer Avenue problem is most likely attributable to electrolysis or galvanic action. The Department of Environmental Protection bears no responsibility for damage resulting from these forces and I suggest that your client look to the entity responsible for producing the stray electrical current for relief.

59-17 Junction Boulevard, 19th Floor, Corona, New York 11368-5107

NYC-WTC_000137672

NYC 9/11 Public Portal Document

I trust that I have adequately responded to your inquiry, should you have any additional questions, please do not hesitate to contact me.

Very truly yours,

Frank Schiano

Frank Schiano
Assistant Counsel

Attachments
xc: D. Chapin
M. Hoffer
D. Greeley
L. Schatt
G. Boden
H. Kass

NYC-WTC_000137673

NYC 9/11 Public Portal Document

NYC-DEP BCCS EXCLUSIV

THE CITY OF NEW YORK, DEPARTMENT OF ENVIRONMENTAL PROTECTION
JOEL A. MIELE, SR., P.E. Commissioner

LAWRENCE E. SCHATT
Deputy Commissioner

Bureau of
Customer & Conservation
Services

PHONE (718) 595-7000

March 7, 2000

Mr. Martin O' Grady
O'Grady PLBG & HTG LLC
4343A Katonah Avenue
Bronx, New York 10470

Re: License # 453

Dear Mr. O' Grady:

The Department of Environmental Protection (DEP) issues permits to plumbers for taps, sewer connections and water meters. All permits issued concerning water meters must be returned the day following completion of the work, but no later than 30 days from the date the permit was issued--except in the case of new construction, for which we allow nine months from the date that the permit was issued. In the event that work cannot be completed within the 30 day or nine month periods, an extension request must be submitted to the borough office which issued the permit.

Failure to return a permit is a violation. When water meter permits are not returned or when they have an incorrect set date, DEP cannot accurately establish a customer's water and sewer account. Customers expect that, upon the installation of water meters, DEP will either establish accounts in their name or modify the billing methodology of their existing accounts. The failure of the plumber to return the permit prevents DEP from taking the necessary actions.

It becomes difficult to bill customers appropriately and accurately when notification of the completed work is not sent to our Department. Customers, who are responsible for all the water and sewer charges from the date the water meter is set, may receive extremely large bills because their plumber failed to follow the DEP regulations.

Our records indicate that you have outstanding permits. Attached is a listing of those permits (see outstanding permit list). Please review the four items listed below and take the appropriate action.

1. Return the permit with the appropriate information to any of our five borough offices (see attached address list). Please included the installation date of the meter.

NYC-WTC_000137674

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2. If you believe you have already returned the permit, please send in a copy of your prior submission so we can update our records.

3. If you don't have the original permit, or any proof of the permit being returned. Please certify that the work was completed. Please fill out one certification document (see attached PMT1298-1) with the required information, for each open permit. You can make copies of the attached certification document, or obtain additional documents at any of the borough offices.

4. If the meter has not yet been installed or work completed, you must request an extension (see PMT 1298-2 on the reverse side of the certification document). Give the reason(s) detailing why the meter has not been installed. DEP will evaluate extension requests.

If permits are not returned or the above procedures are not followed within 45 days of the date on this letter, DEP will issue violations. DEP will also report licensed plumbers who have failed to return permits, or have furnished incorrect information on permits, to the Department of Buildings.

If you have any questions, please contact the Bureau of Customer & Conservation Services' borough office which issued the permit.

Thank you for your cooperation and attention to this matter.

Sincerely,

Georgette Lordi Boden P.E.

Georgette Lordi Boden
Director of Field Operations

attachments
c: L. Schatt
Borough Managers

NYC-WTC_000137675

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PCSCA161 DATE 05/16/2000 NEW YORK CITY WATER BOARD PAGE 7

LIST OF PLUMBERS WITH OUTSTANDING METER PERMITS

PLUMBER INFORMATION

NAME: O'GRADY MARTIN J ACCOUNT NO: 1000155404001 LICENSE NO: 0000453 PHONE NO: 718-324-0413 STATUS CUR/SUC A / C

PERMIT NO: 0011644 ISSUE DATE: 09/07/95 WANTED BY DATE: 09/22/95
ACCOUNT NO: 0000842453001
ADDRESS: 01912 CROSS BRONX EP
BBL: 02-03794-0120

PERMIT NO: 0058506 ISSUE DATE: 08/06/97 WANTED BY DATE: 09/03/97
ACCOUNT NO: 1000213692001
ADDRESS: 00688 E 223 ST
BBL: 02-04824-0081

PERMIT NO: 0059255 ISSUE DATE: 08/14/97 WANTED BY DATE: 12/12/97
ACCOUNT NO: 7000214374001
ADDRESS: 00729 E 229 ST
BBL: 02-04843-0028

PERMIT NO: 0061403 ISSUE DATE: 09/15/97 WANTED BY DATE: 10/14/97
ACCOUNT NO: 8000183495001
ADDRESS: 00860 CASTLE HILL AV
BBL: 02-03692-0001

PERMIT NO: 0072375 ISSUE DATE: 02/05/98 WANTED BY DATE: 03/09/98
ACCOUNT NO: 5000178489001
ADDRESS: 00088 E 237 ST
BBL: 02-03367-0024

PERMIT NO: 0073637 ISSUE DATE: 02/23/98 WANTED BY DATE: 03/27/98
ACCOUNT NO: 1000221146001
ADDRESS: 04311 GRACE AV
BBL: 02-05054-0074

PERMIT NO: 0094708 ISSUE DATE: 11/12/98 WANTED BY DATE: 12/10/98
ACCOUNT NO: 0000937486001
ADDRESS: 00431 E 165 ST
BBL: 02-02387-0001

PERMIT NO: 0131571 ISSUE DATE: 01/10/00 WANTED BY DATE: 02/23/00
ACCOUNT NO: 8000218181001
ADDRESS: 04024 BRUNER AV
BBL: 02-04978-0013

TOTAL P.08

NYC-WTC_000137676

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10/11-13

JAMES WHELAN
MAYOR

000922-9013

Dear Mayor:

I am writing to invite you to join me this fall in Atlantic City for the national Brownfields 2000 Conference. Last year, more than 2300 people attended the Brownfields '99 Conference in Dallas. This year's conference, from October 11-13, promises to be equally successful.

The U.S. Conference of Mayors has identified contaminated properties such as brownfields as the major issue impeding the redevelopment of our nation's cities. The Brownfields 2000 Conference will update you and your brownfields program staff with the latest information on issues surrounding the redevelopment of brownfields. It will also provide you with the opportunity to meet directly with other mayors and other officials from around the nation that are working on brownfields issues.

As president of the New Jersey Conference of Mayors, I know your experience with brownfields issues would add valuable insights to the conference discussions. Given the leadership you have shown in promoting brownfields redevelopment, I urge you to participate in one of the many panels being planned. The expertise you have gained from your hands-on experience with these properties would be of great benefit to the conference attendees.

This year, the Engineers' Society of Western Pennsylvania (ESWP) has received from the USEPA a cooperative agreement to present and formulate the technical scope of the conference, and is leading the non-federal co-sponsor coordination for this conference. If you or members of your staff would like to participate in the Brownfields 2000 Conference, contact Amy Lesko at the ESWP at (412) 261-0710, ext. 32.

I look forward to seeing you in Atlantic City in October.

Sincerely,

James Whelan
Mayor

attachment (BF 2000 Brochure)

Executive Department, Room 706, City Hall, Atlantic City, New Jersey 08401 Phone: (609) 347-5400 FAX: (609) 347-5638

NYC-WTC_000137677

Arsenic.txt

From: dchapin nysnet [dchapin@nysnet.net]
Sent: Monday, October 02, 2000 11:21 AM
To: asumowic@cityhall.ci.nyc.ny.us
Subject: Arsenic

Importance: High

From: Ketas, Joe
To: Chapin, Diana
Cc: Sturcken, Charles; Miele Sr., Joel
Subject: Arsenic
Date: Wednesday, September 27, 2000 2:39PM

Diana - I called Jack Linn today. He said that they have considered t he

package that we sent them a few weeks ago on the arsenic levels that were found in the limited tested areas of Van Cortlandt, Central and Ferry Point Parks. He said that they have had a number of internal debates about whether the issue shou[illegible] addressed further and, if so ,

how. He said their final Departmer[illegible]d that they see no

obligation to investigate the issu[illegible]ered to do so by the Mayor's Office.
Their reasoning, as best I can de[illegible] revolve around t he

following:
(1) They see no immediate problem because the areas where the tests we re

taken are areas where there would likely be no exposure o children.
(2) They are not aware of any data showing that anyone has become ill due to the ingestion of arsenic in city parks.
(3) They believe that most park areas where ingestion or inhalation would be an issue for children have been redeveloped or reconstructed since they stopped using pesticides with arsenic.
(4) They believe that, if additional tests are taken, high test resul ts

are likely to result because of past pesticide use, but they do not believe there is a reasonable health risk expert at DOH that will give them a fair and reasonable analysis of potential risks.

I understand their fears about investigating this matter further. I don't understand, however, how they can draw the conclusion that no problem exists without further investigation of potential risks. In fact, I think we have a moral obligation to investigate further.
I also believe that we know a reasonable bunch of folks at DOH who cou ld

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Their reasoning, as best I can decipher it, seemed to revolve around t
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NYC 9/11 Public Portal Document

evaluate the data let us know if the test results are truly something to

worry about from a relative risk analysis viewpoint, and are also capable of developing a responsible course of action, if one is necessary.

Let me know how you want to proceed.
Joe

NYC-WTC_000137680

Buccigrossi, Annette

From: Sumowicz, Alessandra
Sent: Monday, October 02, 2000 6:04 PM
To: La Padula, Vincent
Subject: PARKS / DOH Limited Testing Issue

Importance: High
Sensitivity: Confidential

CONFIDENTIAL

As per our conversation, this e-mail briefly outlines the issues I raised to you regarding the background soil testing done in Van Cortlandt, Central and Ferry Point Parks. This testing was done in conjunction with the Ferry Point Park project, which is to convert the site (a former landfill) into a golf course. Attached is a memo from Joe Ketas explaining the history of the project and why the soil testing was done in the first place. Therefore, I will not reiterate that information here.

Confidential.txt

Since the testing results revealed elevated levels of arsenic at the test locations, which are wooded areas of the parks, DEP recommended to Parks that the results be shared and evaluated by DOH. After internal discussions, Parks decided not to investigate these test results any further and not to sent the information to DOH. Also attached is an e-mail from Ketas outlining his discussion with Parks and their reasons for not forwarding the test results to ~~Parks~~ DOH. Joe was dealing with Jack Lynn, from Parks' Intergovernmental Office.

Arsenic.txt

This morning I received a phone call from Diana Chapin, who is logically concerned that these results not be ignored. However, Diana does not feel that it is DEP's place to contact DOH and has therefore reached out to the Mayor's Office for assistance. I agree with DEP that DOH needs to review and evaluate the results, as they are the agency most qualified to assess the test results. In addition, this information is in the folders for the project and we would be remiss in just filing them away.

I recommend reaching out to Parks and advising them that we understand their concerns, but that we would like the test results reviewed by DOH. Then we contact DOH at a high level - someone that is not an alarmist - explain the situation and ask them to realistically review the test results and make some recommendations. We can monitor the progress between the two agencies so it does not get out of hand. Please advise as to how you and Joe would like this handled.

NYC 9/11 Public Portal Document

From: joe ketas [joeketas@atdial.net]
Sent: Monday, October 02, 2000 5:02 PM
To: asumowic@cityhall.nyc.gov
Subject: Confidential

Alessandra - here is a bit of the history, as you requested. Let me know if you need more.

The Department of Parks and Recreation asked, approximately one year ago, that we act as their technical advisors with respect to hazardous materials, regarding the proposed development of Ferry Point Park into a new golf course. They were concerned because the portion of the park slated for development was used historically as a solid waste landfill under the jurisdiction of the Department of Sanitation (DOS). DOS stopped using the site as a solid waste landfill prior to the adoption of State laws and regulations placing the closure of such sites under the purview of the State Department of Environmental Conservation (DEC).

The proposed golf course development team had already hired a consulta nt team to conduct some preliminary site assessment tests. We reviewed t he test data, agreed on a protocol to do further site characterization an d ultimately agreed to a remediation plan that would be implemented at t he site. The remediation plan developed primarily included capping areas of the site where public exposure may occur with "clean" fill. Approximately one (1) million cubic yards (ids) of "clean" fill would be required to implement the remediation plan. A potentially very expensive proposition.
Current DEC site remediation guidelines (Technical Assistance Guidance Manual 4046) are often used to define "clean" fill. However the recommended clean soil objectives suggested in that document are recognized as conservative, since they were developed, in theory, to reflect state-wide background levels. It is difficult to find reasonably priced fill proximate to an urban environment that meet the TAGM 4046 guidance levels without some processing (amendment).

An alternate method for defining soil cleanup objectives is allowed under TAGM 4046. One is allowed to attempt to show that ambient Site Background levels are higher than the TAGM 4046 cleanup levels. Tests are taken at other comparable sites. If the sites are truly comparabl e, and the test results show that existing soil levels are reasonably higher than those suggested (in truth, these guidelines are applied as if they were codified standards) by TAGM 4046, fill can be brought to

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NYC 9/11 Public Portal Document

a
site at those higher levels.

In the case of the Ferry Point Park golf course development, the applicant chose to conduct a Site Background analysis. Tests were taken at what were felt to be comparable, representative areas in Central Park, Van Cortlandt Park and other areas of Ferry Point Park. The test data were analyzed and compared with TAGM 4046 and other existing guidelines promulgated by the Federal EPA and others. DEP and the Parks Department and the applicant, after much analysis and discussion, ultimately agreed on a final set of "clean" fill levels th at
we felt would be protective of public health.

However, as we reviewed the test data taken from the comparable sites, the levels of arsenic discovered in Central Park, Van Cortlandt and Ferry Point Parks peeked our interest because they were much higher th an
we (DEP) expected to find and above existing recommended clean soil objective guidance values. For example, the following are arsenic levels used as guidance by EPA and other states (all values in mg/kg):

- USEPA
  - Residential (Ingestion) = 0.4
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- Massachusetts
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- Connecticut
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- New York = 7.5 or Site Background

The comparable site tests resulted in the following:
Van Cortlandt Park - seven tests - 3.94, 1.65, 18.6, 4.51, 6.98, 28.1, &
10.7
Central Park - seven tests - 70.9, 6.33, 13.2, 34.8, 6.45, 63.9, & 29. 3
Ferry Point Park - six tests - 7.39, 6.48, 5.96, 3.35, & 5.57

Based on the background analysis, we ultimately agreed with the applicant that the fill material should meet a value of 26 mg/kg for t he
areas of the golf course where there would likely be no direct exposur e,
especially by children, and that 12 mg/kg would have to be met in all other areas. Subsequent to our agreement with the applicant, they decided that they needed to transfer and process fill materials at the site in order to cut costs. This decision required them to be permitt ed
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NYC-WTC_000137683

NYC 9/11 Public Portal Document

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value of 28 mg/kg be met for the fill material to be placed in the fairways and 7.5 mg/kg for areas where children would be potentially exposed. They refused to go higher than the TAGM 4046 guidance values
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Based on the values found at the comparable sites, especially those found at Central Park, we informed the Parks Department that we though
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NYC-WTC_000137684

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NYC 9/11 Public Portal Document

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NYC-WTC_000137688

La Padula, Vincent

From: Covino, Frederick
Sent: Monday, October 02, 2000 2:57 PM
To: La Padula, Vincent
Subject: FW: Restaurant (Food Service Establishment) Stats

Restaurant (Food Servise Estab...

Please let me know if you have any questions
FC

-----Original Message-----
From: Anita Sher [mailto:asher@dohlan.cn.ci.nyc.ny.us]
Sent: Thursday, September 28, 2000 4:41 PM
To: fcovino@CityHall.ci.nyc.ny.us
Cc: Neal Cohen; Ron Bergmann
Subject: Fwd: Restaurant (Food Servise Establishment) Stats

Hi Fred
At the meeting with Vinny & Dr. Cohen, Vinny asked for some stats on restaurant inspections
Could you share with him the attached
Thanks

NYC 9/11 Public Portal Document

The City of New York
Department of Environmental Protection
59-17 Junction Boulevard
Corona, New York
11368-5107

Joel A. Miele Sr., P.E.
Commissioner

Tel (718) 595-6565
Fax (718) 595-3525
jmiele@nysnet.net

File
Dep

MEMORANDUM

To: Vincent A. LaPadula

From: Charles G. Sturcken CGS

Date: October 4, 2000

Re: "Sandhog" Memorial

Regarding the request for a memorial to the tunnel workers from Local 147 (otherwise known as the "sandhogs"), we are making the following proposal:

Event: An announcement of a memorial to the sandhogs near Van Cortlandt Park with the Mayor, State Senator Velella, the representative of the sandhog union, and other members of the community, as appropriate.

Description: A "percent for art" project arising out of the Third Water Tunnel construction. (On a percent for art project, the Department of Cultural Affairs (DCA) manages the program, meaning they seek proposals based on a theme proposed, in this instance, by DEP.)

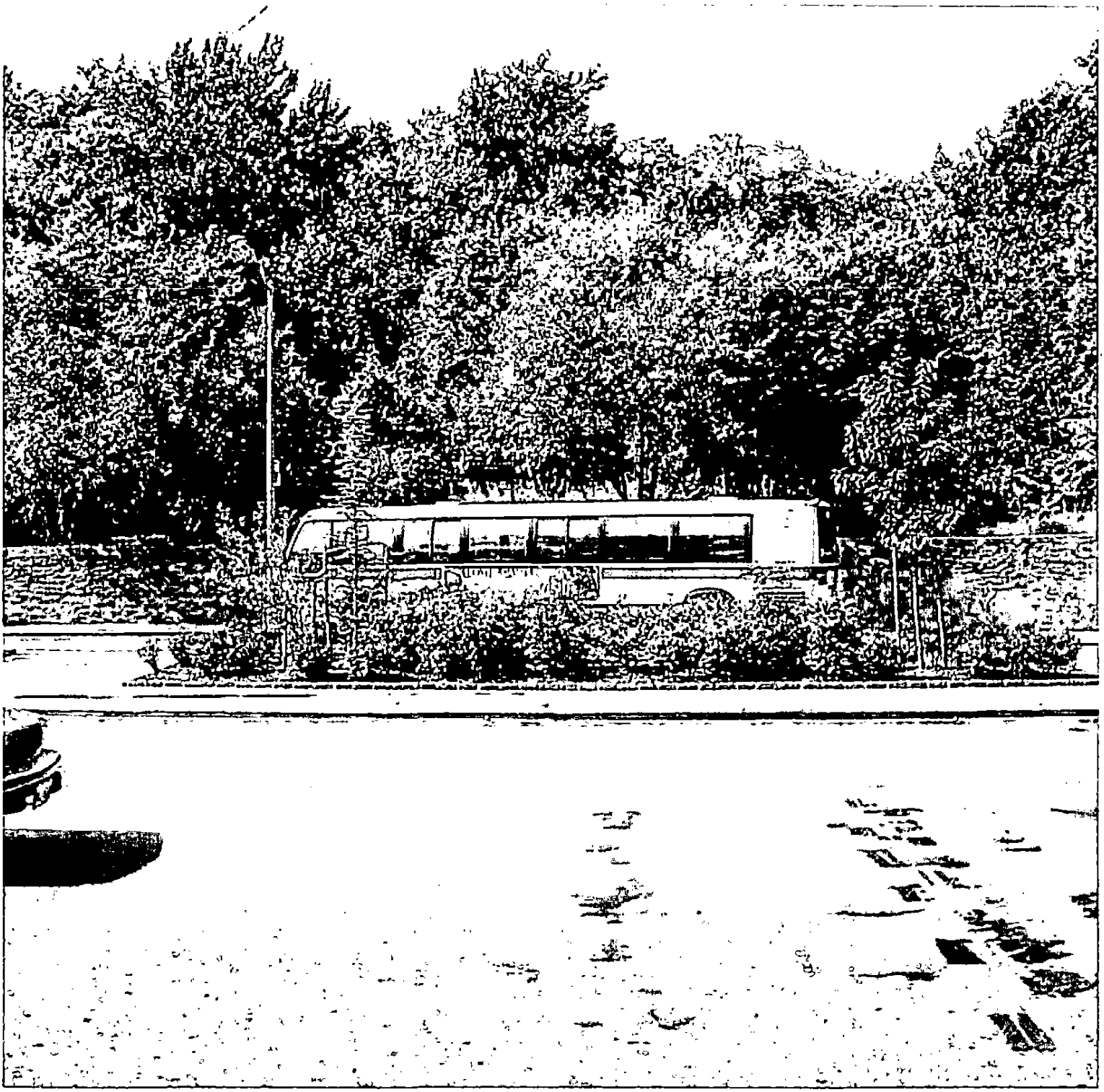
Proposed Location: Traffic circle located on the City line at the intersection of Van Cortlandt Park East Road and Katona Avenue (used as a bus turnaround for the #34 bus) in Woodlawn. Location is proposed because it is near the entrance of the valve chamber, it is very visible to the public and it doesn't impact the Park. (See attached.)

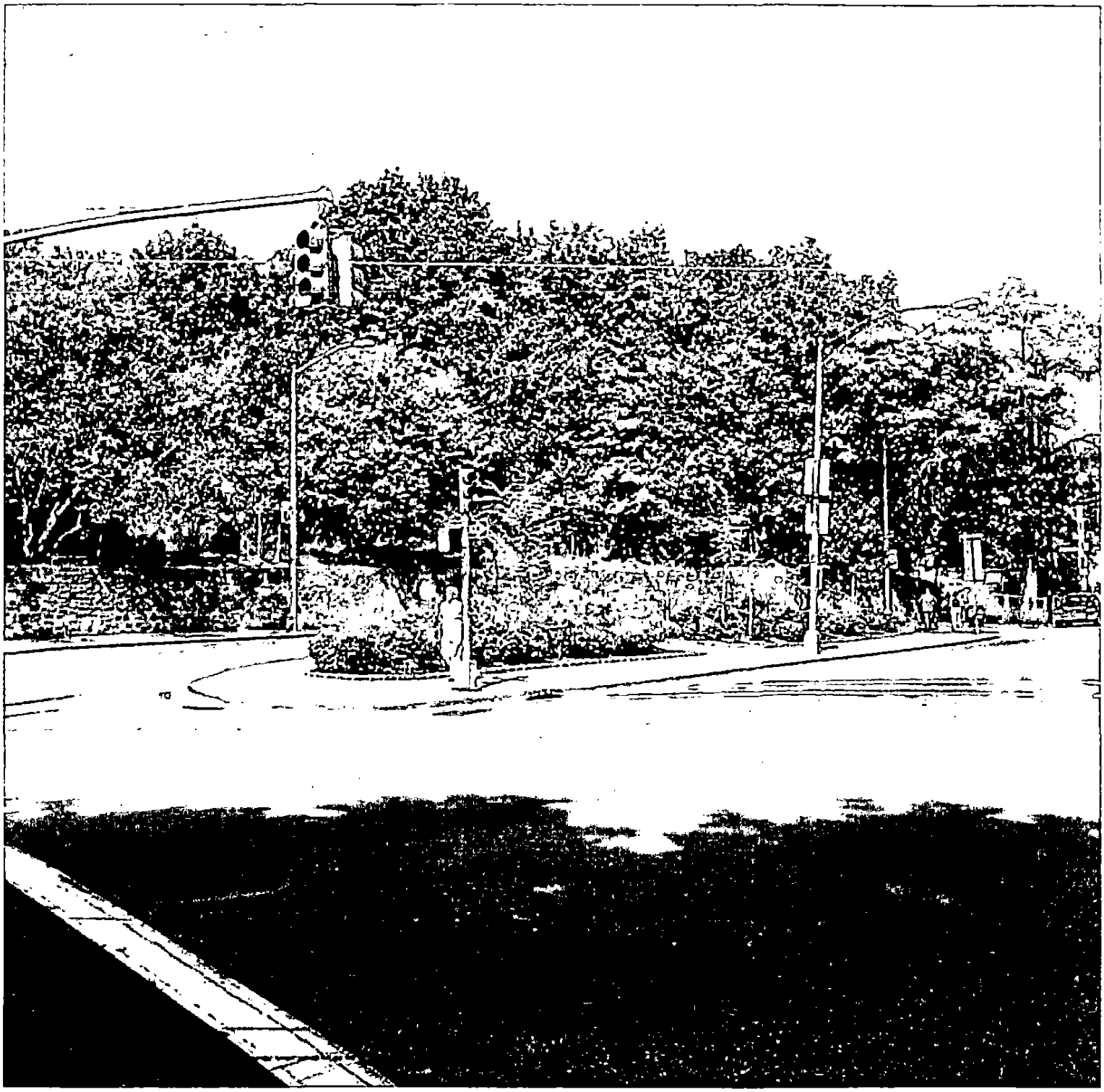
Other information:

- The Sandhog union is okay with the site.
- Need to check with Senator Velella if the location is acceptable.
- DOT has control of the site; it is a "greenstreets" project shared with the Department of Parks and Recreation (DPR).
- DCA has been notified of the proposal.
- Budget of approximately $400,000.
- The time and place for the announcement must be chosen.

Please let me know if you need any additional information.

www.ci.nyc.ny.us/dep
(718) DEP-HELP





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27 DAYS/YEAR

2-1/4 days/mo. (2:1:45) 35 hrs./wk. Days	Hrs./Mins.	Months	27 days/yr. (2:2:0/mo.) 40 hrs./wk. Days	Hrs./Mins
2:1:45	15:45	1	2:2:00	18:00
4:3:30	31:30	2	4:4:00	36:00
6:5:15	47:15	3	6:6:00	54:00
9:0:00	63:00	4	9:0:00	72:00
11:1:45	78:45	5	11:2:00	90:00
13:3:30	94:30	6	13:4:00	108:00
15:5:15	110:15	7	15:6:00	126:00
18:0:00	126:00	8	18:0:00	144:00
20:1:45	141:45	9	20:2:00	162:00
22:3:30	157:30	10	22:4:00	180:00
24:5:15	173:15	11	24:6:00	198:00
27:0:00	189:00	12	27:0:00	216:00

NYC-WTC_000137693

NYC 9/11 Public Portal Document

59-17 Junction Boulevard
Corona, NY 11368
Phone: (718) 595-6589

NYC Dept. of Environmental Protection

Fax

To: Vincent La Padula **From:** Helene Amato

Fax: (212) 788-3127 **Date:** September 12, 2000

Phone: (212) 788-3108 **Pages:** 2

Re: CITYterm **CC:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Vinny,

Per our conversation.

Helene

Tell Helene to have call me.

NYC 9/11 Public Portal Document

49 Clinton Avenue, Dobbs Ferry, New York 10522
(914) 693-1400 ext 359 fax: (914) 693-6905

--CITYterm at the Masters School

Fax

To: Vinny Lapadula, Deputy Director From: Pier Kooistra

Fax: 718 / 595-3481 Pages: 1 (including cover)

Phone: Date: 9/11/00

Re: Meeting with you and/or Diana Chapin

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Hello, Vinny:

Hard to believe how quickly half a year has elapsed since CITYterm visited with you at DEP. As we launch into a new semester, and into our study of the major physical systems that make life possible for so many people in New York City, we're once again interested in studying the water-supply system. I've been trying to get in touch with you by phone, but somehow I must have reversed digits or something in the number I've put in my files, because I'm not getting through. If you're still out there, please be in touch. This is now on shorter notice than I'd like it to be, but if there is any way of arranging a visit with Diana Chapin toward the end of the month, perhaps around the 28th or 29th, we would love to do it. We've got another superb group of students who are really excited about undertaking a serious study of the city.

I'm still at 914 / 693-1400 x359, or by fax at 914 / 693-6950. Email: kooistra@hotmail.com

Hope you're well.

— Pier

TOTAL P.02

NYC-WTC_000137695

NYC 9/11 Public Portal Document

49 Clinton Avenue, Dobbs Ferry, New York 10522
(914) 693-1400 ext 359 fax: (914) 693-6905

CITYterm at the Masters School

Fax

To:	Vincent Lapadula	From:	Pier Kooistra
Fax:	212 / 788-3127	Pages:	1 (including cover)
Phone:		Date:	9/18/2000
Re:	CITYterm visit with Diana Chapin		

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Vinny:

Nice to connect with you this morning. Appreciate your speaking to Diana Chapin on Wednesday on CITYterm's behalf.

We're somewhat flexible, of course, but what we're hoping is that we might be able to meet with Diana for an hour or so in the afternoon on either September 28 or 29.

At this point, obviously, we're getting close to those dates, so they may not be available in her busy schedule. Whatever you find out, just let me know ASAP. I'm eager to arrange something for this wonderful bunch of students, eager also to connect with Diana, and hugely appreciative of your help.

Thanks so much. Hope the day doesn't throw too many curves or sliders at you.

NYC 9/11 Public Portal Document

Brownfields

(7) DEP

Pending NYS Bills – Superfund/Brownfields

Definition of Key Terms:

Superfund Sites: are sites that pose significant health and/or environmental risks, are addressed by existing state statute and are listed, monitored and enforced by the NYS DEC. In many cases, the State will use money from this program to investigate and remediate problematic sites and subsequently attempt to recoup costs from responsible parties. **NYC** has spent millions of dollars on two **superfund** sites: the **Penn and Fountain Landfill and Brookfield Landfill** and is seeking reimbursement from DEC.

Brownfield Sites: are sites that either have or are perceived to have some level of hazardous wastes on site because of past uses or existing conditions. These are typically not superfund sites. **NYC** has approximately 5,000 vacant industrial properties, many of which would meet the brownfield definition and would need have some level of site investigation. Unlike many other states, there is no existing state statute to address the investigation and remediation of these sites. DEC has developed the **Voluntary Clean-Up Program** as an administrative solution to encourage the clean-up of these sites. However, since there are no clear requirements and standards and decisions are made on a case-by-case basis, it is not a widely used program in the state compared to other states.

Petroleum Spills: The Navigation Law regulates the investigation and clean-up of petroleum spills on land and in water. The existing process is designed to facilitate immediate action to prevent the spread of contamination into sensitive resources.

NYC 9/11 Public Portal Document

DEP (P)

THE
SAM SCHWARTZ
COMPANY
THE CABLE BUILDING
611 BROADWAY, SUITE 415
NEW YORK, NY 10012
TEL: 212-598-9010
FAX: 212-598-9148

Contacts:
Richard F. Ramsey, rramsey@samschwartz.com
Laura DiBenedetto, ldibened@samschwartz.com

Sam Schwartz Company
(212) 598-9010
FAX: (212) 598-9148

DRIVING FROM CALIFORNIA TO NEW YORK UNPLUGGED

ON THE

EV ODYSSEY II: ELECTRIC CAR KEEPS GOING AND GOING

ALBANY, NY, OCTOBER 17, 2000 – If an electric vehicle rolling down the highway makes no sound, is it really traffic? Greg Hanssen, co-founder of the Production Electric Vehicle Driver's Coalition (PEVDC), aims to illustrate the longevity, practicality and environmental soundness of electric vehicles or "EV," for short.

Mr. Hanssen's Thursday stop in Albany is part of the "EV Odyssey II," a cross-country trek in GM's electric vehicle, the EV1. The EV1, GM's first production EV goes way beyond the golf-cart stereotype. Mr. Hanssen's journey proves that the newest NiHM (nickel metal hydride) battery, a technology developed by ECD Ovonics, moves EV's into the realm of the practical car. ECD Ovonics is an energy conservation firm dedicated to developing new technologies that are environmentally safe and energy efficient.

The Ovonic NiHM battery is a rechargeable, liquid cooled, and compactly designed. Recent tests have shown that these batteries deliver the equivalent of over 120,000 miles. The NiHM equipped GM EV1 can travel upwards of 200 miles depending on driving habits and the terrain.

Not a surprise, the enhanced range of the NIMH batteries helped the drivers of EVOdyssey II; they only recharged twice a day this trip, versus about every six hours just a year ago. -- over --

NYC-WTC_000137698

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Mr. Hanssen's first coast to coast expedition in an electric vehicle was in 1999, he traveled from Santa Monica, California to Orlando, Florida. "All you need is patience and friends with a 220 volt outlets," says Mr. Hanssen. With the GM/Ovonics NiMH battery, recharging at 220 volts takes about 4 hours.

Mr. Hanssen's organization, the PEVDC, aims to promote the effectiveness and practicality of electric vehicles. The PEVDC endorsees California's Zero-Emission Vehicle (ZEV) mandate, which calls for 10% of all vehicles sold in California to be ZEV's by 2004. New York State is following suit with proposed regulation CAL LEV II.

If adopted, LEV II will require that at least 4% of the cars sold in New York meet zero emission vehicle certification by 2003, and at least another 6% emit only minor amounts of pollution. This is expected to foster the development of alternative fuel vehicles, such as EVs. In addition, minivans, pick-up trucks and sport utility vehicles will be required to meet passenger car emissions by 2007 and diesel powered vehicles will be held to the same emission standards as their gasoline powered counterparts.

###

La Padula, Vincent

From: Sumowicz, Alessandra
Sent: Tuesday, October 24, 2000 4:47 PM
To: La Padula, Vincent
Subject: DEP draft letter to Velazquez and Lentol - re: barge at BNY

Vinnie, I faxed to you a draft of DEP's response letter to Velazquez and Lentol regarding the energy generating barge at the Brooklyn Navy Yard. It looks fine to me. Frankly, I think it is the safest and most appropriate response for DEP to make. I just wanted you to take a quick look at it. I would like to get back to DEP by tomorrow on this matter, as they need to send out the letter as soon as possible. Thanks.

NYC 9/11 Public Portal Document

MEMORANDUM FROM

ALESSANDRA SUMOWICZ
Director
Mayor's Office of Environmental Coordination
(212)788- 2937• (212) 788-2941 (fax)

Vinnie,

FYI -

Memorandum distributed to all the proper agency's

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

JOSEPH J. LHOTA
DEPUTY MAYOR FOR OPERATIONS

MEMORANDUM

TO: Agency Heads

FROM: Joseph J. Lhota
Deputy Mayor for Operations

DATE: November 3, 2000

RE: Status Update and Prioritization of Environmental Review Projects

---

I have asked the Mayor's Office of Environmental Coordination (MOEC) to update the City's database of environmental review projects. This work is being undertaken in order to assist the Mayor's Office and Alessandra Sumowicz, Director of MOEC, in prioritizing projects requiring City environmental review or involving City participation in state or federal environmental review.

As you know, MOEC is required by the City Charter to be the repository of official documents and important information about all City projects requiring review under City Environmental Quality Review (CEQR), the State Environmental Quality Review Act (SEQRA), and the National Environmental Policy Act (NEPA). I am requesting your cooperation to ensure that MOEC has a current record of all such projects in which your agency or office is involved.

Attached is a printout of the portion of MOEC's database that lists your agency's or office's past and present projects. Please update and/or correct the information contained in the printout and provide the requested information for any projects not reflected in the database. This information should be provided for CEQR projects for which your agency is lead agency and for any SEQRA and NEPA projects in which your agency in involved. MOEC must receive this information by November 29, 2000.

The information requested is largely self-explanatory. Please feel free to contact Lee Ilan of MOEC at lilan@cityhall.nyc.gov or (212) 788-2929 if you have any questions about the requested information. With respect to the "Timeframe/Priority" column, please indicate both the approximate date you expect the environmental review to be

completed and your agency's current priority for the project (A being the highest priority and C the lowest). Under "Agency Contact", please indicate your agency's primary contact person for the project (with a telephone number and e-mail address).

Enclosed also is a disk so you can edit your agency's section of the database in Microsoft Excel. If you edit the document in this fashion, please identify any changes (preferably by using the "Track Changes" feature in Excel). Once you have edited the database, please e-mail the revised document to Lee Ilan.

If you are unable to make changes electronically, if you do not have the "Track Changes" feature, or if you have any other questions, please contact Lee Ilan. The updated database for your agency's projects must be received at MOEC by November 29, 2000.

Thank you for your assistance in this important priority.

c: Alessandra Sumowicz

NYC 9/11 Public Portal Document

MEMORANDUM

To: Michael Anton

From: Geoff Ryan

Date: November 1, 2000

Re: Delaware Aqueduct Information

Tim Minton interviewed Comm. Miele on Tuesday morning about the leaks in the Delaware Aqueduct. With the encouragement of Robert F. Kennedy Jr., he is trying to blow the story out of all proportion, make it seem like disaster is imminent, and contend that we have been negligent or worse in hiding the story from the public.

- Water loss from the aqueduct has been evident since the aqueduct went into service in the 1950s. There are two leaks in the Aqueduct; both west of the Hudson River, one in Roseton, the other at Wawarsing.
- Consultant's analyses show that between 1995 through 1999 leakage has ranged between 14 mgd and 34 mgd, with isolated incidents as low as 13mgd and as high as 38 mgd. Leakage quantity is directly related to the amount of flow in the Aqueduct, i.e., when flow is near or above 900 mgd the leakage tends to be in the upper 20s and lower 30s; when flow is in the 600-700 mgd range, the leakage is in the lower 20s and upper teens. Leakage rates have been relatively consistent.
- The leak represents approximately 3.2% of flow in the Delaware Aqueduct; 1.6 % of the average consumption from the whole Water Supply System (1.3 billion gallons a day). At 30 mgd, it is the equivalent of 30 fire hydrants being wide open for the day. Estimated total leakage (including Delaware Aqueduct) from the aqueducts and tunnels outside of the City amounts to approximately 5%. By comparison, the Los Angeles System may lose as much as 25% of its supply.
- The leakage rate for the 6,181 miles of distribution pipes within the City, and separate from the aqueduct leaks, is approximately 5%.
- In a survey of cities around the country during the late 1990s, the average leakage rate was approximately 20%.
- Structural Risk Analysis indicates no evidence that tunnel is in imminent danger of failure.
- Starting 11/28, DEP will repair a gate valve at Shaft 6 on the Aqueduct. This involves a team of technicians working in water 700 feet below the surface. That repair will allow DEP to de-water the aqueduct. De-watering will enable us to inspect the aqueduct with a remotely operated submersible vehicle, currently under construction at Woods Hole Oceanographic Institute, in 2001. At the same time, other investigations and tests will continue.
- DEP has contracted with consultants for an evaluation of options to maximize other existing sources during any shutdown for repairs. Possibilities include: up to 100 mgd from wells in the Jamaica System; increased flow from Croton System from 240 mgd to 290 mgd (after filtration plant is on-line); pumping up to 225 mgd from Croton Falls & Cross River reservoirs; tapping into Brooklyn-Queens aquifer.
- DEP has also contracted for preparation of specifications for materials, equipment and a repair contract in the unlikely event of a tunnel failure. Feasibility studies are also underway for constructing a third crossing of the Hudson River.

- DEP's existing drought response program can produce dramatic reductions in usage.
- Concerning the charge of hiding the situation from the public: there is no need to cry wolf or announce that the sky is falling when it is not and there is no imminent danger of a tunnel failure. DEP has taken the prudent course of thorough investigations, preparation of contingency plans, and moving ahead expeditiously. DEP has kept Mayor Giuliani informed on the issue. DEP issued a press release on October 2nd concerning the gate valve repair at Shaft 6, and how that was necessary for the inspection and repair of existing leaks.

Cc: Deputy Mayor Lhota

NYC 9/11 Public Portal Document

Available Water Resources in the Event of a Delaware Aqueduct Shutdown:

The 2-billion gallon usage figure referred to by Comm. Miele includes up to 800 mgd that flows directly from the Cannonsville, Pepacton & Neversink Reservoirs to tributaries of the Delaware River the West Branch, East Branch and Neversink, respectively, per the Supreme Court decree. This water does not travel in the Delaware Aqueduct.

Upstate communities, which withdraw about 125 mgd, have alternate sources. They would be notified to use those alternate sources.

In-City usage is about 1.2 bgd. Obviously, this amount can be reduced substantially through the conservation measures we would normally take in a Drought Emergency.

As of 11/01/00, the available capacity in the:

- Catskill System = over 116 bg and the Croton System = over 76 bg for a total of 192 bg, or 160 days supply at normal usage without factoring in replenishment by precipitation. (The Croton System, presently undergoing maintenance work, can be restored to full operation within 48 hours.)
- Kensico Reservoir = 30.6 bg or over 25-day supply

The Catskill System can provide 500 mgd; the Croton 275 mgd.

Additionally, the following sources can be tapped without adding infrastructure:

60 mgd pumped from Croton Falls Reservoir
60 mgd from DEP's Jamaica Water Supply
20 mgd from the Jamaica System section under Nassau County ownership.

NYC 9/11 Public Portal Document

MEMORANDUM

To:

From: Geoff Ryan

Date: October 31, 2000

Re: Delaware Aqueduct Schedule

11/28/00 – repair of gate valve at shaft 6 – completion 12/08/00

Remotely operated submersible vehicle: built 08/01; inspection 10/01.

Boring tests completion 04/01 (1st phase); (second phase if needed 06/02, findings 06/03)

By 3/2002 – completion of all investigations

5/2002 - final reports on findings, followed by decisions on how to proceed with repairs based on review of final reports.

Already underway for completion in 2001 evaluation of options to maximize other existing sources of water – possibilities include upgrade of Jamaica wells to 100 mgd; installation of pumps at Croton Falls & Cross River for up to 225 mgd; with Croton filter plant in place, an increase from 240 mgd to 290 mgd; possible use of Brooklyn-Queens aquifer.

Implementation of these plans by 07/03

Contractor also preparing specifications for materials, equipment & repair contract as contingency in case of tunnel failure – materials on hand by 03/03.

NYC 9/11 Public Portal Document

Geoff Ryon
3477

New York City Water Board
Unaccounted-For Water Information Survey

Municipality	Year	Percentage Unaccounted
Bloomington, IN	1994	8.13%
Boston, MA	1994	3% and 19%
Charleston, SC	1987	7.64%
Chicago, IL	1996	15.00%
Columbus, IN	1991	15.65%
Columbus, OH	1995	21.00%
Dallas, TX	1997	10.56%
Detroit, MI	1996	17.18%
Greenville, SC	1996	11.30%
Houston, TX	1997	13.50%
Kansas City, MO	1995	31.48%
New Orleans, LA	1996	52.05%
Newark, NJ	1998	20.00%
Philadelphia, PA	1997	31.87%
Utica, NY	1996	35.00%
Average:		20.74%

NYC-WTC_000137708

NYC 9/11 Public Portal Document

Department of Environmental Protection
Projects and Initiatives

Project Title	Description	Start or Announcement Date
Third Water Tunnel - **Manhattan**	• **Construction start of Manhattan branch** of the Third Water Tunnel which run from upper to lower Manhattan through the Borough in a "J" loop and spur. • The current projected cost of the project is $425 million. • At the same time, an announcement can be made of a ***new program to create urban greenspaces*** at several of the shaft sites which will later become construction sites and, finally, permanant openspace for the community.	Announcement **July 2001**; Construction Start November 2001
Third Water Tunnel - **Queens**	• As part of Stage 4 of the Third Water Tunnel, we will start construction of the **Queens valve chamber**, approximately half the size of the chamber in the Van Cortlandt Park. • This stage will provide and additional source for the Bronx and Queens and will also create an emergency alternative for a backfeed into Manhattan. • The project is estimated at $220 million.	Advertising of the bid can begin as soon as final arrangements are made to move DOT to a Butler building in Idlewild Park. Construction could probably begin **Spring of 2001.**
Central Park - Lake Improvement and Creation of Gatehouse Museum and Education Center; Lake Restoration at Van Cortlandt Park	• This project will **improve the water quality of Central and Van Cortlandt Park water bodies** and will take these systems off the potable water system. It conserves water and reduces flow to City sewers.by reducing unwanted nutrient loads. In addition, DEP will renovate and **restore its three Central Park reservoir gate houses** in order to create a museum and education center. **A walkway across the reservoir's dividing wall** will be constructed. • The projected cost of DEP's share of this program is $35,000,000 in capital dollars. Parks and/or the Central Park Conservancy have a share of $14,900,000.	Announcement could be made as soon as agreement reached with Parks and Conservancy. Construction on gatehouses could begin sometime in 2002.

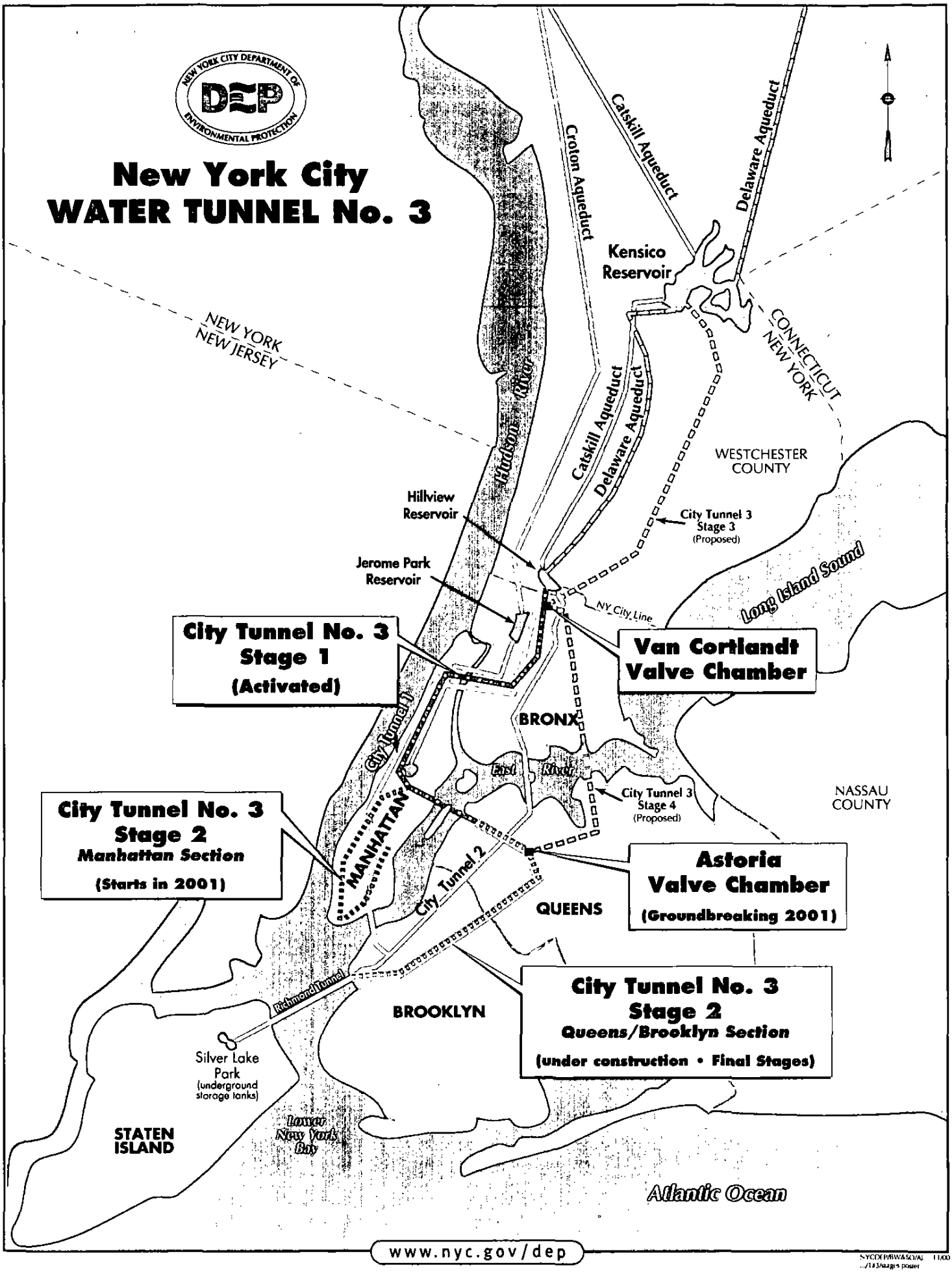
NYC-WTC_000137709

Department of Environmental Protection
Projects and Initiatives

Project Title	Description	Start or Announcement Date
Water Filtration Plant under Mosholu Golf Course	• DEP will begin construction of a **water filtration plant** at Mosholu Golf Driving Range in order to meet water quality mandates for its Croton Water Supply. • Current projected cost is $720 million.	Construction Start **June/July 2001**
Urban Watershed Program	• **Cleaning up and improving New York City's Waterfront.** One of the most difficult problems in the nation is finding a cost effective solution to dealing with combined sewer overflows (New York and New Jersey have hundreds). These CSOs can contribute to severe water quality problems and make if unpleasant or impossible to boat, swim, or live near the water. DEP is developing a quality of life improvement program which it believes may be a model for the country for large cities just as our upstate watershed program was. This is a long range program potentially stretching over 20 years and involving hundreds of millions of dollars though it will be less costly than alternatives previously contemplated to meet federal regulations. In many cases these projects will not only improve water quality in streams, lakes, and inlets, but have other visible amenities such as new ballfields or wetlands. • Parts of this program are the Flushing Bay CSO retention tanks ($232 million") and Alley Creek/Oakland Lake ($140 million) and Gowanus Canal improvements (DEP) and dredging (Army Corps of Engineers). Another project is a combined sewer overflow project to be placed south of 177th Street on the Bronx River. This will allow for the development of a "Greenway" on the River.	Construction Start at Alley Creek **August/September 2001**;

Department of Environmental Protection
Projects and Initiatives

Project Title	Description	Start or Announcement Date
Brooklyn-Queens Aquifer and Ridgewood Reservoir	• This project will utilize the surcharged aquifer under Brooklyn and Queens which has been causing **basement flooding** in communities in those boroughs to provide an **additional source of potable water** in the City to be used in the event of drought or emergencies while at the same time controlling basement flooding by creating a treatment/storage facility at the currently unutilized Ridgewood Reservoir. • The first phase of the project will cost approximately $10 million to treat 10 mgd.	Announcement may be made in **2001;** Planning is On-going; Pilot Project start date is December 2002
New Wetland Program/City and Upstate	• The Bluebelt was an **extremely popular *program of wetland creation and protection* reducing flooding.** We plan a second program in another area of Staten Island, based on the Bluebelt's successes. We also are developing programs downstate as well as upstate, to create new wetland spaces to more than compensate for development as it occurs. We are working on the details and name/s for the project/s. • This project will cost approximately $10 million for the Staten Island portion.	Announcement in ***Spring 2001.***
Toilet Rebate II	• **A conservation program** offering a **financial incentive to owners of 6-family and above multiple dwellings** who replace high water use toilet fixtures with low flow fixtures. • Cost of the project is currently estimated at 35-36 million of which some 13 million is already available in funds remaining from the first program.	Available in 2001 after Water Board approval.


NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP
New York City
WATER TUNNEL No. 3
Croton Aqueduct
Catskill Aqueduct
Delaware Aqueduct
Kensico Reservoir
NEW YORK
NEW JERSEY
CONNECTICUT
NEW YORK
Hudson River
Catskill Aqueduct
Delaware Aqueduct
WESTCHESTER COUNTY
Hillview Reservoir
City Tunnel 3 Stage 3 (Proposed)
Jerome Park Reservoir
NY City Line
Long Island Sound
City Tunnel No. 3 Stage 1 (Activated)
Van Cortlandt Valve Chamber
BRONX
City Tunnel 1
East River
City Tunnel 3 Stage 4 (Proposed)
NASSAU COUNTY
City Tunnel No. 3 Stage 2 Manhattan Section (Starts in 2001)
MANHATTAN
City Tunnel 2
Astoria Valve Chamber (Groundbreaking 2001)
QUEENS
Richmond Tunnel
BROOKLYN
City Tunnel No. 3 Stage 2 Queens/Brooklyn Section (under construction • Final Stages)
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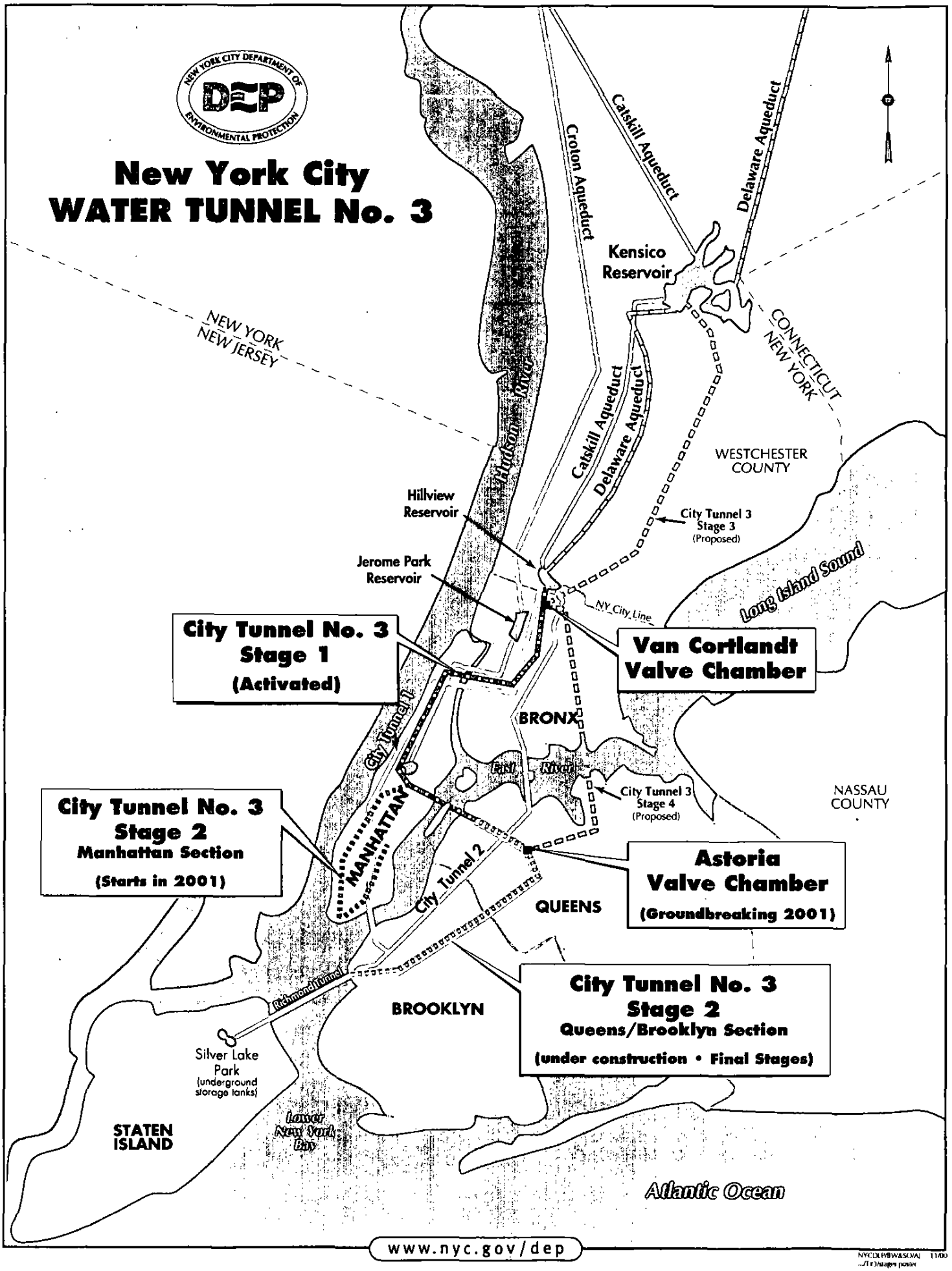
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QUEENS
Richmond Tunnel
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Silver Lake Park (underground storage tanks)
STATEN ISLAND
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NYC 9/11 Public Portal Document

JOEL A. MIELE SR., P.E.
COMMISSIONER

CHARLES G. STURCKEN, ESQ.
CHIEF OF STAFF/SPECIAL COUNSEL

(718) 595-6600

FAX (718) 595-3477

BUREAU OF PUBLIC AFFAIRS

CONTACT: Geoffrey Ryan (718/595-6600)

FOR IMMEDIATE RELEASE

October 2, 2000

00-50

NEW YORK CITY TO REPAIR VALVE AT SHAFT 6 IN CHELSEA

A gate valve at Shaft 6 of the Delaware Aqueduct will be repaired, starting in late November, according to an announcement by Commissioner Joel A. Miele Sr., P.E., of the New York City Department of Environmental Protection (DEP). The shaft is located at the same site as the City's Chelsea Pumping Station, near the Newburgh-Beacon Bridge on the east side of the Hudson River. The job is scheduled to start on November 28, with repair crews on-site and working round the clock for up to ten days.

The function of Shaft 6 is to serve as a de-watering apparatus for the Delaware Aqueduct. Once the gate valve itself is repaired, DEP plans to have an inspection team examine the Aqueduct's condition, ascertain the extent and type of any other leaks, and make recommendations for future maintenance and repair efforts. DEP is aware of two existing leaks in the Aqueduct; both are west of the Hudson, one in Roseton and the other in Wawarsing.

In commenting on the leaks, Commissioner Miele said, "The repair of the gate valve at Shaft 6 is the first step in dealing with those leaks. We have known about them for some time and have been developing plans to correct the leaks, which may be due to underground geological conditions that existed when the Aqueduct – a deep rock tunnel – was built in the 1940s. While we are convinced the leaks do not represent a threat to the safety and reliability of the Aqueduct at present, we believe the time to take corrective action is now. Accordingly, we are taking aggressive actions to locate and fix the leaks, including use of a remotely controlled underwater vehicle to inspect and photograph the interior of the tunnel. This vehicle is now being custom built for DEP by the Woods Hole Oceanographic Institute."

59-17 JUNCTION BOULEVARD, 19TH FLOOR, CORONA, NEW YORK 11368-5107
www.nyc.gov/dep

NYC-WTC_000137714

NYC 9/11 Public Portal Document

Valve at Shaft 6

While the gate valve is under repair, water will not flow through the tunnel. The Town of Marlborough and the City of Newburgh, which withdraw water from the Delaware Aqueduct, have been advised of the temporary shutdown and will be able to utilize their other sources of water without any interruption of service.

NYC-WTC_000137715

NYC 9/11 Public Portal Document

Water System Tunnels and Aqueducts

The Delaware Aqueduct: The Delaware Aqueduct similarly transmits water by gravity from Rondout Reservoir to West Branch Reservoir, in the Croton System, and from West Branch Reservoir to Kensico Reservoir and to Hillview Reservoir. The Delaware Aqueduct is a circular, cement-lined, pressurized, bedrock tunnel 85 miles long located 300 to 1,000 feet underground, passing beneath the Hudson River at a depth of about 600 feet below sea level. Water in this aqueduct is directed by uptake and downtake shafts to the Kensico and West Branch Reservoirs. The Delaware Aqueduct has a diameter of 13.5 feet to 19.5 feet. The capacity of the section from Rondout Reservoir to West Branch Reservoir is about 890 mgd and delivers water from the Rondout, Neversink, Pepacton and Cannonsville Reservoirs. Interconnection with the Catskill System is possible at both the Kensico and Hillview Reservoirs. The delivery capacity of the Delaware Aqueduct from West Branch to Kensico Reservoirs is about 1,045 mgd and about 1,450 mgd from Kensico to the Hillview Reservoirs.

DEP is currently conducting a program of reviewing and assessing the condition of the Rondout-West Branch Tunnel, which comprises a portion of the Delaware Aqueduct. The Rondout-West Branch Tunnel carries water 45 miles from the Delaware System under the Hudson River and into West Branch Reservoir. It has a capacity of 900 mgd and normally contributes 50% of New York City's water supply. A portion of the tunnel crosses a fractured rock formation which is potentially subject to greater stress than the deep rock tunnels located in the City. In addition, the Rondout-West Branch Tunnel is unique in that it attains the highest pressures in the Water Supply System and thus requires more maintenance than other tunnels in the System. As a result of flow tests, visual observations and other analyses, it has been determined that a quantity of water is being lost from the tunnel and surfacing in the form of springs or seeps in this area. DEP has retained a professional engineering firm to evaluate soil and rock conditions along the Roundout-West Branch Tunnel, to locate and investigate the cause and extent of any loss, and to propose any remedies that might be necessary. The tunnel was designed so that it can be shut down and de-watered if necessary. The last such shut-down occurred in 1957. During any such shut-down, it will be necessary for the City to increase reliance on its other water supplies, and to take more stringent measures to encourage conservation and reduce demand.

In general, the Delaware System continues to demonstrate a high degree of reliability after 55 years of continuous service. Nevertheless, DEP considers it prudent to conduct regular tunnel and aqueduct inspections and surveys to detect any problems that might arise so that corrective actions can be taken if needed.

NYC-WTC_000137716

To Vinny

Joe -
Alyssa would like to go to this. Any problems?

NO PROBLEM

I checked we registered 11/2

The Steven L. Newman Real Estate Institute
Baruch College/City University of New York

in association with
The Municipal Art Society

and in cooperation with
The New York Chapters:
- *The American Institute of Architects*
- *The American Planning Association*

RECEIVED
NOV - 8
OFFICE OF ENVIRONMENTAL COORDINATION

invites you to attend
THE 2000 NEW YORK REAL ESTATE FORUM DEVELOPMENT CONFERENCE

Midtown-West: Options for Mid-Manhattan's Last Frontier

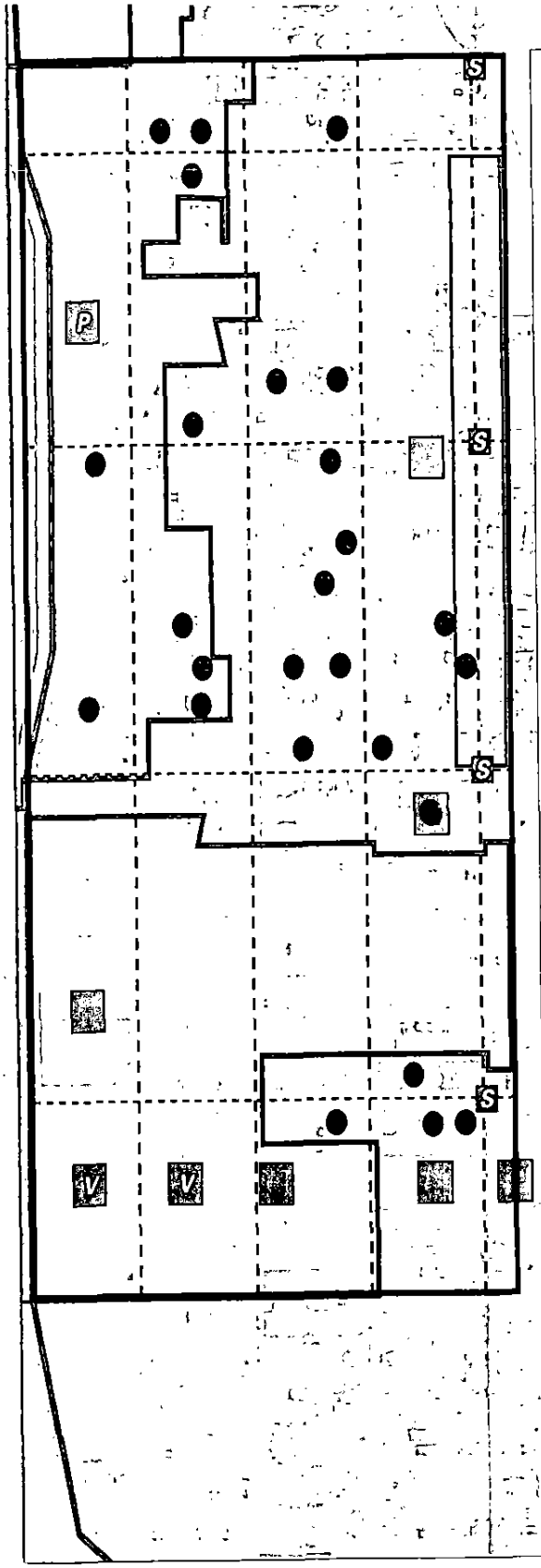
for principals and partners of major New York real estate investment and development companies, senior members of government, and not-for-profit and community leadership

Friday December 8, 2000

Breakfast	*8:00-8:30*
Conference	*8:30-11:45*
Buffet Lunch	*12:00-1:00*

~~*Introduction/Conference Charge*~~
The Hon. Rudolph W. Giuliani *(invited)*
Mayor, The City of New York

Call Sara Hilska at 212-802-5940 for further information and to arrange accommodation at the University Club for those attending from out of town. Kindly respond by faxing the registration form. Limited to 125 participants



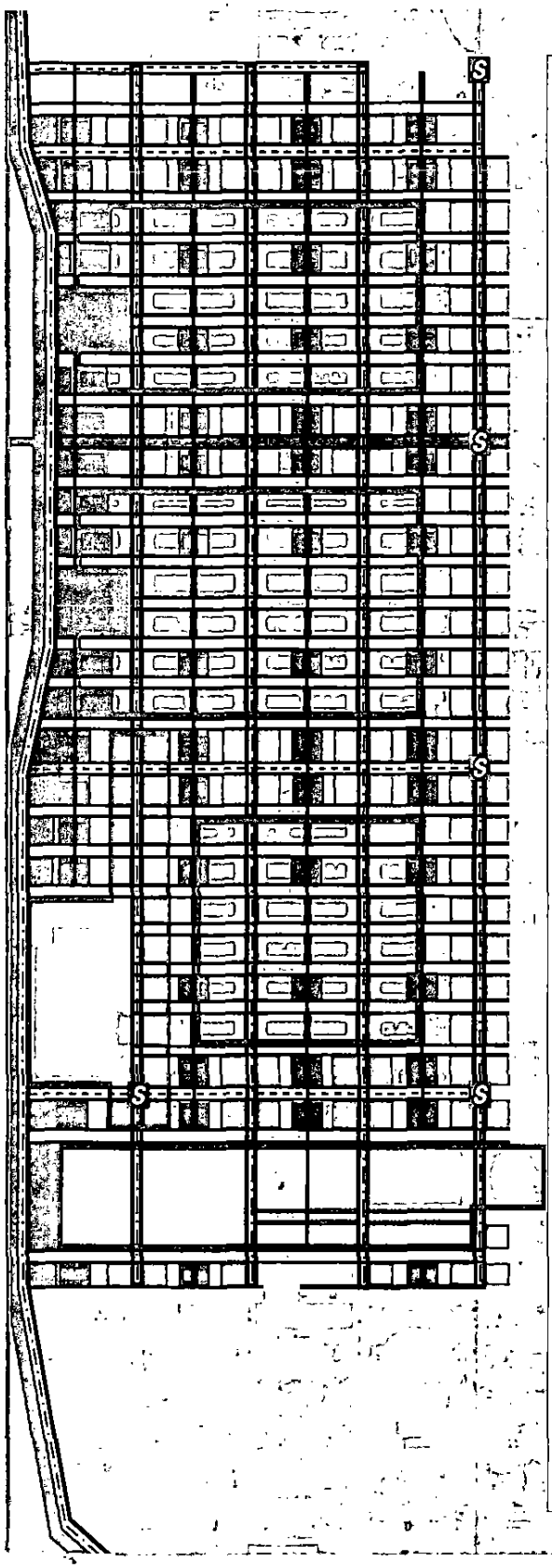
TOWARD A PLAN FOR THE MIDTOWN-WEST

Resources

KEY

- Major Recent Development
- V — Major Vacant Sites
- T — Regional Transportation Centers
- P — Neighborhood Park
- M Sites New York City Department of City Planning Rezoning Study
- Midtown West Side Boundary
- Major East/West Streets and North/South Avenues
- S — Subway Stops
- W — Waterfront
- 1 — 1. 555 W. 57th Street; 2. 521 W. 57th Street; 3. Catholic Apostolic Church; 4. CBS 524 W. 57th Street; 5. Sacred Heart Church; 6. St. Clare's Hospital; 7. Park West High School; 8. Con Edison; 9. Graphic Communication High School; 10. Calvary Christian Church; 11. St. Clemem Church; 12. Salvation Army; 13. St. Luke's Lutheran; 14. P.S. 51; 15. Public Library; 16 Seventh day Adventist; 17. Martin Beck Theatre; 18. U.P.S.; 19. Public Library; 20. Manhattan Plaza; 21. Holy Cross Church; 22. Port Authority Bus Terminal; 23. West Side Jewish Center; 24. St. Michael's Church; 25. Glad Tidings Tabernacle; 26. Penn Plaza

This map from the forthcoming article in *Properties, the Newman Real Estate Institute Review, No. 4, "Toward a Midtown-West Plan"*



TOWARD A PLAN FOR THE MIDTOWN-WEST

Opportunities

KEY

- Major Commercial Development Opportunities
- Major Residential Development Opportunities: High-rise
- Major Residential Development Opportunities: Low-rise
- Major Residential Development Opportunities: Residential Quarter Boundaries
- Major Residential Development Opportunities: Residential Quarter Park Squares
- Major New Public Open Spaces & Parks
- Street Closing for New Major Mid-town Open Space
- Major New Waterfront Parks and Related Waterfront Uses
- Shifts /Insertions to Existing Street Grid Patter
- New Avenue street level transportation
- Major Regional Sports and Entertainment Center

This map from the forthcoming article in Properties, the Newman Real Estate Institute Review, No. 4, "Toward a Midtown-West Plan"

MIDTOWN-WEST: OPTIONS FOR MID-MANHATTAN'S LAST FRONTIER

December 8, 2000

The Steven L. Newman Institute invites you to join us for the New York Real Estate Forum's 2000 Development Conference. The Conference this year focuses on arguably the single most important development concern facing the City and region -- the future of the west side of Midtown between 30th and 57th streets, from Eighth Avenue to the Hudson River.

The Forum's Development Conference is made possible this year through the generosity of Mr. Julien Studley, president of Julien Studley Associates and a member of the Institute's Advisory Board. Your lunch invitation is through the courtesy of the Advisory Board. Attendance is limited to one hundred twenty-five persons. We urge you to make your reservation expeditiously.

The next major public event in the Institute's 2000-2001 academic year series is the Industry-Government Series Seminar assessing "Sprawl and the Future of Real Estate Development in the New York Metropolitan Region." Professor Fred Siegel (of The Cooper Union) will specially serve with the Institute as the guest coordinator. The Seminar is organized in coordination with the Center for Urban Policy Research of Rutgers University, to ensure a comprehensive regional overview and a clear sense of the impact of regional sprawl on New York City.

The 2001 New York Real Estate Forum City Roundtable will focus on real estate and development futures in Queens, and is organized in cooperation with the Office of the Borough President, Claire Shulman. The Forum's 2001 Finance Conference, scheduled for June, will focus on financing issues affecting the development of middle-income housing in the city.

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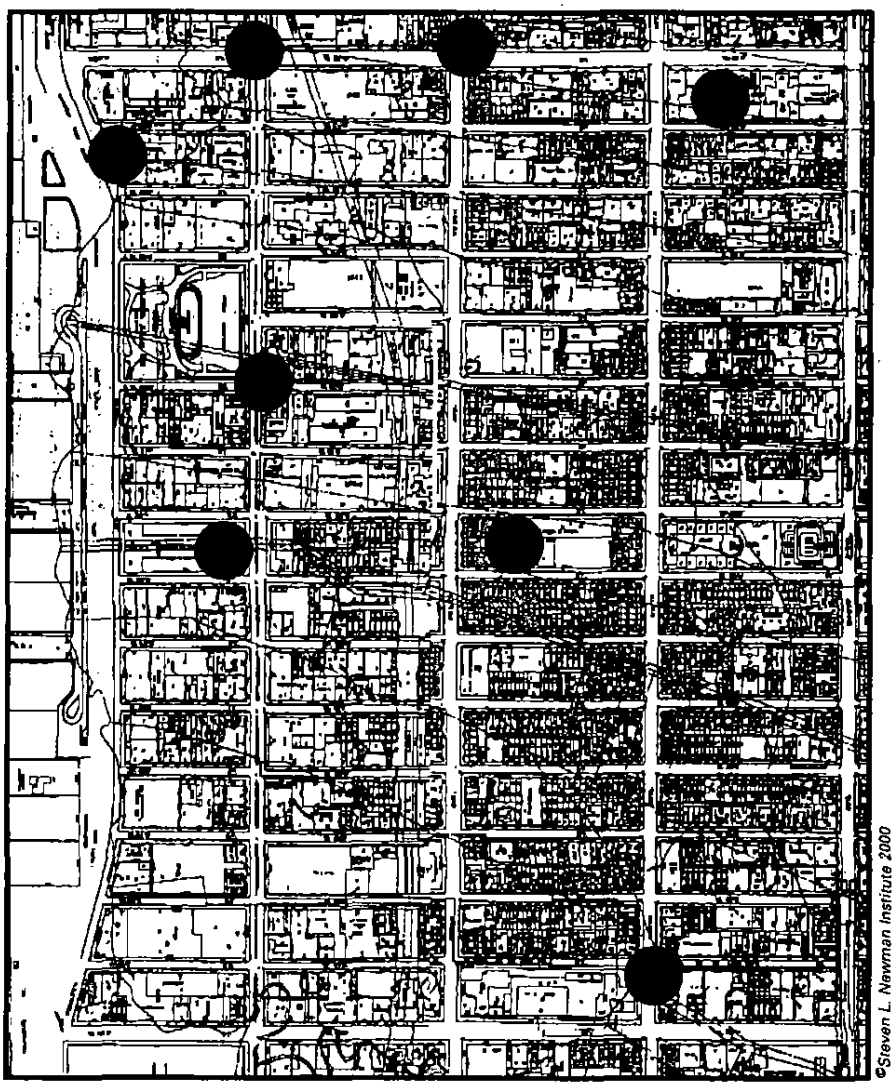
MIDTOWN-WEST: OPTIONS FOR MID-MANHATTAN'S LAST FRONTIER A PORTFOLIO



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MIDTOWN-WEST: OPTIONS FOR MID-MANHATTAN'S LAST FRONTIER

December 8, 2000

To call "Midtown-West" underused is to risk offending those who currently work or live in this area running from 30th to 57th Streets and from 8th Avenue to the Hudson River. By the standards of a thriving, 21st Century, global city -- not to mention New York! -- this area has remarkably low density, low height, and zoning regulations that refer to circumstances sometimes hundreds of years old.

Residential and commercial pressures on Manhattan make redevelopment of Midtown-West inevitable. The fate of this area involves decisions about the needs of the whole city: priorities for residential and commercial use, for open space and for civic facilities that can express the way that Manhattan's future is envisioned. Midtown-West is strongly viewed as a logical and necessary continuation of Manhattan's central business district. But there are competing interests: Home for the New York Jets, a launching site for the 2012 Olympics, reclaimed parkland, an expanded convention center.

How might the existing manufacturing uses, moderately-priced residences, and small retail establishments that have been the identity of this area for the past century and a half survive? Should they? And what are the infrastructure issues that will be critical to making anything -- whether new and ambitious or conscientiously upgraded -- a reality?

The 2000 Development Conference explores these issues in eight parts, each led by an individual deeply immersed in and conversant with the particular issue being addressed. The morning's schedule and capsule summaries of each of these parts follow.

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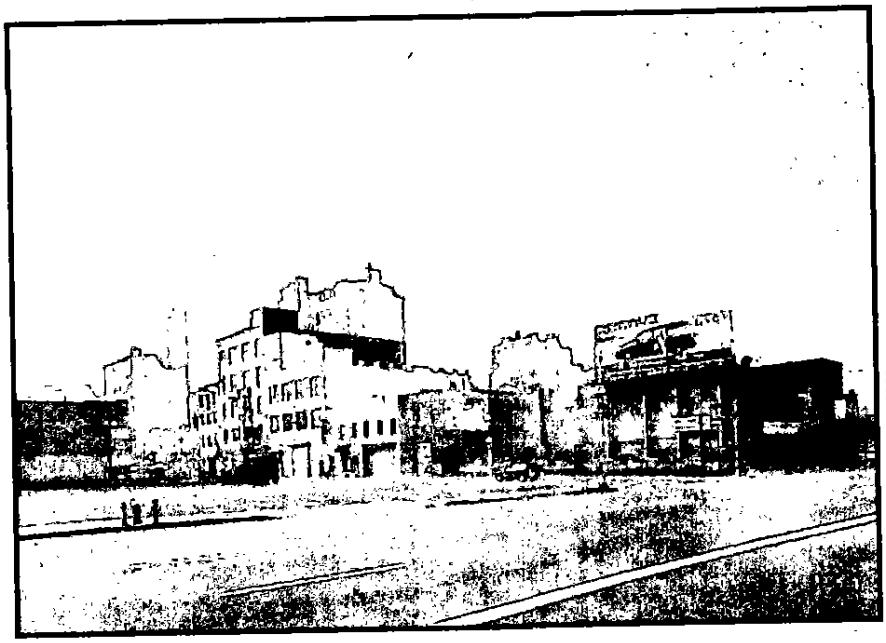
A Midtown-West Portfolio:

A

from the forthcoming article in
Properties, *the Newman Real Estate Institute Review, No. 4*
"Toward a Midtown-West Plan"



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MIDTOWN-WEST: OPTIONS FOR MID-MANHATTAN'S LAST FRONTIER

PROGRAM SCHEDULE OUTLINE

December 8, 2000

8:00-8:30	***BREAKFAST***
	GREETINGS
	INTRODUCTION/CONFERENCE CHARGE
8:40-9:00	**The Hon. Rudolph W. Giuliani** *(invited)* Mayor, The City of New York
Part 1:	***THE PROSPECT FOR MIDTOWN-WEST***
9:00-9:20	**The Hon. Charles E. Schumer** *(invited)* United States Senator, New York Co-Chairperson, *The Committee of 35*
Part 2:	***URBAN PRINCIPLES FOR MIDTOWN-WEST***
9:20-9:35	**Kent Barwick** President, Municipal Art Society
9:35-9:50	**Marilyn Taylor, AIA** Partner, Skidmore Owings & Merrill
Part 3:	***A PLANNING FRAMEWORK FOR MIDTOWN-WEST***
9:50-10:10	**Joseph Rose** Director, The New York City Department of City Planning and Chairman, The New York City Planning Commission
10:10-10:30	**The Hon. C. Virginia Fields** President, The Borough of Manhattan
Part 4:	***SPORTS & ENTERTAINMENT DEVELOPMENT***
10:30-11:00	**Alexander Garvin** Director of Planning, *NYC 2012*
	Coffee will be served to all in their seats
Part 5:	***OFFICE DEVELOPMENT***
11:00-11:15	**Steven Spinola** President, The Real Estate Board of New York
Part 6:	***RESIDENTIAL DEVELOPMENT***
11:15-11:30	**Costas Kondylis, AIA** President, Costas Kondylis Associates
11:30-11:45	**Katherine Gray** Chairwoman, Community Board 4, Clinton
Part 7:	***INFRASTRUCTURE REQUIREMENTS***
11:45-12:00	**Robert Yaro** Executive Director, The Regional Plan Association
Part 8:	***URBAN DESIGN/PUBLIC SPACE/RIVERFRONT***
12:00-12:15	**Max Bond, AIA** Partner, Davis Brody Bond
12:15-12:30	**Herbert Muschamp** Architecture Critic, The New York Times
	CONCLUSION ***NEWMAN INSTITUTE/CUNY URBAN CONSORTIUM***
12:30	***BUFFET LUNCH IN THE CONFERENCE CENTER ATRIUM***

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A Midtown-West Portfolio:

B

from the forthcoming article in
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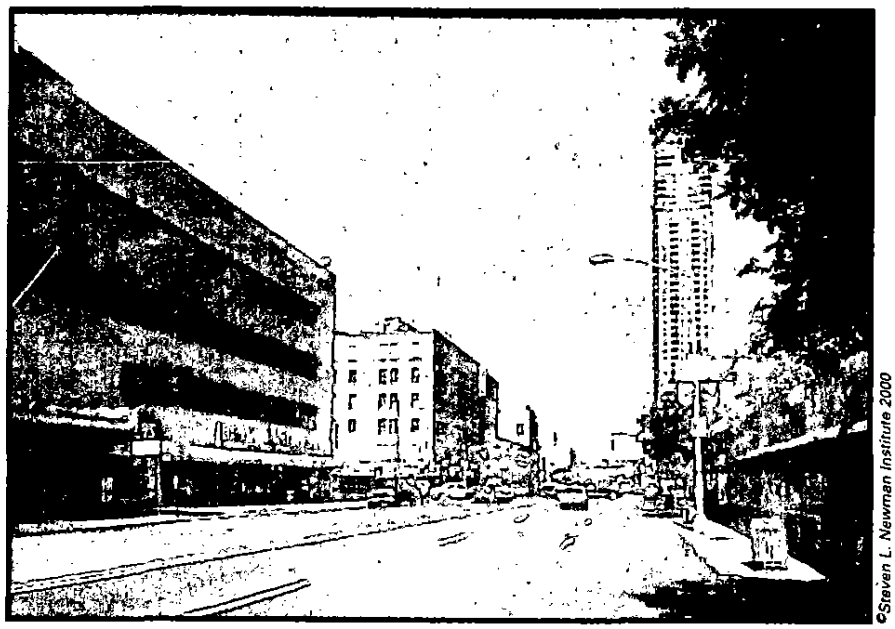

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INTRODUCTION/CONFERENCE CHARGE
8:40AM to 9:00AM

PART 1
THE PROSPECT FOR MIDTOWN-WEST
9:00 AM to 9:20 AM

The last great swath of land in Manhattan, an underused, underserved neighborhood stretching from 30th Street to 57th Street, from Eighth Avenue to the Hudson River, presents a final opportunity for completing Midtown. Suddenly described as one of the city's hottest neighborhoods, Midtown-West is beginning to experience redevelopment that will certainly continue. As this process moves forward, the most creative thinking about NYC's role in the 21st Century and what will sustain it is required. The leadership role of government is of immense importance.

Elected officials responsible for overseeing this undertaking and the economic future of New York City outline possibilities and recommendations for the future of Midtown-West.

8:40-9:00
Rudolph W. Giuliani
MAYOR
The City of New York

The Mayor of New York reviews options for completing the fabric of Midtown-West -- what is at stake and what is hoped for. Sports facilities and enhanced tourist attractions have been enthusiastically endorsed for this area and the administration clearly has made redevelopment of Midtown West a top priority. The current administration's point of view -- discussed here -- will affect this process in significant ways.

9:00-9:20
Charles E. Schumer
UNITED STATES SENATOR
New York State (D)
CO-CHAIRPERSON
The Committee of 35

The New York Senator, working with former Treasury Secretary Robert Rubin, has identified the importance of this area and its untapped resources as a key to New York's future. He has assembled a team of business leaders to assess ways in which to harness the potential of Midtown-West as a dynamic environment for business expansion, including high-tech businesses. A public-private venture such as this one could well serve as a model for creative use of the city's resources. The pivotal role of Midtown-West in the economic future of New York City, its ability to serve as a continuation of the central business district and a basis for 21st Century New York, will be the focus of the Committee of 35.

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A Midtown-West Portfolio

C

from the forthcoming article in
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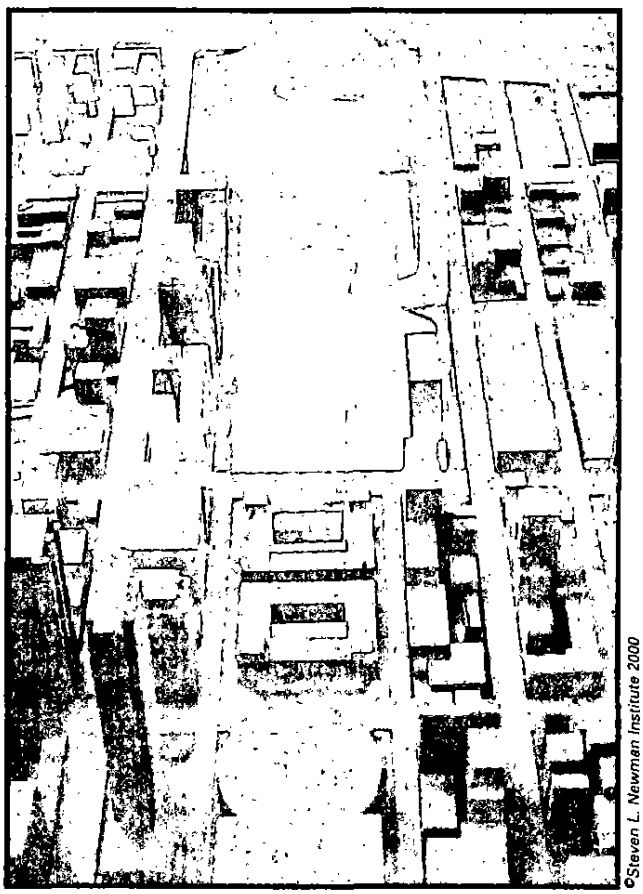

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PART 2

URBAN PRINCIPLES

9:20AM to 9:50AM

The density and the amount of open space that are both desirable and feasible must be determined, and the zoning strategies and bulk regulations that will characterize a new vision of Midtown-West must be articulated. Although this area is considered to be underused, it does have a substantial number of residents for whom it is home. Protection of existing residents will require balance with incentives for the development community. These are the decisions that will be necessary to ensure that Midtown-West makes a pivotal contribution to NYC's future preeminence.

9:20-9:35
Kent Barkwick
PRESIDENT
Municipal Art Society

Should this low-density swath of the West Side accommodate construction of an indoor stadium that can hold up to 100,000 persons and would be suitable for the 2012 Olympic Games? A football stadium that would be home for the New York Jets? Should the Javits Convention Center be expanded? A comprehensive evaluation of what Manhattan truly needs and can support is called for -- and is discussed by the leader of one of New York's most effective civic organizations -- as redevelopment of Midtown-West proceeds. If more public space and more amenities are added to the Hudson River Park and the Convention Center, will residents of Clinton be overwhelmed by increased density? Can the city take advantage of the last opportunity for a significant public park along the Hudson River north of 34th Street? Is a district of luxury office buildings inevitable? What does New York need and what strategies are recommended? New York City is called upon to provide enlightened strategic planning and a vision of the future.

9:35-9:50
Marilyn Taylor
PARTNER
Skidmore Owings & Merrill

New buildings will be constructed and older ones reused as Midtown-West moves ahead. Pennsylvania Station, the Javits Center and Columbus Circle are all included in this territory. As uses are debated, as questions of urban transformation, of scale and density, transparency, and open space arise, significant zoning, planning and design guidelines should be adopted. Everything from appropriate materials to the viability of the existing grid will be open to consideration. Lessons may be learned from the successes and failures of Battery Park City. What provisions can the city make to enable the design community to work at their highest capacities and to ensure that Midtown-West evolves into a dynamic component of 21st Century NYC?

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A Midtown-West Portfolio:

D

from the forthcoming article in
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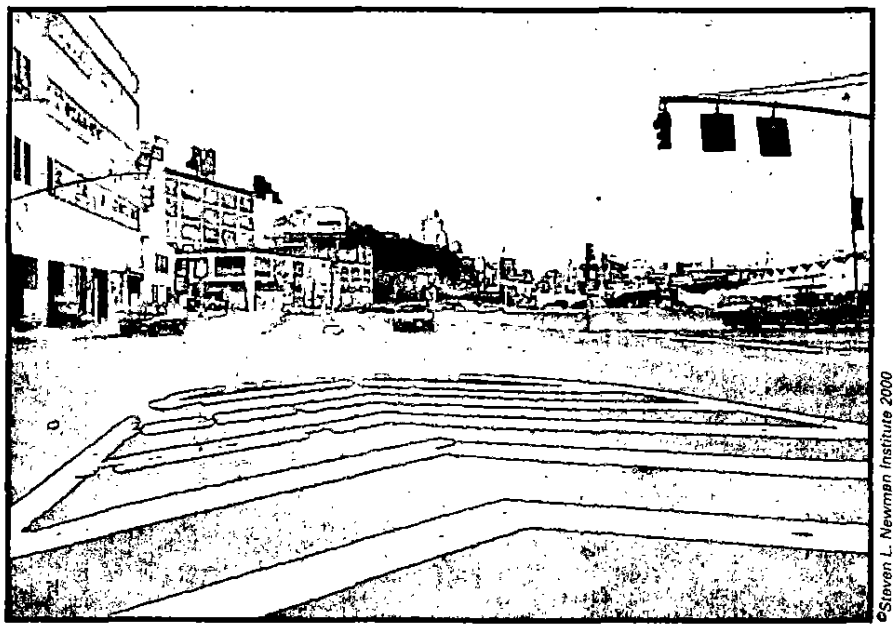

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PART 3

A PLANNING FRAMEWORK

9:50AM to 10:30AM

A large central area that is a continuation of Midtown must be considered as a primary planning concern. Effective strategies would not only reaffirm NYC as a dynamic world capital, but would serve as a model for 21st Century urban intervention everywhere.

9:50-10:10
Joseph Rose
DIRECTOR
The Department of City Planning

CHAIRMAN
The New York City Planning Commission

What is the appropriate commercial density for Midtown-West? Should commercial and residential uses be intertwined or segregated? What mixed-use projects should be considered? What provisions should be made to ensure adequate open space along the waterfront? If Midtown-West is officially designated an extension of the central business district, will it, if the Unified Bulk Program proposal is implemented, be a district free of height limitations? What elements of city/state cooperation will be necessary for Midtown-West to flourish?

10:10-10:30
C. Virginia Fields
PRESIDENT
The Borough of Manhattan

A Request for Proposals issued from the Borough President's office leads to the development of a master plan concerned with commercial, residential and open space issues discussed here.

PART 4

SPORTS & ENTERTAINMENT DEVELOPMENT

10:30AM to 11:00AM

Entertainment has come to be seen as a pivotal element in the urban economy. What choices will New York City make for its future? What role will tourism play in the redevelopment of Midtown-West? How will the perceived need to compete with other cities for large-scale events affect planning decisions? To what extent will massive sports and convention facilities be considered appropriate in what is considered to be part of Midtown Manhattan?

10:30-11:00
Alexander Garvin
DIRECTOR OF PLANNING
NYC 2012

If the Olympic Games were to be held in New York how much prior redevelopment of Midtown-West would be required in order to make it an appropriate and accessible site for the Games? Are the transportation links that are appropriate for this massive one-time use the same links that residents of this area and of the rest of NYC hope for? What are the benefits to Midtown-West of serving as the site for the Games?

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A Midtown-West Portfolio.

from the forthcoming article in
Properties, *the Newman Real Estate Institute Review, No. 4*
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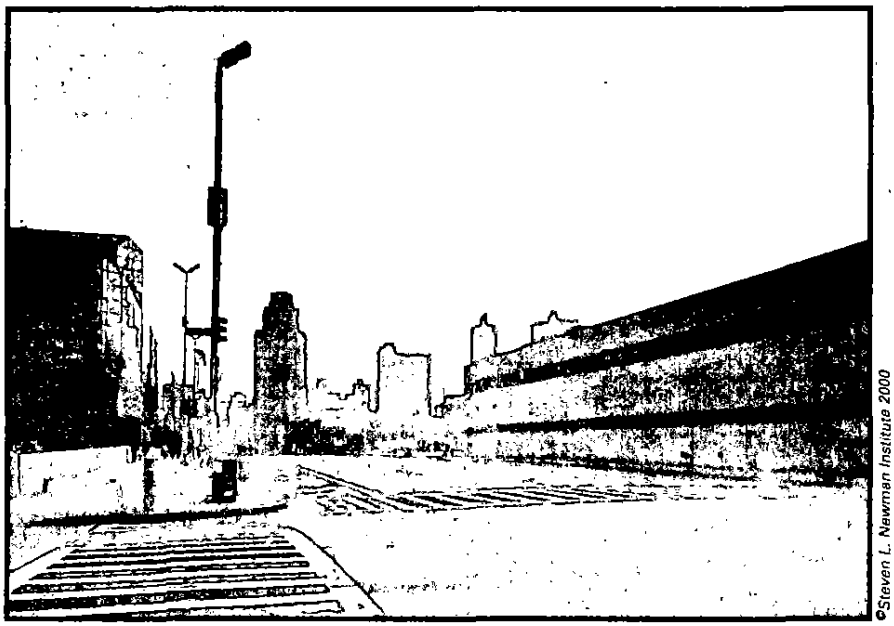

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PART5

OFFICE DEVELOPMENT

11:00AM to 11:15AM

The rebirth of New York's Starrett-Lehigh Building brought attention to Midtown-West as a viable contemporary commercial zone. The renewal of Times Square and its desirability as a location for commercial towers and major corporate presences has shifted sights westward. While available office space in Midtown is being consumed by an expanding economy by the appearance of dot-com firms, offices for high-end tenants can now be constructed west of Sixth Avenue.

11:00-11:15
Steven Spinola
PRESIDENT
The Real Estate Board of New York

An overview of the challenges for new commercial construction on the Far West Side. What will the industry be looking for? What zoning issues will be important? REBNY, which represents the largest commercial developers in New York, the firms that will be exposed to the largest risk for development in Midtown-West, is an organization especially interested in exploring strategies for public-private cooperation in these crucial undertakings.

PART6

RESIDENTIAL DEVELOPMENT

11:15AM to 11:45AM

Market-rate rental apartments can now be built -- and are being built -- along the western end of 42nd Street, from 9th to 12th Avenues. The Clinton neighborhood already has a significant number of residential units. What does this area require in order to make the transition successful, so that new residents as well as long-time residents can be accommodated?

11:15-11:30
Costas Kondylis, AIA
PRESIDENT
Costas Kondylis Associates

An architect who had worked with and represented most of the major residential developers in New York discusses the critical issues for future residential development in Midtown-West. What will be necessary in order to make significant residential development a continuing process in this area? What will the important locations be beyond 42nd Street? What will the approval process entail? What will zoning and bulk regulations be? What size can be accommodated -- or accepted?

11:30-11:45
Katherine Gray
CHAIRWOMAN
Community Board 4, Clinton

The neighborhoods in what is now referred to as Midtown-West have had a residential and commercial history and now face tremendous change. The chair of Community Board #4 discusses the perspective of residents and business owners in Clinton and Chelsea, what they see as a proprietary interest in an important and distinctive part of Manhattan, and what their concerns about the future are.

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A Midtown-West Portfolio.

F

from the forthcoming article in
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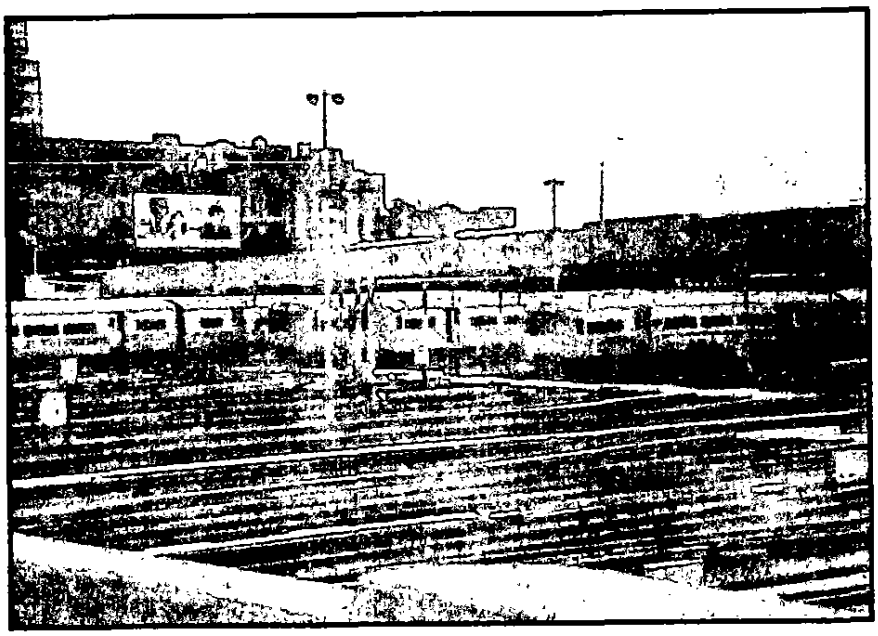

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PART 7

INFRASTRUCTURE REQUIREMENTS

11:45AM to 12:00AM

Underserved by infrastructure in every way, Midtown-West is, nevertheless, geographically suited to play an important role in the 21st century infrastructure of Manhattan. Ferry service to and from New Jersey, for instance, and the extension of rail and subway lines would affect commuter choices. To a great extent, redevelopment of Midtown-West depends upon infrastructure planning.

11:45-12:00
Robert Yaro
EXECUTIVE DIRECTOR
The Regional Plan Association

The extension of rail and subway lines (Amtrak, LIRR, #7 train) to this underserved part of Manhattan is not controversial, but many other proposals are. Development principles should be clear. City/State cooperation is necessary. And while additional infrastructure is an undisputed goal, the allocation of resources to commuting, for example, and whether those resources should be directed to commuting within New York or also to and from New Jersey, are concerns that must be addressed. Creative planning needs to be done for water transport facilities and for new train and subway stations. What is the balance between New York's needs and the needs of the entire Metropolitan Region?

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A Midtown-West Portfolio:

G

from the forthcoming article in
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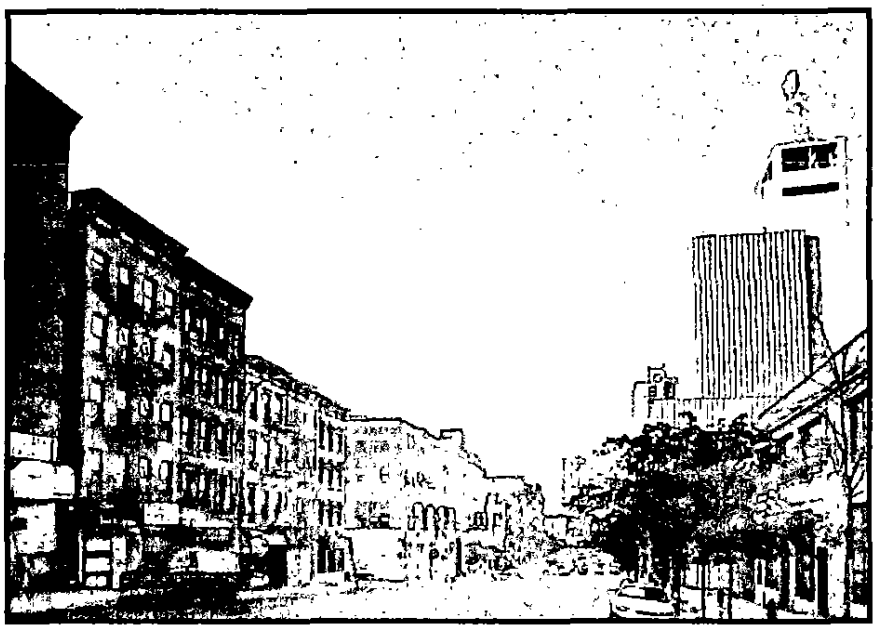

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MIDTOWN-WEST: OPTIONS FOR MID-MANHATTAN'S LAST FRONTIER

The New York Real Estate Forum
2000 Development Conference

You Are Invited as a Guest of The Advisory Board of the Institute.
Your Response Must Be Received No Later Than 26 November 2000.

Name *Title*

Name *Title*

Company

Address

City *State* *Zip*

Telephone

Facsimile

☐ *I Will Attend*

Names of Additional Guests Attending the Conference

Please fax completed registration form to:

212 802 5944

The Steven L. Newman Real Estate Institute
Baruch College/The City University of New York
137 East 22nd Street / Box C-0120
New York, NY 10010

Tel: 212 802 5940

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(+) DEP

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

ALESSANDRA SUMOWICZ
Director
Office of Environmental Coordination

November 14, 2000

Via Telecopier
(212) 345-4832

Ellen R. Imbimbo
1166 Avenue of the Americas
New York, New York 10036-2708

RE: Con Ed Waterside Decommissioning

Dear Ms. Imbimbo:

Pursuant to your meeting with Vincent La Padula and our subsequent conversations, we contacted Con Edison on behalf of the East Midtown Coalition for Sensible Development. As discussed, we requested that Con Edison schedule a high-level meeting with the Coalition to discuss the issues you have raised. Please be advised that Con Edison will be calling you shortly to schedule the meeting.

Very truly yours,

Alessandra Sumowicz

c: V. La Padula
R. O'Keefe
R. Miller
A. Chin – Con Edison

NYC-WTC_000137737

NYC 9/11 Public Portal Document

Full D&P

In reviewing and comparing the low bids received on August 16, 1999 and September 28,2000 for contracts 545B and 545C it would be an error to rely solely upon a comparison of the total amount bid, and conclude that the prices had increased 21 and 15 percent, respectively.

In both instances the D.E.P. added quantities of work which would approximately increased the bids 10% alone. Adding to that a modest escalation factor of 4% per annum over the 13.5 month time span between bids and the actual differences are 4.6 and 2.6 percent, respectively.

Example # 1 Contract 545C

1) Original Bid 8/16/99	= $21,057,750.00
2) Value of work added to project by D.E.P	= $ 1,775,500.00
3) Escalation of 4% per Annum over 13.5 Months	= $ 947,599.00
	$23,780,849.00

Rebid 9/28/00 was $24,425,915.00

Actual difference =$645,066.00
or 2.6%

Example # 2 Contract 545B

1) Original bid 8/16/99	=$45,394,960.00
2) Value of Worked added to project by D.E.P.	=$ 4,906,800.00
3) Escalation of 4% per annum over 13.5 Months	=$ 2,042,773.00
	$52,344,533.00

Rebid 9/28/00 was $54,872,080.00

Actual difference =$2,527,547.00
or 4.6%

Lew Finkelman

The #'s are higher B/C of 13.5 months later - new Rep requirements. If you do them as change orders I think more expensive - you lock them in.

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:41 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 02

NYCDEP 545C - INSTALLATION OF SHAFT 23B — BID DATE 9/28/00
ADDENDA

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	ORIGINAL BID QUANTITIES TIMES THE REBID UNIT PRICES FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
1	ALL WORK REQUIRED FOR CONSTRUCTION CONTRACT AGREEMENT, BONDS, GENERAL SPECIFICATIONS, GENERAL CONDITIONS, AND PREPARING, MAINTAINING, AND RESTORING SHAFT SITE EXCEPT ALLOWANCES	1	LS	1,025,000.00	1,025,000.00	1.00	1,025,000.00	1,025,000.00
2	ALL WORK REQUIRED FOR PROTECTING SHAFT SITE	30	MONTH	4,000.00	120,000.00	33.00	4,000.00	132,000.00
3	ALL WORK REQUIRED FOR UNCLASSIFIED EXCAVATION	10,000	CY	20.00	200,000.00	12,200.00	20.00	244,000.00
4	ALL WORK REQUIRED FOR ENGINEER'S OFFICE TRAILER EXCEPT ALLOWANCE	1	LS	265,815.00	265,815.00	1.00	265,815.00	265,815.00
4A	ALLOWANCE FOR SECT. 4.9C MISCELLANEOUS OFFICE SUPPLIES	1	ALLOW.	50,000.00	50,000.00	1.00	50,000.00	50,000.00
5	ALL WORK REQUIRED FOR BACKFILLING	7,000	CY	10.00	70,000.00	10,000.00	10.00	100,000.00
6A	ALL WORK RELATED TO SHAFT & MAT CONC CLASS 45M (EXCLUD. WALLS)	1,500	CY	625.00	937,500.00	1,500.00	625.00	937,500.00
6B	ALL WORK RELATED TO FORMED CONCRETE AND CLASS 45,45B,45M (WALLS)	1,520	CY	200.00	304,000.00	1,600.00	200.00	320,000.00
6C	ALL WORK RELATED TO PRECAST CONCRETE CLASS 50	125	CY	2,000.00	250,000.00	125.00	2,000.00	250,000.00
6D	ALL WORK RELATED TO REFILL CONCRETE CLASS 30M	4,000	CY	250.00	1,000,000.00	4,000.00	250.00	1,000,000.00
7	ALL WORK RELATED TO REINFORCING STEEL	503,500	LBS	1.00	503,500.00	548,500.00	1.00	548,500.00
8	ALL WORK REQUIRED FOR PVC WATERSTOPS	1,000	LF	5.00	5,000.00	1,000.00	5.00	5,000.00
9A	ALL WORK REQUIRED FOR FURNISHING AND INSTALLING INJECTION HOSE	1,300	LF	28.00	36,400.00	1,300.00	28.00	36,400.00
9B	ALL WORK REQUIRED FOR FURNISHING AND INJECTING HYDROPHILIC RESIN	1,300	LF	10.00	13,000.00	1,300.00	10.00	13,000.00
10	ALL WORK REQUIRED FOR DRILLING AND REDRILLING HOLES FOR GROUTING	2,840	LF	10.00	28,400.00	2,840.00	10.00	28,400.00
11	ALL WORK REQUIRED FOR MAKING CONNECTIONS FOR GROUTING	350	CONN.	20.00	7,000.00	350.00	20.00	7,000.00
12	ALL WORK REQUIRED FOR FURNISHING AND DELIVERING SAND FOR GROUTIN	10	CY	100.00	1,000.00	10.00	100.00	1,000.00
13	ALL WORK REQUIRED FOR MIXING AND PLACING GROUT	420	CY	200.00	84,000.00	420.00	200.00	84,000.00
14	ALL WORK REQUIRED FURNISHING AND DELIVERING PORTLAND CEMENT FOR GROUTING	4,550	BAGS	6.00	27,300.00	4,550.00	6.00	27,300.00
15	ALL WORK REQUIRED FOR MIXING AND PLACING CHEMICAL GROUT	3,200	PACKER	10.00	32,000.00	3,200.00	10.00	32,000.00

NYC-WTC_000137739

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:42 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 03

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
16	ALL WORK REQUIRED FOR STEEL PIPE PILES FOR MANIFOLD SECTION	1,200	LF	30.00	36,000.00	1,200.00	30.00	36,000.00
17	ALL WORK REQUIRED FOR CAULKING, DAMPPROOFING, AND WATERPROOFING CONCRETE WORK	21,700	SF	7.00	151,900.00	21,700.00	7.00	151,900.00
18A	ALL WORK REQD. FOR FAB., INSTALL., & TESTING OF 48-INCH S.S. RISER PIPING	53,100	LBS	50.00	2,655,000.00	30,000.00	50.00	1,500,000.00
18B	ALL WORK REQUIRED FOR INSTALLATION AND TESTING OF 48-INCH STAINLESS STEEL RISER PIPING FURNISHED BY THE CITY	469,000	LBS	5.00	2,345,000.00	428,500.00	5.00	2,142,500.00
19	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF 48-INCH CARBON STEEL PIPING INSIDE DISTRIBUTION CHAMBER	95,000	LBS	10.00	950,000.00	66,000.00	10.00	660,000.00
20	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF CARBON STEEL PIPING OUTSIDE DISTRIBUTION CHAMBER	534,000	LBS	16.00	8,544,000.00	534,000.00	16.00	8,544,000.00
21	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF MISCELLANEOUS PIPES	1	LS	500,000.00	500,000.00	1.00	500,000.00	500,000.00
22	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF STAINLESS STEEL GRATINGS AND SUPPORTS	92,000	LBS	5.00	460,000.00	92,000.00	5.00	460,000.00
23	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF ALUMINUM GRATINGS FOR DISTRIBUTION CHAMBER	9,275	LBS	4.00	37,100.00	9,275.00	4.00	37,100.00
24	ALL WORK REQUIRED FOR FABRICATION, INSTALLLATION AND TESTING OF MISCELLANEOUS METALWORK	1	LS	240,000.00	240,000.00	1.00	240,000.00	240,000.00
25	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF 48-INCH AND LARGER BUTTERFLY VALVES AND ACTUATORS INSIDE AND OUTSIDE DISTRIBUTION CHAMBER	1	LS	1,300,000.00	1,300,000.00	1.00	1,300,000.00	1,300,000.00
26	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF PIPE COUPLINGS	1	LS	150,000.00	150,000.00	1.00	150,000.00	150,000.00
27	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF ALL 48-INCH AND LARGER FLOW METERS	1	LS	500,000.00	500,000.00	1.00	500,000.00	500,000.00
28	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL PUMPS AND MULTI-LEVEL LIQUID FLOAT SWITCHES	1	LS	50,000.00	50,000.00	1.00	50,000.00	50,000.00
29	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF EDUCTOR SYSTEMS	1	LS	30,000.00	30,000.00	1.00	30,000.00	30,000.00
30	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF PERSONNEL TRANSPORT ELEVATORS	1	LS	200,000.00	200,000.00	1.00	200,000.00	200,000.00
31	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL RISER VALVE ACTUATOR COMPONENTS	1	LS	50,000.00	50,000.00	1.00	50,000.00	50,000.00
32	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL	1	LS	50,000.00	50,000.00	1.00	50,000.00	50,000.00

NYC-WTC_000137740

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:42 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 04

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
	FLOOR AND SIDEWALK HATCHES AND BLAST PROOF DOORS							
33	ALL WORK REQUIRED FOR PAINTING COATINGS AND MARKINGS	1	LS	40,000.00	40,000.00	1.00	40,000.00	40,000.00
34	ALL WORK REQUIRED FOR FABRICATIONS, INSTALLATION AND TESTING OF DEHUMIDIFYING EQUIPMENT, COMMON HV CONTROL PANEL, AND DUCT SMOKE DETECTOR	1	LS	50,000.00	50,000.00	1.00	50,000.00	50,000.00
35	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF VENTILATION FANS AT THE DISTRIBUTION CHAMBER	2	EA	16,000.00	32,000.00	1.00	16,000.00	16,000.00
36	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF DUCTS FOR DEHUMIDIFICATION AND VENTILATION OF DISTRIBUTION AND RISER VALVE CHAMBERS	3,400	LBS	15.00	51,000.00	3,400.00	15.00	51,000.00
37	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF ELECTRIC HEATERS AT THE DISTRIBUTION AND RISER VALVE CHAMBERS	1	LS	15,000.00	15,000.00	1.00	15,000.00	15,000.00
38	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF ELECTRICAL SYSTEMS AND EQUIPMENT	1	LS	600,000.00	600,000.00	1.00	600,000.00	600,000.00
39	ALL WORK REQUIRED FOR CLEANING UP	1	LS	5,000.00	5,000.00	1.00	5,000.00	5,000.00
40	ALL WORK REQUIRED FOR WORK PROGRESS DOCUMENTATION PHOTOGRAPHS	1	LS	2,000.00	2,000.00	1.00	2,000.00	2,000.00
41	ALL WORK REQUIRED FOR FURNISHING,INSTALLATION AND TESTING OF SECURITY LOCKS	1	LS	2,000.00	2,000.00	1.00	2,000.00	2,000.00
42	ALL WORK REQUIRED FOR FURNISHING TECHNICAL MANUALS	1	LS	3,000.00	3,000.00	1.00	3,000.00	3,000.00
43	INSPECTION COSTS INCLUDING SECT. 69 ALLOWANCE	1	ALLOW	150,000.00	150,000.00	1.00	150,000.00	150,000.00
44	ALL WORK REQUIRED FOR MAINTAINING AND PROTECTING THE CONCRETE AND SOILS TESTING LABORATORY ADJACENT TO SHAFT 21B SITE	33	MONTHS	8,000.00	264,000.00	1.00	8,000.00	8,000.00
45	NOT APPLICABLE From Sheet	1	ls					
	TOTAL				24,425,915.00	DIFFERENCE	1,775,500.00	22,650,415.00

Original bid 21,057,750
Change
% increase 7.56%

NYC-WTC_000137741

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:42 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 05

NYCDEP 545B - SHAFTS 20B, 21B, AND 22B — BID DATE 9/28/00
ADDENDA

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	ORIGINAL BID QUANTITIES TIMES THE REBID UNIT PRICES FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
1	ALL WORK REQUIRED FOR CONSTRUCTION CONTRACT AGREEMENT, BONDS, GENERAL SPECIFICATIONS, GENERAL CONDITIONS, AND PREPARING, MAINTAINING, AND RESTORING SHAFT SITE EXCEPT ALLOWANCES	1	LS	3,724,000.00	3,724,000.00	1.00	3,724,000.00	3,724,000.00
1A	ALLOWANCE FOR SECT. 1.5.8C, MISCELLANEOUS OFFICE SUPPLIES	1	ALLOW	150,000.00	150,000.00	1.00	150,000.00	150,000.00
2	ALL WORK REQUIRED FOR PROTECTING SHAFT SITE	30	MONTH	12,000.00	360,000.00	33.00	12,000.00	396,000.00
3	ALL WORK REQUIRED FOR UNCLASSIFIED EXCAVATION	20,000	CY	10.00	200,000.00	30,000.00	10.00	300,000.00
4	ALL WORK REQUIRED FOR DEMOLITION OF SLURRY WALL OF SHAFT 20B	1	LS	500,000.00	500,000.00	1.00	500,000.00	500,000.00
5	ALL WORK REQUIRED FOR BACKFILLING	15,000	CY	5.00	75,000.00	20,000.00	5.00	100,000.00
6A	ALL WORK RELATED TO SHAFT & MAT CONC CLASS 45M (EXCLUD. WALLS)	4,200	CY	500.00	2,100,000.00	4,200.00	500.00	2,100,000.00
6B	ALL WORK RELATED TO FORMED CONCRETE AND CLASS 45,45B,45M (WALLS)	4,270	CY	200.00	854,000.00	4,500.00	200.00	900,000.00
6C	ALL WORK RELATED TO PRECAST CONCRETE CLASS 50	270	CY	1,900.00	513,000.00	270.00	1,900.00	513,000.00
6D	ALL WORK RELATED TO REFILL CONCRETE CLASS 30M	15,000	CY	500.00	7,500,000.00	15,000.00	500.00	7,500,000.00
7	ALL WORK RELATED TO REINFORCING STEEL	1,411,000	LBS	1.00	1,411,000.00	1,518,000.00	1.00	1,518,000.00
8	ALL WORK REQUIRED FOR PVC WATERSTOPS	2,840	LF	5.00	14,200.00	2,840.00	5.00	14,200.00
9A	ALL WORK REQUIRED FOR FURNISHING AND INSTALLING INJECTION HOSE	3,260	LF	28.00	91,280.00	3,260.00	28.00	91,280.00
9B	ALL WORK REQUIRED FOR FURNISHING AND INJECTING HYDROPHILIC RESIN	3,260	LF	10.00	32,600.00	3,260.00	10.00	32,600.00
10	ALL WORK REQUIRED FOR DRILLING AND REDRILLING HOLES FOR GROUTING	5,450	LF	10.00	54,500.00	5,490.00	10.00	54,900.00
11	ALL WORK REQUIRED FOR MAKING CONNECTIONS FOR GROUTING	660	CONN.	20.00	13,200.00	660.00	20.00	13,200.00
12	ALL WORK REQUIRED FOR FURNISHING AND DELIVERING SAND FOR GROUTIN	17	CY	100.00	1,700.00	17.00	100.00	1,700.00
13	ALL WORK REQUIRED FOR MIXING AND PLACING GROUT	950	CY	200.00	190,000.00	950.00	200.00	190,000.00
14	ALL WORK REQUIRED FURNISHING AND DELIVERING PORTLAND CEMENT FOR GROUTING	10,300	BAGS	6.00	61,800.00	10,300.00	60.00	618,000.00
15	ALL WORK REQUIRED FOR MIXING AND PLACING CHEMICAL GROUT	9,600	PACKER	10.00	95,000.00	9,600.00	10.00	96,000.00

NYC-WTC_000137742

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:43 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 06

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
16	ALL WORK REQUIRED FOR STEEL PIPE PILES FOR MANIFOLD SECTION	3,240	LF	30.00	97,200.00	3,240.00	30.00	97,200.00
17	ALL WORK REQUIRED FOR CAULKING, DAMPPRCOFING, AND WATERPROOFINC CONCRETE WORK	44,250	SF	12.00	531,000.00	44,250.00	12.00	531,000.00
18A	ALL WORK REQD. FOR FAB., INSTALL., & TESTING OF 48-INCH S.S. RISER PIPINC	159,000	LBS	50.00	7,950,000.00	90,000.00	50.00	4,500,000.00
18B	ALL WORK REQUIRED FOR INSTALLATION AND TESTING OF 48-INCH STAINLESS STEEL RISER PIPING FURNISHED BY THE CITY	1,323,000	LBS	1.00	1,323,000.00	1,270,000.00	1.00	1,270,000.00
19	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF 48-INCH CARBON STEEL PIPING INSIDE DISTRIBUTION CHAMBER	282,000	LBS	24.00	6,768,000.00	206,000.00	24.00	4,944,000.00
20	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF CARBON STEEL PIPING OUTSIDE DISTRIBUTION CHAMBER	470,000	LBS	18.00	8,460,000.00	445,000.00	18.00	8,010,000.00
21	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF MISCELLANEOUS PIPES	1	LS	1,000,000.00	1,000,000.00	1.00	1,000,000.00	1,000,000.00
22	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF STAINLESS STEEL GRATINGS AND SUPPORTS	137,000	LBS	5.00	685,000.00	137,000.00	5.00	685,000.00
23	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF ALUMINUM GRATINGS FOR DISTRIBUTION CHAMBER	27,300	LBS	4.00	109,200.00	27,300.00	4.00	109,200.00
24	ALL WORK REQUIRED FOR FABRICATION, INSTALLLATION AND TESTING OF MISCELLANEOUS METALWORK	1	LS	600,000.00	600,000.00	1.00	600,000.00	600,000.00
25	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF 48-INCH AND LARGER BUTTERFLY VALVES AND ACTUATORS INSIDE AND OUTSIDE DISTRIBUTION CHAMBER	1	LS	4,000,000.00	4,000,000.00	1.00	4,000,000.00	4,000,000.00
26	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF PIPE COUPLINGS	1	LS	400,000.00	400,000.00	1.00	400,000.00	400,000.00
27	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION, AND TESTING OF ALL 48-INCH AND LARGER FLOW METERS	1	LS	400,000.00	400,000.00	1.00	400,000.00	400,000.00
28	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL PUMPS AND MULTI-LEVEL LIQUID FLOAT SWITCHES	1	LS	250,000.00	250,000.00	1.00	250,000.00	250,000.00
29	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF EDUCTOR SYSTEMS	1	LS	130,000.00	130,000.00	1.00	130,000.00	130,000.00
32	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF PERSONNEL TRANSPORT ELEVATORS	1	LS	600,000.00	600,000.00	1.00	600,000.00	600,000.00
33	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL RISER VALVE ACTUATOR COMPONENTS	1	LS	150,000.00	150,000.00	1.00	150,000.00	150,000.00

NYC-WTC_000137743

NYC 9/11 Public Portal Document

NOV-10-2000 FRI 10:43 AM JOHN P PICONE INC FAX NO. 718 712 3308 P. 07

ITEM #	DESCRIPTION	QUANTITY AMOUNT	QUANTITY UNIT	TOTAL UNIT	TOTAL EXTENSION	FOR COMPARISON PURPOSES ONLY QUANTITY	UNIT BID	EXTENSION
32	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF ALL FLOOR AND SIDEWALK HATCHES AND BLAST PROOF DOORS	1	LS	150,000.00	150,000.00	1.00	150,000.00	150,000.00
33	ALL WORK REQUIRED FOR PAINTING COATINGS AND MARKINGS	1	LS	63,000.00	63,000.00	1.00	63,000.00	63,000.00
34	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF DEHUMIDIFYING EQUIPMENT, COMMON HV CONTROL PANEL, AND DUCT SMOKE DETECTOR	1	LS	150,000.00	150,000.00	1.00	150,000.00	150,000.00
35	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF VENTILATION FANS AT THE DISTRIBUTION CHAMBER	6	EA	10,000.00	60,000.00	6.00	10,000.00	60,000.00
36	ALL WORK REQUIRED FOR FABRICATION, INSTALLATION AND TESTING OF DUCTS FOR DEHUMIDIFICATION AND VENTILATION OF DISTRIBUTION AND RISER VALVE CHAMBERS	10,200	LBS	15.00	153,000.00	10,200.00	15.00	153,000.00
37	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF ELECTRIC HEATERS AT THE DISTRIBUTION AND RISER VALVE CHAMBERS	1	LS	45,000.00	45,000.00	1.00	45,000.00	45,000.00
38	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF ELECTRICAL SYSTMES AND EQUIPMENT	1	LS	2,400,000.00	2,400,000.00	1.00	2,400,000.00	2,400,000.00
39	ALL WORK REQUIRED FOR CLEANING UP	1	LS	15,000.00	15,000.00	1.00	15,000.00	15,000.00
40	ALL WORK REQUIRED FOR WORK PROGRESS DOCUMENTATION PHOTOGRAPH	1	LS	6,000.00	6,000.00	1.00	6,000.00	6,000.00
41	ALL WORK REQUIRED FOR FURNISHING, INSTALLATION AND TESTING OF SECURITY LOCKS	1	LS	6,000.00	6,000.00	1.00	6,000.00	6,000.00
42	ALL WORK REQUIRED FOR FURNISHING TECHNICAL MANUALS	1	LS	9,000.00	9,000.00	1.00	9,000.00	9,000.00
43	INSPECTION COSTS INCLUDING SECT. 69	1	ALLOW	375,000.00	375,000.00	1.00	375,000.00	375,000.00
44	ALL WORK REQUIRED FOR TESTING, EXCAVATION, REMOVAL, AND DISPOSAL OF EXISTING CONTAMINATED SOIL AT SHAFT 20B	11,000	CY	4.00	44,000.00	11,000.00	4.00	44,000.00
	Front Sheet	1	ls			1.00		
	TOTAL				54,872,000.00		DIFFERENCE 4,506,800.00	49,965,200.00

Original Bid 45,394,960
Signed
% increase 10.06 %

NYC-WTC_000137744

NYC 9/11 Public Portal Document

THE CITY OF NEW YORK DEPARTMENT OF ENVIRONMENTAL PROTECTION
JOEL A. MIELE, SR., P.E. Commissioner

CHARLES G. STUBCKEN, Esq.
Chief of Staff
Special Counsel

) 595-6568
5-3525

FAX COVER SHEET

) Fax No: 212-788- 3127

eliver To: Vincent LaPadula

From: Carmen

Of Pages: (Including Cover Sheet) 3

Questions or Problems Contact: Carmen

Telephone No: 718-595-[redacted]

Comments: The bullet points should be easy to obtain.
Charlie

59-17 Junction Boulevard, 19th Floor, Corona, New York 11368-5107

Aug 9 2000 16:51 P.01 Fax:718-595-3525 DEP

NYC-WTC_000137745

NYC 9/11 Public Portal Document

August 4, 2000

Ms. Beverly Reith
Director, Environmental Review
New York City Department of
Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: Bushwick Central I - Block 3335, Lots 44 & 47 (1465-1477 Gates Ave), Bushwick, Brooklyn - CEQR #00 HPD 009K

Dear Ms. Reith,

The Office of Environmental Planning and Assessment (OEPA) of the Department of Environmental Protection (DEP) has reviewed the July 12, 2000 correspondence/Remedial Plan for the above referenced site. The proposed remedial plan was submitted by Tim Miller Associates, Inc. (MILLER) of Cold Spring, New York on behalf of Loewen Development - the developer, NYC Housing Partnership, and Housing Preservation and Development. As a result of the sub-surface soils at the site displaying elevated levels of SVOCs and heavy metals, which exceeded NYSDEC Guidance Limits, DEP requested that an approved remedial plan be implemented prior to starting the proposed construction project. MILLER's Remedial Plan was submitted in response to this DEP request in a June 21, 2000 correspondence.

Based upon a review of MILLER's Remedial Plan, OEPA's comments/ recommendations for the Bushwick Central I site are summarized below:

- As previously recommended in our June 21, 2000 correspondence, for any areas which will be either landscaped or covered with grass (not capped), a minimum of two (2) feet of existing fill material must be removed and replaced with clean top soil (not existing fill material from this site and/or any adjacent lots);

- OEPA recommends that soil within the entire limits of the proposed residential structure/foundation be completely excavated and properly disposed of off-site at a disposal and/or recycling facility. If the excavated soil is temporarily stockpiled on-site, it should be placed on and covered with polyethylene sheeting. In no case shall this

DEP Fax:718-595-3525 Aug 9 2000 16:52 P.02

NYC-WTC_000137746

NYC 9/11 Public Portal Document

excavated material be used for back-filling or grading purposes on this site or any of the adjacent lots. Once the excavation limits are met, five (5) composite end-point samples (1 from each wall and bottom) should be collected and analyzed for the presence of SVOCs by Method 8270 and Priority Pollutant Metals. If any noticeable signs (elevated PID readings, odors, etc.) of petroleum-impacted soils are present at the excavation limits, then the soil samples should also be analyzed for the presence of VOCs by Method 8260. The excavation and soil sampling activities should be performed under a site specific HASP;

- Once the end-point analytical results are compiled and a detailed report is generated, the report should be submitted to DEP for review. At this time, DEP will determine if the impacted-soils (source area) were adequately removed. If the end-point sample results reveal that source removal was completed, then the proposed construction project slated for this site may proceed;

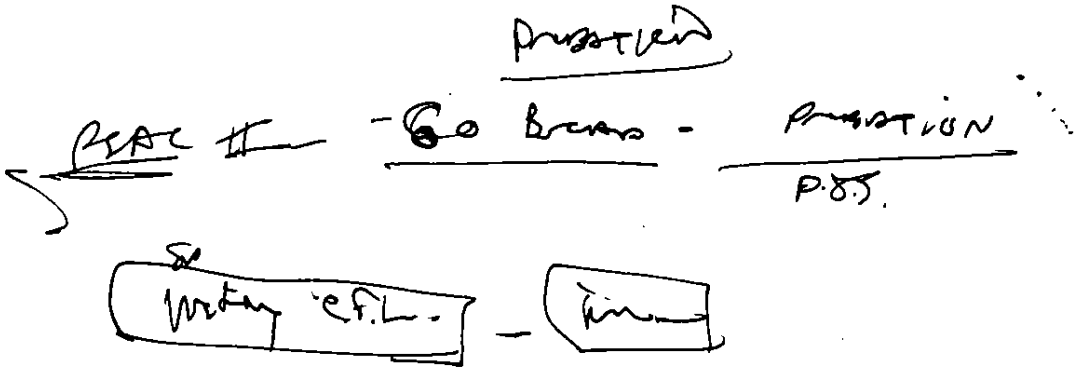
- Please note that if any USTs are encountered during the excavation activities, they should be removed/closed in accordance with NYSDEC Guidelines.

If you have any questions or comments please call Elise Fields at (718) 595-6959.

Sincerely,

Joseph W. Ketas
Assistant Commissioner

cc: Angela Licata
John Wuthenow
Elise Fields

DEP Fax:718-595-3525 Aug 9 2000 16:52 P.03

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