

2000 - 2001

Office of the Mayor
Rudolph W. Giuliani

Deputy Mayors

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF - BIWEEKLY REPORTS

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

EXECUTIVE OFFICES

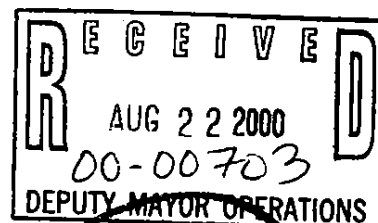
59-17 JUNCTION BLVD., 19TH FLOOR, CORONA, NEW YORK 11368-5107

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

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MEMORANDUM



To: Mayor Rudolph W. Giuliani

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

Re: Bi-weekly Report - August 4 to August 18, 2000

Date: August 18, 2000

*file: DEP
copy: VL ✓*

Emerging Issues

Riverkeeper Litigation

The Riverkeeper and 12 other plaintiffs filed a formal Notice of Intent to Sue on August 9. The text of the Notice is virtually identical to a previous Notice, which Riverkeeper filed as sole plaintiff on June 9th. Riverkeeper et al. allege that the City has failed to comply with significant provisions of the EPA's Filtration Avoidance Determination and the Watershed Agreement, and that 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 Safe Drinking Water Act. Riverkeeper, a signatory to the Watershed Memorandum of Agreement, has therefore broken with the provisions of that MOA, which provide for dispute resolution procedures.

Emergency Response

Water Main Break & Street Collapse - Ave N between East 105th and East 108th Streets (Brooklyn)

At 6:17 a.m., Friday, August 18, DEP Central Communications received a report of a street leak in the intersection of Avenue N and East 108th Street. DEP personnel responded and found a water main break on the eight inch water main in Avenue N between East 105th and East 108th Streets (one block). Before the DEP crew arrived a NYC Sanitation truck had attempted to drive around the break; however, the roadway collapsed and the front end of the truck fell into a void that had developed under the roadway.

The two Sanitation Department workers on the truck received minor injuries and were taken to a local hospital. When the DEP crew arrived they found the truck in the void over the water main break; Police and Fire Department were on location. The DEP crew immediately initiated a shutdown and the water was off at 9:20 a.m., fifty residents were affected. Engine oil from the truck spilled onto the surface of the water that had accumulated in the void. The Fire Department took appropriate steps to contain the spill. DEP Hazmat responded and made arrangements for a licensed contractor to remove the oil contaminated water and any contaminated soil. Due to extensive roadway damage the emergency repair contractor was called to the location and will commence water main repairs when Hazmats contractor finishes his cleanup.

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.

Sewer Collapse - East 33rd Street between 2nd and 3rd Avenues; Manhattan

The emergency repair contractor is reconstructing the collapsed section of a 5 X 4 elliptical sewer in East 33rd Street; approximately one hundred feet of sewer will be replaced. Reconstruction of the sewer and roadway in East 33rd Street is expected to be completed in three to four weeks.

Sewer Collapse - West 110th Street between 8th and Manhattan Avenues; Manhattan

A street depression in 110th Street between 8th and Manhattan Avenues was the result of an abandoned tap that had failed. The leak on the tap line undermined the sewer on the north side of the street, created a void and caused the sewer to collapse. The emergency repair contractor installed a plug in the water main. Currently, the sewer, which is located in the sidewalk area, is being reconstructed. Consumers are not affected and reconstruction is expected to be completed in two weeks.

Interagency Matters

Meeting with USEPA

DEP staff and I will be meeting with Regional Administrator Jeanne Fox on August 29th to discuss the Kensico Land Acquisition program and the upgrading of the sewage treatment plants in the watershed. We will also be discussing other key issues as noted in EPA's Mid-term FAD report.

Croton Stormwater

DEP has scheduled a meeting with representatives of NYSDOT, Westchester County and the Town of Somers in an effort to coordinate repair of a severely eroding channel on City property in Somers. Stormwater discharges from State Route 35, Somers-owned Woods Street, and a park owned by Westchester County have resulted in significant erosion of City property and sedimentation of the Muscoot River. This site is located near a prime fishery and is the subject of much interest from the angling community.

Kensico Bridge Reconstruction

DEP has been notified by NYSDOT that the reconstruction of the Route 22 bridge over a portion of the Kensico Reservoir is scheduled to begin in September, although delays incurred in the contracting process may postpone work until the following month. The bridge project involves the reconstruction of the structure to address a variety of safety issues. While no Stormwater Pollution Prevention Plan was required under the City's watershed Regulations, DEP was successful in convincing NYSDOT to include measures to capture and treat runoff from the bridge that now discharges directly into the reservoir.

Re-engineering/Planning*Reclaimed Water Use at JFK Airport*

To reduce the need for potable water, on August 15 my staff met with representatives of the Port Authority (PA) to discuss possible use of Jamaica WPCP effluent (gray water) at JFK airport. The PA had already begun a feasibility study and are interested in using effluent for landscape irrigation. They expect to have 81 acres of landscape with a demand of one MGD. (They would also reap a benefit as in times of drought the landscape dies off and the PA is then forced to replant. With gray water they can irrigate even in times of drought.) They were also interested when it was suggested that they use compost for their vegetation. They agreed to complete their feasibility study and share it with us. In turn, we are sending them our consultant report on possible uses so they may look at other uses by the PA, e.g. Air Train Car washing, airport fire fighting, airport HVAC systems, and washing of the Hudson River tunnels. We will also send the specifications for our compost.

Repair of Lead Water Service Lines; Citywide

A meeting was held with representatives of the licensed plumbers industry on August 10, 2000 to discuss a proposed change in DEP related to the repair of lead water service lines. This meeting was held in order to alleviate any negative impact from the proposed policy change. Under the proposed change, DEP will require the complete and full replacement of all lead water service lines which are uncovered by plumbers during repair operations.

*Springfield Gardens Industrial Park (Air Freight Area) (a/k/a SE-727); Queens
Springfield Gardens Residential Areas (a/k/a SE-727A and SE-727B); Queens*

The regular bi-monthly progress meeting was held on Thursday, August 3, 2000 and was attended by representatives from the NYC Economic Development Corporation (EDC), their consultant engineer, the NYC Department of Transportation (DOT), and the NYC Department of Design and Construction (DDC). At this meeting, participants carefully reviewed detailed updates on the Phase I work; however, the primary focus was the scope of the expanded Phase II work and the next two segments of the joint DOT/DEP project. Also, it was clarified that the work involved in obtaining a NYS Department of Environmental Conservation (DEC) wetlands construction permit was covered under the Phase I scope of the EDC/Goodkind & O'Dea agreement. As a result of the DEC permit involvement, it was further agreed that a representative from DEP's Office of Environmental Planning and Assessment (OEPA) would be invited to future progress meetings.

Updates

General Water Quality and Quantity

As of August 18, the reservoirs were at 96.6% of capacity. Normal capacity for this time of year is 85.1%. Consumption for August 17 was 1314.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent. Due to heavy rains several weeks ago, turbidity levels in the Rondout Reservoir remain elevated. DEP has taken a number of operational steps to minimize turbidity levels leaving the reservoir. Most recently, BWS began drawing water off the top of the reservoir as turbidity finally begins to settle to lower depths. Turbidity levels in downstream reservoirs have become somewhat elevated, but there has been no threat to the quality of effluent at the Kensico Reservoir. Barring further significant rain events over the coming days, Rondout quality should return to normal in the next few weeks.

Call by Recreational Fishers for Release of Water from Delaware System

As part of a multi-state agreement between Pennsylvania, New Jersey and Delaware, New York City is required to maintain a constant flow from our reservoirs to the Delaware River. We are currently exceeding the agreed levels because of the very wet weather conditions and the needs of the river for additional releases further downstream in Pennsylvania are minimal. We have recently received a request from recreational fishers just below our system who are seeing lower than usual flows immediately downstream of the reservoirs to increase the flow from our reservoirs because of the comfortable water levels. In the interest of continuing our good neighbor policy, we expect that we will accommodate them over the next couple of months without any impact on our system.

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:

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

Delaware County Fair

I joined Perry Shelton, President of the Board of Directors of the Catskill Watershed Corporation (CWC); and Dick Coombe and Alan White, Chair and Executive Director, respectively, of the Watershed Agricultural Council (WAC) at the Delaware County Fair on Monday, August 14th. We held a ribbon cutting ceremony at the DEP/CWC/WAC tent and visited with various exhibitors, including farmers and 4-H youth in the livestock pavilions. Delaware County Sheriff Tom Mills presented me with two defibrillators for use by DEP Police Officers patrolling the watersheds of the Cannonsville and Pepacton Reservoirs.

Westchester County Airport Scoping Document

DEP issued formal comments to Westchester County on the Draft Scoping Document for the Westchester Airport. The Scoping document identifies issues to be addressed in an Environmental Assessment/Environmental Impact Statement (EA/EIS) for a proposed water quality buffer, use(s) of the Air National Guard Site and possible amendments to the 1987 Master Plan Update. BWS issued the comments as part of the SEQRA Scoping Process to identify issues beyond those in the County's draft that must be included in the EA/EIS if it is to thoroughly assess and mitigate adverse impacts on the Kensico Reservoir.

Kensico Stormwater Controls

DEP met with a representative of Bell Atlantic to discuss the revised design of the extended detention basin in the Kensico Reservoir E11 subbasin. The basin, part of the Kensico Reservoir Stormwater Management Plan, was redesigned to avoid encroachment on a major telecommunications cable that was not identified during the design phase of the project.

Construction of the basin was to have commenced during June, but was delayed when the cable, which serves the President's private hangar at the Westchester County Airport as well as serving tens of thousands of upstate customers, was identified during the pre-construction survey. DEP will supply Bell Atlantic with detailed plans and specifications for crossing the cable to construct the basin, and is hopeful that construction will commence this summer. The Filtration Avoidance Determination requires the Department to begin construction of the basin by the spring of 2002. One day after construction of Kensico Best Management Practice (BMP) #2, an extended detention basin, began on Pepsico property, DEP issued a stop work order directing the contractor to halt construction of the basin until such time as he has achieved compliance with the contractually-required erosion and sediment control plan. Despite two pre-construction conferences, during which the contractor and DEP discussed in detail the necessary erosion controls (including the construction sequence) and their importance, the contractor began excavation of the basin without the controls, or the temporary piping of Malcolm Brook, in place. Piping of the brook is the most critical component of the sequencing plan as it eliminates contact between the brook and disturbed soils subject to erosion. Staff will continue to conduct regular inspections.

Hillview Reservoir

As noted above, the chlorine feed line to the Catskill Aqueduct was damaged by construction activities at Kensico Reservoir on Wednesday morning, August 9, 2000. Chlorination was interrupted from Kensico for just over three (3) hours. Incoming residuals were monitored at Hillview's Uptake 1 Chamber, where additional sodium hypochlorite was added to maintain the normal residual arriving at the Downtake Chambers, normal residuals were maintained to distribution.

Jerome Reservoir

Concerns generated by puddles in the empty South Basin were addressed starting on Saturday August 5, 2000, when a crew was sent into the Basin to pump and push standing water to the drain line. This was followed by spraying any remaining water with liquid chlorine on August 9, 2000. On August 10, another crew was sent to pump and push the new puddles created by the recent rainfall. On August 11, a crane was brought in to lower a backhoe into the South Basin. The backhoe is equipped with a rubber edged plow that was used to push the water to the drain line. This process was successfully completed on August 12, 2000. Mosholu pump station was shut down at approximately 3 p.m. on Saturday, August 12, 2000 because of a power failure on Con Edison's 1X22 feeder. Since it was not known how long the Station would be down, and the flow from upstate could not be shut down, the Station crew was sent over to activate the Jerome Pump Station. The Distribution Engineer and his machinist were called in to make the necessary field changes. Jerome Pump Station was on line by 7:30 p.m. Saturday night. Con Edison was able to restore power to the Mosholu Pump Station by 8 a.m. Sunday morning. Jerome Pump Station was shut down at 9:30 a.m. and Mosholu was back on line by 10:30 a.m. There were no pressure problems in the affected areas.

Expansion of the Consolidated Edison Steam Plant at East 14th Street and Avenue C; Manhattan
 DEP Engineers have completed their review of the plans prepared by the NYC Economic Development Corporation's (EDC) consultant and provided final comments. These comments were sufficient to allow the commencement of Phase I construction in the area of Stuyvesant Cove (Avenue C between East 18th and 23rd Streets). The agency will continue its work with both EDC and Con Edison to develop the Phase II water main and sewer plans.

Groundwater Dewatering and Temporary Construction Trailer Connection Permits on NYC Department of Design and Construction (DDC) Capital Projects; Citywide
 Engineers from DEP and the NYC Department of Design and Construction (DDC) have reached agreement on approval and permit requirements for groundwater dewatering and temporary sanitary sewer connections for construction trailers for DDC Capital Projects.

Cross Connection Control Task Force

A meeting of the Cross Connection Control Task Force was held on Monday, July 31, 2000. Additional staffing needs and an update on computer upgrades was discussed. There was also discussion regarding cross connection control requirements for coin-operated washing machines located in residential buildings. Additionally, there was also discussion regarding a possible procedure for the 'legalizing' of pre-existing backflow prevention devices. This subject will be a primary focus for the next Task Force Meeting to be scheduled shortly.

Community Board Budget Consultation Meetings - Fall Series; Citywide

A tentative schedule of meetings has been established for the fall budget consultations. The meetings are tentatively scheduled to begin the evening of September 11, 2000 and will continue each Monday evening in September, with two additional two day meetings in October. The preparation has begun of information and data necessary for these consultations with Borough Community Boards and District Cabinets.

Shaft 17 Sump Water to Bowery Bay

After extensive submissions to NYDEC, we recently received approval to accept, at Bowery Bay WPCP sump water due to infiltration from Water Supply Shaft 17 on the Delaware Aqueduct. As permits were issued immediately after approval, August 11 saw the first shipment of 14,000 gallons trucked to Bowery Bay WPCP. We expect future deliveries of approximately 4,000 gallons a month for at least 5 years .

52nd Street MTS Closure 2000

To allow for the closing of the Fresh Kills landfill at the end of CY2001, the Department of Sanitation (DOS) is closing its 52nd Street marine transfer station (MTS) in the final quarter of CY2000. The H/S Cormorant, a DEP vessel that captures floatables in NY Harbor, presently offloads its contents to the 52nd Street MTS. To prepare for the closures, DEP is currently looking at outside alternate means of removal and disposal of the floatables in lieu of DOS services.

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 and a meeting with me. 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: Deputy Mayor Joseph J. Lhota
Vincent LaPadula
Myrna Ramon
Michelle Bynoe
Robert Grotell



Department of Environmental Protection
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Joel A. Miele Sr., P.E., Commissioner

**CONFIDENTIAL FAX MEMO
FOR IMMEDIATE DELIVERY**

Pages sent: 9

Date: 9/1/00

To: Deputy Mayor Joseph J. Lhota / Deputy Mayor
Robert M. Harding / Deputy Mayor Anthony P.
Coles / Deputy Mayor Rudy Washington / Dennison
Young, Jr. / Anthony V. Carbonetti / Michael T.
Carpinello / Vincent Lapadula / Robert Grotell /
Michelle Bynoe / Myrna Ramon

Fax number: (212) 788-3142 / 0074 / 3269 / 0070 / 0074 / 2989 /
1665 / 3127 / 2782 / 2881 / 1668

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

Subject: Bi-weekly

Contact: Michael J. Egan
(718) 595-6573
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

EXECUTIVE OFFICES

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

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*file: DEP
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LATADUNA*

MEMORANDUM

To: Mayor Rudolph W. Giuliani

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

Re: Bi-weekly Report - August 18 to September 1, 2000

Date: September 1, 2000

Emerging Issues

Kensico Protection/EPA Meeting

On August 29, DEP staff and I met with EPA Regional Administrator Jeanne Fox to discuss two key watershed protection programs: the upgrade of non-City-owned wastewater treatment plants (WWTPs) in the watershed and the City's efforts to protect and acquire land in the Kensico Reservoir basin. DEP provided an update on the progress of the WWTP Upgrade Program and discussed the recently-completed action plan to accelerate the program. DEP now projects that 90% of the wastewater flow in the Catskill/Delaware watersheds (those covered by EPA's Filtration Avoidance Determination (FAD)) will be upgraded to tertiary treatment by the end of the second quarter of 2002, in substantial compliance with FAD mandates. In discussions about the Kensico basin, EPA reiterated its concern that DEP acquire as much land as possible in the basin. DEP countered by putting the land acquisition effort in Kensico in the context of the comprehensive and multi-faceted protection strategy that has been developed and implemented for the basin. For more than a decade, DEP has been studying the basin and the potential sources of water pollution from the lands surrounding the reservoir. Based on those studies, DEP has put in place nearly a dozen programs to address septic systems, sewers, stormwater runoff, waterfowl populations and pollutants from the corporate parks and the Westchester County Airport. These programs have been effective in maintaining the high quality of New York City's water, to the point that the Catskill and Delaware waters that flow into Kensico actually improve in quality as they pass through the reservoir. DEP's efforts to acquire additional protective lands in the basin will only enhance the protection afforded by the programs that are already in place.

DEP has expended a great deal of effort to acquire land in Kensico. The City already controls 50% of the approximately 8,400 acres in the basin (including the reservoir). An additional 1,000 acres of land were deemed eligible for acquisition under the Watershed Memorandum of Agreement. DEP has solicited owners of those acres and currently is working on deals for approximately 200 acres. Much of the land is prime, central Westchester real estate in the hands of wealthy individuals or large corporate or institutional owners. These owners are not highly motivated to sell and may be able to afford to hold on to the land (and pay taxes on it) with the expectation that land values in the area will only increase. Nonetheless, the City has diligently pursued acquisition of as many acres as possible and I have been personally involved in making appeals to the landowners.

Wastewater Diversion (Westchester and Putnam Counties)

Under the terms of the Watershed Memorandum of Agreement (MOA), Westchester and Putnam Counties are considering options for diverting some or all of the effluent from the wastewater treatment plants (WWTPs) in the City's watershed out of the watershed. Both Counties proceeded with city funded studies of this matter and each County is now actively considering a diversion option. Putnam County Executive Bondi is attempting to advance a plan to divert all 38 WWTPs in the watershed in Putnam to a discharge point on the Hudson River. This ambitious plan would involve piping the treated effluent from each of the existing plants many miles out of the watershed. A consultant to the County has estimated the cost of this project to be \$100 million. Under the MOA, the City gave the County \$30 million which could be used for diversion; with interest that fund has grown to approximately \$35 million. If these facilities are diverted, the City would save the cost of upgrading them to tertiary treatment, a City commitment under the MOA. This savings is estimated to be \$65 million. Under the MOA, the City is required to put those savings toward the cost of an overall diversion project. The County has requested that the City commit funds toward the operation and maintenance of the diverted plants, not a requirement of the MOA. DEP is considering that request, but in return has sought the elimination of the 10% growth credit specified in the MOA (for every ten gallons of wastewater diverted the County could get one gallon toward construction of a new WWTP in otherwise restricted areas). The City has also requested restrictions on the future expansion of the WWTPs to be diverted. DEP staff continues to discuss these issues with the County Executive's office. It should be noted that there is some question whether the County Executive will be able to get the County Legislature to agree to the growth restriction requested by the City. This project would not move forward without the ultimate approval from the County Legislature. DEP has been engaged in discussions with Westchester regarding a smaller diversion project for nearly a year. Under the plan, three facilities would be diverted, including the Yorktown WWTP, a large facility with a history of severe operational problems. The Yorktown WWTP would be diverted to a County-owned WWTP in Peekskill. The other two facilities would be diverted to a pump station in Mount Kisco and ultimately to a County-owned plant in Yonkers. At the time the MOA was signed, Westchester was given \$38 million that could be used for diversion; with interest, the County now has approximately \$45 million. As in Putnam, the MOA binds the City to devote the savings from avoiding a WWTP upgrade to diversion; this could amount to approximately an additional \$15 million. The costs of the contemplated diversion project are estimated to be in the \$12 million to \$25 million range, depending upon the specific details of the chosen project and who provides the estimate.

At a meeting in early July, the County surprised the City by stating that it would not spend any of the accumulated MOA funds for diversion and demanding that the City commit an additional \$50+ million to the project (\$25 million in diversion costs, plus \$25+ million in benefits for Peekskill as the host community). DEP has made it clear to the County that it will abide by its commitments in the MOA, but will not commit additional funds to a diversion project (other than the savings from an avoided upgrade). The County has also recently expressed an interest in a project that would divert all 30 WWTPs in the watershed. Due to the extreme position taken by the County, talks have stalled. From a water quality perspective, DEP believes that diversion of the Yorktown WWTP is desirable.

Mosquito Control Program

DEP has received delivery of all 100 Mosquito Magnets™ contracted for with funding from the NYC Water Board. Ten Mosquito Magnets™ have been loaned to NYC DOH. DOH has temporarily placed the loaned magnets in the Rockaways. The effectiveness of the magnets varies by area and wind condition, but certain locations, Broad Channel for instance, report very high capture rates. Additionally, DEP continues to utilize its own exterminators, along with City-wide contractors for spraying and fogging at Departmental sites. The Department has also initiated a training program addressing occupational exposure to West Nile Virus (WNV). Staff throughout the Agency is being made aware of protection against WNV, methods of transmission, and identification of the health effects.

Delaware County Fair

I attended the Delaware County Fair on Monday August 14, and participated in a ribbon cutting ceremony with Perry Shelton, President of the Board of Directors of the Catskill Watershed Corporation (CWC); and Dick Coombe and Alan White, Chair and Executive Director, respectively, of the Watershed Agricultural Council. DEP shared an exhibit booth with those two organizations. We toured the fair grounds and visited with some farmers and 4-H youth in the livestock pavilions. After the ribbon cutting, Delaware County Sheriff Tom Mills presented me with two defibrillators for use by DEP Police Officers patrolling the watersheds of the Cannonsville and Pepacton Reservoirs. Joining me was Robert Varieur, the new DEP Police Director. Local media covered these events.

Newtown Creek W.P.C.P. Contract NC-30G has been found to be non-responsive

The bid submitted by John P. Piccone, Inc. / James M. McCullagh Co., Inc. (Joint Venture) for the Newtown Creek W.P.C.P. Contract NC-30G has been found to be non-responsive by our own Agency Chief Contracting Officer. Pursuant to P.P.B. Rules, the Piccone / McCullagh Joint Venture has appealed this determination to the DEP Agency Head. The Joint Venture submitted several supplements to its original written appeal and was afforded the opportunity to meet with the First Deputy Commissioner to discuss the appeal on August 30, 2000. Since the award of Contract NC-30 is included as a milestone in the Newtown Creek consent decree a final meeting on the appeal will be issued shortly.

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Discolored /Dirty Water Complaints, World Finance Center; Manhattan

In response to a complaint from the NYC Fire Department concerning low water pressure at several fire hydrants in the vicinity of the World Financial Center, Department personnel performed a valve survey on August 17, 2000. As a result of operating valves during this survey, some sediment was disturbed causing discoloration of the water and dirty water complaints in the area. The water mains in the affected area were flushed until the condition of the water cleared.

Emergency Response

Duraspec Electroplating Inc.

On Sunday, 8/27/00, at approximately 7:00pm, the Division of Emergency Response and Technical Assessment (DERTA) was notified of a chemical fire at the Duraspec facility 87-83 139th St. in Jamaica, Queens. The facility was severely impacted by the fire releasing toxic, corrosive and poison chemical plating materials. In addition to the open vats of cyanides, caustics and toxic metals released, several 55-gallon drums melted further releasing corrosive substances. Several FDNY responders were injured due to chemical exposure with at least two members sustaining chemical blistering. The roof of the facility partially collapsed into the open plating line. DEP HazMat was immediately requested by the FDNY to respond to the location. Utilizing personal protective equipment, DERTA made several entries into the facility as soon as the fire was extinguished. DEP performed a technical assessment of the facility utilizing field instrumentation and determined that cyanide and corrosive vapors were present. Commissioner's Orders were issued to the owner of the facility and the corporation. The responsible parties were ordered to immediately retain a hazardous materials contractor and comply with several tasks required to secure and remediate the site. DERTA provided technical and/or regulatory advice to FDNY, NYSDEC, and the Queens DA Office with regard to the status and condition of the facility. The Division is currently performing oversight of remediation to ensure compliance. This is the third order issued to Duraspec in less than two months. DERTA responded to a fire impacting the facility in July at which time an order was issued. During this fire it was observed that illegal and unsafe storage of hazardous wastes and product was present in the outside alley way and on the roof of the facility. Specifically, storage of hazardous waste in open vats and a pile of spent polishing compound (hazardous waste) containing toxic metals constituents were observed on the roof. The July 15th Commissioner's Order required the responsible party to remove this hazard from the premises, which was done; otherwise this would have been impacted by the subsequent fire.

Steam Pipe Explosion on LaGuardia Place Near Washington Square South

On Thursday, 8/31/00, at approximately 8:00 am in the morning, personnel from DEP's Division of Emergency Response and Technical Assessment (DERTA/Hazmat) responded to a reported steam pipe explosion (which was ultimately determined to be a hot water line and not a steam pipe). The explosion, which produced a 20 x 15 foot crater, took place on LaGuardia Place near the cross street of Washington Square South. DEP HazMat responders took samples of the debris caused by the explosion. The impacted area included portions of LaGuardia Place as well as the sub-basements of the NYU Library which was undergoing repair directly across from the explosion site.

DEP HazMat responders took the samples to DEP's lab at 40 Worth Street where they were analyzed and later confirmed positive for asbestos. A Commissioner's Order was given to NYU for an asbestos cleanup of the impacted areas. NYU, with the help of Con Edison, hired Con Edison's asbestos contractor to perform the cleanup requirements as outlined by the HazMat supervisor on the scene. In addition to LaGuardia Place, the NYU Library and a dozen or so vehicles within the fallout zone were also ordered cleaned. This was done solely as a precautionary measure to protect the public since no asbestos containing debris were found on the vehicles. Also, an adjacent building was tested for asbestos as a result of a community resident's complaint. All samples taken from that building were negative for asbestos. Six people with complaints of throat irritation, headache and ringing in the ears were taken to the hospital and released. In all, 70 people were decontaminated, which is standard operating procedure for anyone who might have contact with asbestos in the hot zone (the area determined to contain asbestos fibers). The majority of decontaminated individuals were members of the Fire Department. Others decontaminated at the site were Police Department and DEP personnel as well as the construction workers who were present at the time of the explosion. The cleanup continued until approximately 7:30 p.m. at which time Washington Square South was opened to traffic. LaGuardia Place remained closed and was turned over to DOT for their determination of needed road repairs. OEM, FD, PD and DEP personnel all responded to the incident.

Water Main Break Bruckner Boulevard

This morning a 12 inch water main broke under the southbound lanes of Bruckner Boulevard. When the DEP catch basin truck responded to the site the roadway, which was undermined by the break, collapsed. No one was hurt and the DEP repair crews along with our emergency contractor responded to the site. Work at the site was delayed due to the proximity of an exposed gas main and high voltage feeder cables to the body of our catch basin truck in the collapsed section of the roadway. Con Edison was notified and worked with DEP to close the gas main, and electrical service to cables, so the catch basin truck could be removed and work could commence. Traffic on Bruckner Boulevard was diverted around the break location and delays were minimal due to the holiday weekend. No consumers were affected by the watermain shutdown.

Water Main Leak Affecting Museum of Modern Art; Manhattan

Early Tuesday morning, August 29, 2000, the Museum of Modern Art on West 53rd Street and 5th Avenue reported that a water leak was infiltrating through a ceiling in a basement room used to store framed paintings. The Leak Detection Unit was called to the location and determined that a leak on a twelve inch valve was the source of the water affecting the museum. Department forces made repairs and no art work was damaged.

Water Leak Affecting Steam Line 401 West 22nd Street; Manhattan

At 12:11 a.m. on August 29, 2000, Central Communications received a report of a water leak affecting a Con Edison steam main at 401 West 22nd Street. Department forces closed a curb valve on a six inch fire service line at the above location and the leak stopped. The Fire Department and Con Edison were on location and the building owner was ordered to make repairs.

Water Leak in Harding Park; Bronx

In the Bronx, DEP staff assisted the maintenance staff at Harding Park, a private community, in locating a water service which is scheduled to be decommissioned and then abandoned. The service that was leaking is a section that is no longer a necessary part of the water supply to that community.

Damaged Water Main -- Murray Street; Queens

On Tuesday afternoon, August 29, 2000 a contractor installing a catch basin on Murray Street, north of Northern Boulevard, pulled the tap to an old abandoned service line off a twenty inch water main. DEP staff responded to the site and shut down the twenty inch main and plugged the tap hole. The water main was back in service at 9 p.m. No consumers were affected.

Discharged into the Hutchinson River

On Wednesday August 30th the DEP contractor working on the Hutchinson River CSO Storage Conduit drilled into our Conner Street Pump Station Force Main. DEP staff responded and the Pump Station was shutdown. Sewerage was diverted to the Co-Op City North Pump Station. DEP's emergency contractor responded and repaired the damaged force main. Approximately 13,200 gallons of sewerage was discharged into the Hutchinson River through the storm sewer system.

Sludge Vessel Removed from Service for Emergency Repairs

On August 24th, one of NYCDEP's larger sludge vessels, the M/V Newtown Creek, suffered a main engine failure. The vessel was en route to Wards Island carrying a load of sludge from another plant. The engine was shut down and the vessel reached its berth under reduced power. Our in-house marine staff determined that the engine required bearing replacement as opposed to shaft work which would have required dry docking of the vessel. Marine staff was thus able to complete the necessary repairs to the engine bearing and other associated parts. The vessel underwent fitness testing, and was returned to service on the 30th. The Department maintains backup for incidents of this nature, and made use of both a smaller sludge vessel, the M/V Owls Head, and a sludge barge to ensure sludge production at treatment plants would not be interrupted.

Re-engineering/Planning

Plans to Bring Surface Water into All Parts of Jamaica Service Territory

On August 24, an internal meeting was held between the upstate and downstate water supply Bureau's to discuss plans to bring upstate surface water into all parts of the Jamaica service territory. There is an area in Queens (approximately 164th Street east to Francis Lewis Blvd, and Hillside Ave south to Jamaica Ave) where upstate surface water was presently unavailable. Possible remedies discussed include 1) bringing 20-inch trunk mains up from South Conduit and across from Sutphin Blvd to the area, 2) bringing a 48-inch main (actual size to be determined) to the area, and 3) installing regulator valves to allow Douglaston water to be brought into the area without excessive pressure. It was decided that option # 1, with a 2-year time table, was the most feasible. That option is to be formalized into the Capital Construction Program.

Updates

General Water Quality and Quantity

As of September 1st the reservoirs were at 94.1% of capacity. Normal capacity for this time of year is 80.9%. Consumption for August 31st was 1367.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

Drinking Water Contest

On Tuesday August 15, DEP placed second in the Regional Drinking Water Taste Contest Sponsored by NYSDOH, held on the front steps of the Museum of Natural History. The first place winner, Dix Hills, and second place (New York City) winners from the five regional contests then competed at the final round at the state fair in Syracuse, NY on August 30th. NYC DEP was awarded second place. First place went to Wells College from the Finger Lakes region.

Discussion of Lead Issues

A meeting was held on August 24 with counsel concerning two lead issues. The first discussion centered on the preparation and review of a letter to the NYSDOH reaffirming the successful completion of three consecutive rounds of lead sampling. In that letter we will ask the State for confirmation and acceptance of what we perceive as the ramifications of that sampling, namely, ceasing lead notification requirements and lead service line replacement, and reduction in future sampling frequency. The second discussion concerned the possibility of re-instituting the program whereby DEP notified NYCDOH of locations where elevated lead levels were detected during our Consumer Lead Test Program.

Hillview Reservoir and Jerome Reservoir

The contract for the construction of the permanent hazardous chemical transfer containments (BWS111) commenced on August 11, 2000. The contractor has already begun work on three (3) of the five (5) containments required for Hillview Reservoir Facilities. A Portacel vacuum liquid doser was installed and put into operation at the Temporary Chlorination Building at Hillview Reservoir on August 17, 2000. This was done to enable Reservoir Operations to compare the performance and dependability of this new technology against the conventional metering pumps originally installed at this facility. It is hoped that this new type of equipment will eliminate many of the problems and breakdowns associated with the metering pump and its associated piping. If successful, this type of vacuum liquid doser will be incorporated into several upcoming projects.

Jerome Reservoir

DEP staff began the draining of the North Basin of the Jerome Reservoir on August 18, 2000 at a flow rate of 10 MGD. Once the basin is drained cleaning of the basin will commence. Since the South basin has already been cleaned, this will complete the cleaning operations at Jerome.

Community Board Budget Consultation Meetings - Fall Series; Citywide

DEP staff is holding internal meetings in preparation for Fall Community Board Budget Consultations, which are now scheduled to begin during the week of September 3, 2000. The advance planning meetings are needed to insure that all necessary information and data is available for DEP representatives at the meetings.

Relocation of Brooklyn Records Office; Brooklyn

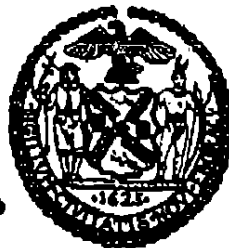
The Brooklyn Records Office of BWSO/Engineering, Division of Connections and Permitting has begun preparations for an upcoming move of the office from its present location at 210 Joralemon Street to 250 Livingston Street. It is expected that the move of the office and its operations should be completed by late October.

Amended Drainage Plan 10-HW - East River Plaza Site; Manhattan

Staff from BWSO/Engineering completed the review and has approved an Amended Drainage Plan from the consultant engineers for the developer of this project. East River Plaza is a major project for the East Harlem Business District Revitalization Program. Located on a site bordered by East 116th Street, East 119th Street, Pleasant Avenue, and the F.D.R. Drive, it will be a mixed use commercial development with several major tenants. Under the approved Amended Drainage Plan, approximately 600 linear feet of combined sewers will be relocated into easements in portions of East 117th and East 118th Streets which are being demapped for this project. The consultant engineers are now preparing a private sewer plan for the construction of these sewer lines.

cc: Deputy Mayor Joseph J. Lhota
 Deputy Mayor Robert M. Harding
 Deputy Mayor Anthony P. Coles
 Deputy Mayor Rudy Washington
 Dennison Young, Jr.
 Anthony V. Carbonetti
 Michael T. Carpinello
 Vincent LaPadula
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*The
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DEP
C: VL

MEMORANDUM

To: Mayor Rudolph W. Giuliani
From: Commissioner Joel A. Miele Sr., P.E. *Joel A. Miele, Sr.*
Re: Bi-weekly Report -September 15 to September 29, 2000
Date: October 2, 2000



Figure 1 DEP Honda Insight Hybrid-Electric Vehicle
acquired April 2000

FLASH . . . DEP PURCHASES HYBRID- ELECTRIC VEHICLES

DEP has instituted a number of advanced vehicle technology programs and initiatives in order to achieve the policy goals of:

- Reducing vehicular tailpipe emissions
- Increasing vehicular fuel efficiency
- Reducing petroleum dependency
- Meeting "Local #6" alternative-fuel vehicle mandates

- 1 -

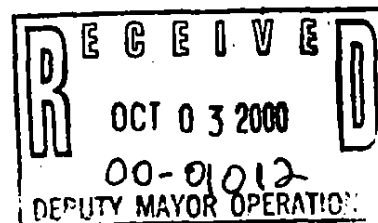




Figure 2 Toyota Prius Hybrid-Electric Vehicle under consideration for purchase.

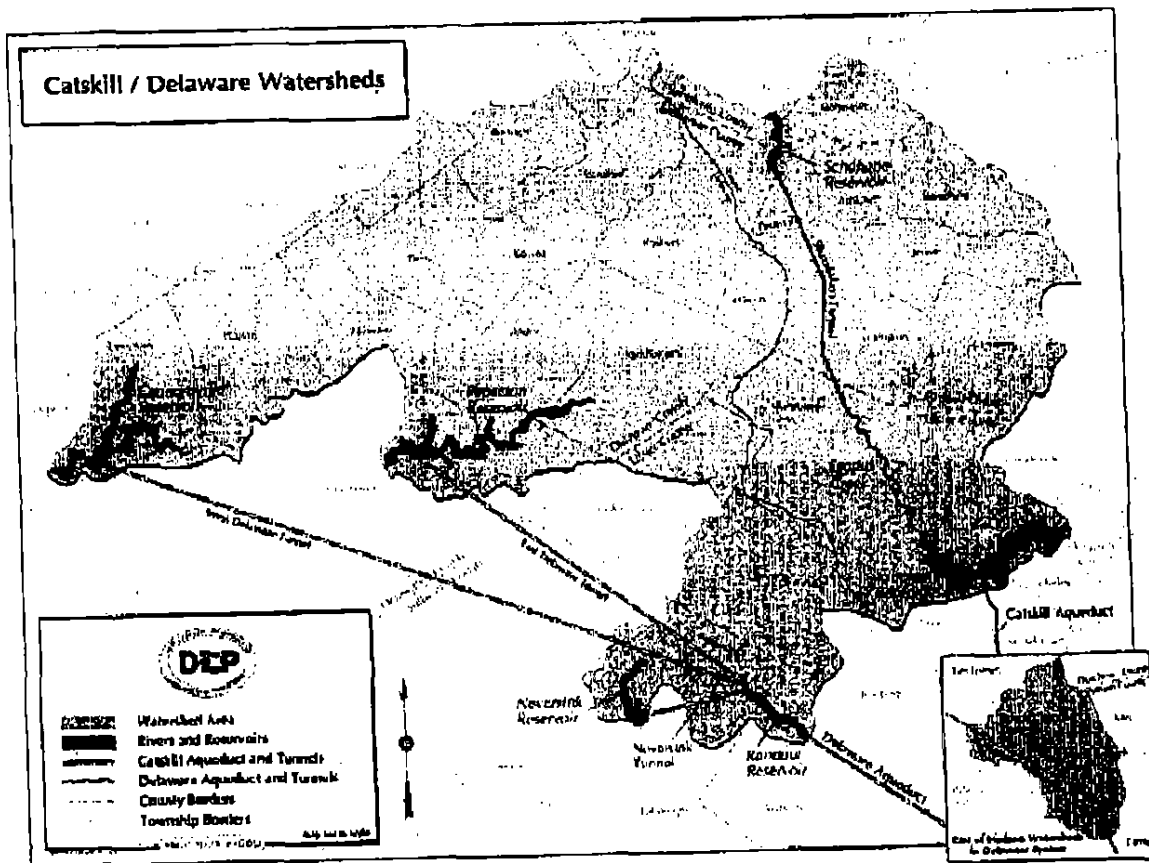
Emerging Issues

Shandaken Tunnel Litigation

As previously reported, in March 2000, the Riverkeeper, along with several fishing groups, filed a Clean Water Act lawsuit against the City in federal court (Northern District of New York). The suit pertains to the operation of the 17 mile Shandaken Tunnel, which is owned by the City and conveys Catskill system water from the Schoharie Reservoir to the Esopus Creek. The water then flows down the Esopus to the Ashokan Reservoir, where it enters the Catskill Aqueduct for delivery to the City. Because of the geography and topography of the Schoharie Reservoir basin, the water entering the Shandaken Tunnel can at times be very turbid, especially after a heavy rain. When the Tunnel is open and this water is released into the Esopus Creek, it may result in turbidity within the Creek, which is used by recreational fishermen. A number of fishing groups have claimed (we believe without justification) that alleged releases of turbid water from the Tunnel have contributed to a decline in the fish population in the Esopus, and damage to the local tourist trade. We assert that rather than causing problems, releases of water from the Tunnel play a vital role in preserving the health of the Esopus (Tunnel water is very cold, and is vital in the summer months to relieve stress on the fish in the Esopus).

Although we attended a series of meetings, over the course of a year, aimed to addressing the concerns of fishing groups and trying to find common ground on the issue of turbidity, those efforts stalled (largely due to the intransigence of the Riverkeeper), and this lawsuit ensued. In the lawsuit, the Riverkeeper claimed that the release of turbid water through the Tunnel, into the Esopus, is a point source discharge of a pollutant into the waters of the United States. The Riverkeeper argues that, as such, the City must have a State SPDES permit before it can release water through the Tunnel and into the Esopus. The suit seeks, among other things, an order forcing the City to apply for and obtain a SPDES permit, and to pay penalties. We are defending the lawsuit vigorously. The implications for the City and its water supply system are very serious.

The Catskill system, which includes the Shandaken Tunnel, supplies roughly 40% of the City's daily water needs, and placing operation of the Shandaken Tunnel under a SPDES permit would effectively put the Tunnel under State and federal control -- at least in terms of defining whether and when water can be released into the Esopus Creek and hence into the Ashokan Reservoir. We feel strongly that the Clean Water Act is not implicated here at all. The City is not adding any pollutant to the water; it is simply moving water in its natural state from one Reservoir to another. The City has made a motion to dismiss based on several grounds, including the failure by the Riverkeeper to make out a claim under the Clean Water Act. Oral argument was held before the federal district court last Friday, September 22, on the City's motion. Although it is generally unwise to predict the outcome of litigation based on comments or questions from the bench, we were encouraged by the Judge's apparent understanding that this case was very different from the primary precedent relied upon by the Riverkeeper (a case in which a ski resort drew water from a pond, pumped the water through equipment and machinery used to make snow, and then discharged used water into a second pond which was otherwise of very high water quality). We will advise you of further key developments, as they occur.



Billing of Con Ed Steam Customers for Sewer Discharges

A recent change in the billing of wastewater charges by the NYC Water Board for properties receiving steam service from Consolidated Edison Company (Con Ed) is being implemented. A technical review of the process utilized by the steam system found that steam condensate, the liquid end product of the steam system, is routinely discharged into the City's sewer system after steam has been supplied to, and utilized, by individual buildings. The steam condensate enters and is transported by the City's sewer system and must therefore be processed by the City's wastewater treatment plants. Therefore, properties receiving steam service will be issued an additional sewer charge for wastewater collection and treatment services provided by DEP, based on the volume of steam consumed. Con Edison will provide DEP with the property's actual steam consumption, which in turn will be utilized to bill the customer for sewer service. In October, the first bill for charges issued in September will be issued. After this initial billing, future sewer billings will be rendered quarterly. A letter to all elected officials whose district include Con Ed steam customers was mailed this week and individual customers will receive a letter next week. Con Edison will also receive its own portion of the bill for steam condensate which is discharged before reaching customers.

Taconic Parkway near New Croton Reservoir

On Tuesday, 9/19, 1.21 inches of rain fell in the Croton watershed, causing erosion of disturbed soils at a construction site on the Taconic Parkway near New Croton Reservoir. DEP earlier in the month had advised the contractor to complete and implement a sequencing plan that would control such erosion. Subsequently, DEP caused the construction work to stop and required the contractor to develop and implement the sequencing plan and to undertake remedial work.

Rat Taskforce

DEP staff met with staff of Deputy Mayor Lhota, OEM, and NYCDOH to discuss the rat abatement program. DEPs agreed to continue its work on catch basins and sewers and at all facilities under its jurisdiction with DOH and asked whether DOH wanted to address manholes in selected areas as well. DOH indicated it would review that suggestion and that it had no other requirements from DEP at this time. DOH stated that its greatest overall concern was finding a way to replace garbage containers citywide with rat resistant containers, either metal or plastic.

DEP does not receive many rat complaints. However, many of our facilities have rat problems internally due to their natural surroundings. Plants are always along a natural shoreline, either the Sound, a river, or an inlet creek. Working with the Task Force and DOH Pest Control Services, inspectors discovered more than two hundred burrows on the 26th Ward plant grounds. The Agency has contacted the exterminator to increase the application of bait stations throughout the plant grounds, and intensify vermin carcass removal.

Decommissioning of Racal Court Private Pump Station; Staten Island

In response to the continuing construction of capital sanitary sewers in the area of Richmond Hill Road, the private pump station at Racal Court and Richmond Hill Road was taken out of service. As of September 26, 2000, all flow previously flowing to this private station has now been diverted to the newly constructed City sewers. This was one of a few remaining private stations in Staten Island. These private stations tend to have maintenance problems and create raw sewage bypasses which DEC customarily asks us to address on an emergency basis.

Emergency Response

Positive Sample for E.coli

On September 27, 2000 a water sample analysis from a water station located at Francis Lewis Boulevard and 90th Avenue in Queens showed positive for one colony of E.coli. Although not in itself a problem, such a sample may indicate the existence of additional pathogens in the water supply system; since this was a second sample from the same location reflecting a potential problem, a third sample was immediately scheduled and a variety of preventative measures initiated: a valve survey of the area to ensure that no areas could be stagnated, low velocity hydrant flushing, and additional chlorination to boost disinfection.

If a third compliance test showed a positive, NYC and NYSDOH might determine that public notice was required or, in severe circumstances, require boil water notices house to house. This is only the third compliance sample (out of 62,000 samples) that has been required since November of 1994. (The first was in June 1997; the second in March 1998). Fortunately, all results on the third sample were negative and no further action is now required other than additional checking for cross connections to determine the possible cause of positive sample.

12 Inch Water Main Break - Neptune Avenue and West 24th Street (Brooklyn)

At 5:18 a.m., Tuesday, September 26, 2000 the NYC Fire Department reported a possible water main break in the intersection of Neptune Avenue and West 24th Street in Brooklyn. DEP personnel responded, were on location at 5:38 a.m., and found considerable flooding in Neptune Avenue between West 24 and West 25 Streets. A heavy flow of water was emanating from a broken 12 inch water main. The Police Department, Fire Department and the Mayor's Office of Emergency Management were on location and provided emergency assistance. The Police Department diverted traffic around the break and DEP personnel initiated a shutdown on the 12 inch main in Neptune Avenue that extended from West 22nd to West 24th Streets. The water was shut off at 5:55 a.m., and fifteen one family homes were affected. DEP personnel replaced the failed section of pipe and restored water service Tuesday afternoon at 4:30 p.m. Due to considerable roadway damage and undermining it was decided to have the emergency repair contractor restore the roadway. The site was turned over to the contractor and the roadway restoration should be completed next week. Since there have been several breaks over the last few years in this general area, DEP is anxious to complete a capital renovation plan for the area. The problem of whether any portion of Seagate can be included in the stormwater control plan has delayed our completion of the plan.

Pumping Operations - Mosholu Pumping Station

A Consolidated Edison power outage shut down the Mosholu Pumping Station at 2:55 p.m. on Wednesday, September 13, 2000. A flow reduction from 40 MGD to 25 MGD was requested of upstate. The excess water was diverted into the North Basin of the Jerome Reservoir which was being drained. Power was restored the following evening at 6:30 p.m. The Station was back on line by 7:00 p.m. and the higher flowrate was resumed by 7:30 p.m.

Interagency Matters

Fiberoptics

On Thursday, September 28th, DEP scheduled a presentation for our agency and DOITT on fiberoptic use of watermain and sewers. John Adams, a Council representative from the City of Toronto, explained how Toronto had made use of their abandoned high pressure watermain system to carry fiberoptic conduit. Mr. Adams shared his RFP and indicated that Toronto would also share the Memorandum of Agreement which was subsequently developed with the winning bidder once assurances protecting confidentiality were received. Mr. Adams made reference to an interesting and very aggressive model in Chicago where he believes RCN has contracted for four out of five areas in the City which were bid out in which they are expected to link up every premise within four years fiberoptically. Link-Pipe of Toronto, a company which uses robotics to install a specially designed fiberoptic cable to safely be placed in certain types of sewers and unused or abandoned watermain without a protective duct demonstrated how its product could be utilized in different environments.

Comptroller's Audit

The New York City Comptroller is currently auditing DPR's concessionaires and has raised an issue of unpaid water and sewer bills for certain concessionaires. DEP also has been attempting unsuccessfully to collect from the operator of the Douglaston crabhouse and had some concerns as to whether it had a totally up to date list for all new tenants. DEP staff had a very productive meeting with DPR revenue staff to discuss how to improve collections from Parks' revenue paying tenants. Parks committed to provide lists of new tenants, review existing contracts, and strengthen new contracts as needed. They also indicated they would put together a flat rate charge for tenants at Orchard Beach which is a seasonal facility. DEP agreed to provide Parks with regular information on non paying tenants.

Route 120/22 Project

DEP and NYSDOT have scheduled a meeting to discuss the status of the Route 120/22 project in the Kensico Reservoir Watershed and to view the proposed wetland mitigation sites. DEP has taken issue with the State's proposal to eliminate certain wetlands and replace them with created ones as part of the Route 120/22 project. NYSDOT now proposes to create two wetlands, totaling more than 10 acres, to provide final treatment of stormwater that would be discharged to the reservoir from the existing, and proposed, impervious surfaces. DEP has consistently provided comments to NYSDOT that limit the scope of the project and the potential impact to the reservoir. NYSDOT's agreement to treat existing, pre-project stormwater runoff in the area means that water quality is likely to actually improve with the project.

Re-engineering/Planning

Wetlands Restoration

In cooperation with the New York State Watershed Inspector General (WIG), DEP is evaluating a conceptual plan to restore a wetland in the Town of Patterson that was subject to excavation and filling, in violation of State and municipal wetlands regulations. Following an aerial inspection of the site with the WIG, DEP staff submitted an affidavit in support of the State's lawsuit against the violator, who ultimately agreed to develop and implement a wetland restoration plan. DEP and NYSDEC will provide comments to the WIG who will require that any necessary revisions be made to the plan. NYSDEC and DEP will jointly review the final restoration plan and oversee its implementation.

Directory of Noncomplying Regulated Activities

DEP met for a second time with representatives of Delaware County to discuss DEP's Directory of Noncomplying Regulated Activities. The Delaware County Office of Watershed Affairs is developing a public outreach campaign to solicit registrants in the directory. DEP has assisted in the effort by meeting with County Supervisors, and staff, to discuss the purpose and benefits of registration in the directory. At Delaware County's request, DEP has not launched its outreach campaign soliciting registrants in the directory, until the County Board of Supervisor's adopts an official position on the matter.

Updates

General Water Quality and Quantity

As of September 27, the reservoirs were at 90.4% of capacity. Normal capacity for this time of year is 75.6%. Consumption for September 26 was 1189.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

Kensico Watershed Program (Stormwater)

DEP has completed specifications for the video inspection of some 66,000 linear feet of stormwater infrastructure in the sections of the Kensico Reservoir Watershed that are severed by sanitary sewers. Inspection of the infrastructure will be conducted to detect, and eliminate, any illicit sewer connections. DEP has also responded to requests for additional information from OMB which is considering the CP request to fund this EPA FAD-mandated project.

Westchester County Airport

Discussions between DEP and representatives of the Westchester County Airport during the week of September 18, revealed that in response to comments from DEP and others the County has further developed the scope of its groundwater contamination study and installed additional groundwater monitoring wells at the airport. Airport officials indicated that formal responses to DEP's comments on the draft report, and the revised groundwater investigation strategy, are forthcoming. DEP has not received a response to its request to conduct its own groundwater sampling at the airport.

Fish Habitat Improvements

On Thursday, September 19, NYSDEC and DEP conducted an electro-fishing survey at Amawalk Outlet to evaluate the recent dam rehabilitation and re-aeration of the release (this survey involves the temporary stunning of fish with so that they may be counted). Trout populations increased dramatically (400%) from 1996 and are likely the result of improved dissolved oxygen in the tailwater. Thus, watershed anglers can enjoy improved fishing opportunities as a direct result of City projects. In light of the recent report by Trout Unlimited -- that was critical of the City, among others -- this new data on the Amawalk Outlet deserves mention.

Cryptosporidiosis Case-Control Study for April-May 1999

DEP attended a meeting at NYCDOH on September 20th to try to resolve issues on the report on Cryptosporidiosis cases observed during April and May of 1999. DEP staff had earlier provided extensive comments to NYCDOH on their draft report and the meeting was an opportunity to confirm agreement or discuss unresolved issues. The outcome of the meeting is that DEP and NYCDOH appear to be in agreement on the report and NYCDOH will prepare a revised version, based on the comments from DEP and NYCDOH staff. This report will be discussed at a September 28th meeting with EPA.

Reservoir Operations - Jerome Reservoir

Draining of the North Basin, which began on August 18, 2000 was completed on September 19, 2000.

Distribution Brooklyn

On Saturday, September 16, 2000, the 24 inch water main in Neptune Avenue from Ocean Parkway to West 8th Street was shut down because of a leak at West 6th Street. System adjustments were made prior to shut down in order to keep pressure effected areas to a minimum. The 24 inch main was placed back in service on September 18, 2000. Projects are in place to add redundancy to this area in order to avoid future problems.

Distribution Manhattan

Both the east and west regulators in Shaft 16 were overhauled. Minor pressure problems were experienced during the overhaul of the east regulator. These pressure problems were the result of the 48" water main on 7th Avenue between 40th and 42nd Streets being cut and capped due to Transit Authority construction. The Transit Authority has experienced an extended delay in the replacement of this water main.

Community Board Budget Consultation Meetings - Fall Series; Citywide

DEP is continuing the second round of Fall Budget Consultation Meetings with the City Community Boards. These meetings have been well received generally and DEP has been congratulated for their work and cooperation.

Relocation of Brooklyn Records Office; Brooklyn

The Brooklyn Records Office of DEP, Division of Connections and Permitting, will begin preparing for the upcoming move from its present location at 210 Joralemon Street to 250 Livingston Street. The move will take place beginning at the close of business Friday, October 6, 2000. The new office will open officially for business on Monday, October 10, 2000 with no interruption in service to the public.

Local Law 65/96 Notifications and Notices of Violations (NOV); Citywide

In order to insure that septic systems have been properly abandoned, field inspectors from DEP are requesting that plumbing contractors supply DEP with copies of their receipts from the septic clean-out and backfill subcontractor.

DEP Policy for Multiple Family Residences; Citywide

DEP is reviewing issues related to policy regarding multiple premises which are served by one (1) water service line. Present DEP policy allows for one (1) domestic water service line per building.

Certificates of Occupancy for DEP Facilities; Citywide

DEP is exploring the best methods to obtain Certificates of Occupancy (C of O) for DEP facilities. A check of records indicates that a number of DEP facilities completed within the past 40 to 50 years lack C of O's, unless they have been recently renovated or upgraded. We are committed to obtaining C of O's for all facilities.

Force Main Leak at Red Hook Plant

Last week, evidence of leakage was discovered coming from a 66-inch force main connecting one of the main sewage pumps and the primary tanks at the Red Hook WPCP. A repair contractor was called in, and after excavation work was completed, it was discovered that there was leakage from two separate holes in the casing, as well as a small crack. The contractor's first attempt at repairs was an application of epoxy to the problem points, but leaking continued. The contractor is now in the process of fabricating a unique band clamp that will encircle the entire force main, after which the steel casing portion of the pipe will be encased in concrete. While the plant awaits these final repairs, a temporary sump pump has been installed to reduce the flow in the force main, keeping leakage to a minimum. The swift action by plant personnel in initiating the repair process has prevented a major failure of the force main, along with its potential for significant disruption of plant operations.

International Videoconference/September 26th and 27th

DEP staff in New York City contributed to an exchange with a conference on trenchless technology being held in Paris by formal presentations of New York City's perspective on trenchless technology and on our plans for continuous electronic monitoring of large trunk watermain. Staff from DDC and private utilities also participated.

Westchester Waterworks

DEP Water Supply staff attended an opening of the new water treatment facility for Northern Westchester Joint Water Works on September 29th.

Recognition of DEP Employee

On September 21st the Concrete Industry Board presented an award to George Cakiades of DEP. George has many years of public service beginning with the board of water supply continuing with its successor DEP. The award was in recognition of his many years of commitment to assuring concrete quality on various DEP projects.

cc:

Deputy Mayor Joseph J. Lhota
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Alessandra Sumowicz
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Department of Environmental Protection

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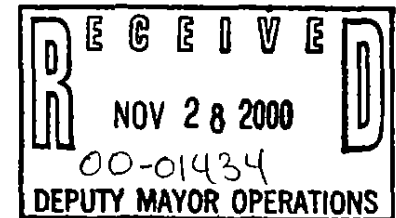
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*file: DEP
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summoning*

MEMORANDUM



To: Mayor Rudolph W. Giuliani

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

Re: Bi-weekly Report - November 10 to November 24, 2000

Date: November 24, 2000

Emerging Issues

Delaware Aqueduct Shutdown

DEP still anticipates commencing a shutdown of the Rondout to West Branch portion of the Delaware Aqueduct on Tuesday, November 28, to allow for the repair of a leaking gate valve at Shaft 6, which we anticipate will be completed December 5th. The repair contractor has been on site preparing for the dive for several weeks. DEP will have staff at Shaft 6 around the clock beginning the 28th. In addition, the DEP Police have established a post at the work site to provide for security and to ensure that no unauthorized personnel enter the work zone. Channel 4 News has been seeking follow-up information on the Delaware Aqueduct from DEP and the Water Finance Authority. Initially we had told the press that Woods Hole Oceanographic Institute was constructing the Automated Underwater Vessel (AUV) to investigate the aqueduct. That information was somewhat premature. We selected Woods Hole as the contractor in the spring of 1999 and have been working with them to customize our design. The contract is being finalized now and we anticipate completion of the AUV by the end of 2001.

Croton Aqueduct

The Aqueduct is being flushed and tested for water quality. It is anticipated that the Aqueduct will be ready to start activation by November 28, 2000, if necessary. This is a precautionary procedure, putting the Croton System in stand-by mode during the shut down of the Delaware Aqueduct. This operation will allow us to have Croton ready for immediate activation if necessary.

Westchester County Sewage Diversion

After a protracted series of discussions, we believe we have reached a conceptual agreement with Westchester County on a project to divert sewage being discharged into the watershed from three wastewater treatment plants: Yorktown Heights, Riverwoods and Random Farms. The project would entail decommissioning the three plants, collecting the sewage now being treated there, and transmitting the sewage to the County-owned sewage treatment plant at Peekskill and the municipally-owned sewage treatment plant at Yonkers for discharge into the Hudson River. The project would also pick up sewage now being treated by septic systems at two developments: Yeshiva Farm Settlement and Stanwood. The project, if implemented, could produce significant water quality benefits for the City. The Yorktown Heights plant alone, with a permitted discharge of 1.5 million gallons per day, is the single largest sewage treatment plant now discharging into the watershed, and it is a facility with serious recurring problems (it is plagued with infiltration and inflow problems, and the treatment train often fails to perform properly when there is a heavy rain event). In addition, the City would be relieved of what could be long-term obligations to fund certain operation and maintenance (O&M) costs at some of the diverted facilities. The City will contribute certain capital dollars towards the project, under the terms of the Watershed MOA. The City will also share in funding the capital cost "gap" with Westchester County (that is, the gap between the estimated total cost of the project, and the amount the City is required to contribute under the MOA). Finally, the City will make certain defined contributions towards the O&M of the project facilities, for a defined period of years. A term sheet is being prepared to ensure that both parties have a similar understanding of the conceptual agreement.

NEED TO SEE
DRAFT

Ferry Point Park Litigation

On Friday November 17, DEP was served with papers in a newly filed lawsuit involving the City's plans to develop a portion of Ferry Point Park in the Bronx as a golf course. The lawsuit is an Article 78 proceeding, brought in State Supreme Court, New York County. The petitioners include a local community group (Throggs Neck Resident Council); an environmental justice organization (New York City Environmental Justice Alliance); a "good government" group (NYPIRG); a model airplane club which flies model planes at Ferry Point Park (Blue Angels Radio Controlled Model Airplane Club); and several individuals. The respondents include State DEC Commissioner John Cahill, City Commissioners Henry Stern (Parks), Kevin Farrell (Sanitation) myself (DEP) and Ferry Point Partners LLC, the developer proposing to build and operate the golf course. In summary, the Petition attacks a Part 360 solid waste permit issued by DEC in furtherance of the project, a Negative Declaration for the project issued by the Parks Department under the State Environmental Quality review Act (SEQRA), and a license agreement negotiated between the Parks Department and the developer. The petitioners seek an order annulling and vacating the DEC permit, the Negative Declaration and the license agreement, arguing (among other things) that DEC and the Parks Department failed to analyze and address potentially significant environmental impacts on area residents, wildlife, the East River and other natural resources resulting from the disturbance and development of what was formerly a municipal landfill. Although this is not a DEP project, DEP did consult with Parks on its environmental review of the proposed golf course development (DEP often serves as a consultant on environmental reviews conducted by other agencies). The Law Department will handle defense of the litigation and DEP will assist as appropriate.

Croton Filtration Plant Litigation - Alienation of Parkland

On November 15, 2000, a significant development occurred in the Croton Filtration Plant litigation. As you may recall, several community groups filed lawsuits against the City in State Supreme Court, claiming that construction of the Croton filtration plant at the Mosholu Golf Course amounted to alienation of parkland, requiring approval from the State legislature. The City successfully had these lawsuits transferred to the U.S. District Court for the Eastern District of New York, which has jurisdiction over the Croton Consent Decree. In a very strong opinion issued in May 2000, the U.S. District Judge (Nina Gershon) ruled in favor of the City, holding that construction of the filtration plant at the Mosholu Golf Course site, in the manner proposed by the City, did not constitute alienation of parkland. The plaintiffs then appealed to the U.S. Court of Appeals for the Second Circuit (Second Circuit). The plaintiffs also made a motion to have the question of alienation of parkland (essentially a state law issue) referred to the New York Court of Appeals for decision, which would then guide the federal court's deliberations. The Second Circuit court did nothing with the motion, and all of the parties concentrated on briefing the appeal and getting ready for oral argument, which was scheduled for December 8. Much to our surprise and without any warning, the Second Circuit issued an opinion on November 15, effectively granting the motion made by the community groups to refer the question of whether the project amounted to alienation of parkland (thus requiring State legislative approval) to the New York Court of Appeals. The Second Circuit panel felt that state law on this point was unclear, and made note of the fact that the State (more precisely, the State Attorney General's Office) and the City are on opposite sides of the issue, which highlighted (in the panel's mind) the importance of seeking guidance from the New York Court of Appeals. The Second Circuit went on to stress the importance of a prompt resolution of the issue, because the milestones for obtaining State legislative approval (if necessary), under the Croton Consent Decree, have already passed (thereby potentially exposing the City to significant financial penalties). The panel then took the very unusual step of certifying the question of whether the project amounted to alienation to the New York Court of Appeals, but with a proviso that the certification would be withdrawn unless the Court of Appeals indicated that it would reasonably expect to decide the matter within 90 days after accepting the certification request. It also invited the Court of Appeals to contact the Second Circuit panel, "formally or informally", if the latter Court felt that a different procedure was called for. We have been advised by the Law Department that the New York Court of Appeals has decided to accept the question referred to it by the Second Circuit. It is our view (and that of the Law Department) that state law on the issue of alienation is clear, and that Judge Gershon's decision is correct. We will therefore strongly urge the New York Court of Appeals to endorse Judge Gershon's decision by confirming that the project does not amount to alienation of parkland. We are also exploring whether, and in what form, it makes sense to invite other New York State municipalities (through the Association of Towns and other like organizations), to support the City's position through the filing of amicus briefs. An adverse decision in this case could (in addition to seriously impacting the Croton filtration project), affect dozens of municipal projects across the state that require construction under parks.

Riverside South Park - Sewer Leak Complaint

West Side elected officials have complained to DEP about the Riverside South Park development area (bounded approximately by west 72nd Street and west 66th Street). The complaints seem to indicate contamination from different sources. One complaint concerned oil contamination from the former Penn Central Railroad yard which was being recovered under the auspices of the NYSDEC. Another complaint states that sewage was entering the ground water which was under recovery operations and present in the future park environs. The department inspected the area and tested the recovered water. Small amounts of sewage were detected but there is no cause to consider it the result of a leaking sewer main or other large source (It is possible that the contamination is from Canada geese which make the area their home). At the time of our investigation we also sampled storm water connections to the Riverside South development to search for illegal sanitary connections. The samples yielded a presence of sewage in the storm flow. Further inspection with the building management, Trump New World Project Mgmt. Ltd., revealed that some units had been misconnected to the storm system. DEP issued two Commissioner's orders to remedy the condition on November 13th and the management has taken steps to comply. We will be performing follow-up inspections. However, to date there are no indications that there is now, or ever was, any sewage flowing to the surface in the proposed park land.

Emergency Response*Water Main Break - Brighton 8th Street and Neptune Avenue; Brooklyn*

At 5:21 a.m. Thursday morning, November 16th, the Fire Department reported a possible water main break in the intersection of Brighton 8th Street and Neptune Avenue. DEP personnel responded, were on location at 5:43 a.m. and found considerable flooding and roadway damage with a heavy flow of water emanating from a broken 8 inch water main in Brighton 8th Street. The Fire Department was on location and Brighton 8th Street was closed to traffic. The water main in Brighton 8th Street was shutdown between Neptune and Banner Avenues. The water was off at 6:05 a.m. and approximately two hundred residential consumers were affected. Due to considerable roadway damage and undermining, it was decided to call the emergency repair contractor to replace the damaged section of water main and restore the roadway pavement. The site was turned over to the contractor at 9:00 a.m. The water main was repaired and water service was restored at 12 noon, temporary pavement was installed and the roadway was opened to traffic; however, permanent reconstruction of the damaged roadway will take an additional two weeks.

Twelve Inch Water Main Break - West End Avenue North of 66th Street (Manhattan)

The emergency repair contractor is restoring the roadway that was undermined when the twelve inch water main in West End Avenue at 66th Street failed. Traffic delays are minimal and restoration work should be completed by November 30, 2000.

Interagency Matters

Request Made to NYSDOH for Changes in EPA Lead Sampling Program

A letter from DEP has been sent to the NYSDOH reaffirming the successful completion of three consecutive rounds of EPA lead sampling. In that letter we asked for State confirmation and acceptance of what we perceive as the ramifications of that success, one of which is the reduction in future sampling frequency from twice per year to annually. If the State concurs, since our last sampling was completed in June 2000, the next round would be June 2001. If the State does not respond within the next few weeks, or if they do not agree with our conclusions, the next round of sampling would have to be completed this December. While waiting for the response from the State, the lead unit will be preparing for a December sampling.

Updates

General Water Quality and Quantity

As of November 24, the reservoirs were at 82.9% of capacity. Normal capacity for this time of year is 70.3%. Consumption for November 23 was 1218.0 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

Gowanus Flushing Tunnel Repairs

The shutdown of the Gowanus Flushing Tunnel (GFT) for repairs took place as planned on November 13th. The contractor disassembled all parts known to need replacement. The replacement parts were pre-ordered and available. However, inspection of the GFT shortly after the shutdown disclosed that additional parts were in need of replacement. The remaining replacement parts are expected to be delivered within a week, along with parts fabricated by DEP machinists. Most reassembly work has been completed, and welding and other repair work is now in progress. At the time of this writing, 90% of the repairs are complete and all repairs are expected to be done by next week. At that point the GFT will be restarted, undergo testing, and be returned to service.

Mosquito Eradication Program Suspended for Winter

DEP activities in the mosquito prevention program have been essentially suspended for the winter months. We have put all of the Mosquito Magnets into storage, and we will no longer do larvae sampling at most treatment plants but will continue to do random sampling at two plants - Tallman Island and 26th Ward, to monitor that mosquito population growth stays dormant.

Watershed Inspector General Meeting on TMDLs

DEP staff met with the Watershed Inspector General (WIG) on November 9th to discuss nonpoint source implementation of the Phase II Total Maximum Daily Loads (TMDLs). The WIG is interested in helping the implementation process along and plans on participating in future meetings. Discussion centered on how existing programs can be used to reduce phosphorus loadings within the watershed (i.e., SEQRA and project review) as well as the roles the different agencies will play. There is a MOA deliverable (to be coauthored by NYSDEC) on this issue due in April 2001.

Cryptosporidiosis Case/Control Study

DEP has received for review a revised draft of the NYCDOH Case/Control Study. This study was performed following an apparent increase in reported cryptosporidiosis in April and May 1999, and attempts to determine if there is a possible link between the rise in cases and City drinking water. This latest draft is much improved. Its most important conclusions are: 1) available data does not suggest the occurrence of a community-wide increase in illness (the observed increase was due to changes in testing procedures at a single laboratory), and 2) definitive conclusions about risk factors for illness cannot be made. DEP is currently reviewing the draft and will provide comments where necessary. Once finalized, the report will be submitted to EPA and NYSDOH.

Filter Clogging Complaints

DEP has received two similar complaints from homeowners who use cartridge filter systems which clog frequently for their home water supplies. The complainants assume that this frequent clogging is indicative of poor water quality and in both cases cite considerable expense and inconvenience and demand action. Since small pore sized whole-house filter use is becoming more frequent, complaints such as these will become more common. Water quality staff have recommended that an in-house meeting be held to discuss this matter. The meeting will include representatives of water quality, public relations, legal, and perhaps Customer Services and will be held as soon as possible so that we may respond to the two outstanding complaints.

Westside Corporation

DEP received a request from the office of State Senator Malcolm Smith to sample the homes of approximately 5,000 residents in proximity to an area once occupied by the Westside Corporation (an old commercial cleaning business), in Jamaica Queens, for tetrachloroethane. The Senator made this request because 20 years ago the Westside Corporation contaminated the ground in the area and the residents are concerned that this contamination will continue to effect their drinking water. Despite assurances that this is not the case because the drinking water in the area is mainly surface water, and the well water that supplements the surface water has no tetrachloroethane, there remains concern. In a conference call between DEP staff and a representative of the Senator's office, DEP agreed to do everything in its power to satisfy the residents, including meeting with elected officials and performing additional sampling. DEP would not, however, commit to an unnecessary sampling.

Distribution; Brooklyn

On November 16, 2000 numerous low water pressure complaints were received by the Water Maintenance shop in the area of Carroll and Smith Streets. Regulators were checked in the area and were found to be in the normal pressure range. Two 20 inch valves were found closed at Atlantic Avenue and Bond Street, where DDC work is in progress. Water pressure was back to normal after the valves were opened.

Reservoir Operations; Jerome Reservoir

Reservoir Operations began filling the North Basin of the Jerome Reservoir on Thursday, November 16, 2000 as part of our contingency plan if problems arise during the upcoming Delaware shutdown. The Reservoir is being filled approximately 2 feet per day and will be full by Monday, November 27, 2000. The filling of the Croton Aqueduct has been completed and it is currently being flushed at Shaft 25.

Pumping Operations; Mosholu Pump Station

This station was shut down on November 16, 2000 in order to facilitate the filling of the North Basin. Operation should be resumed on or about November 27, 2000. This shut down allowed some maintenance to be performed.

cc: Deputy Mayor Joseph J. Lhota
 Deputy Mayor Robert M. Harding
 Deputy Mayor Anthony P. Coles
 Deputy Mayor Rudy Washington
 Dennison Young, Jr.
 Anthony V. Carbonetti
 Michael T. Carpinello
 Vincent LaPadula
 Myrna Ramon
 Michelle Bynoe
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(F)



Department of Environmental Protection

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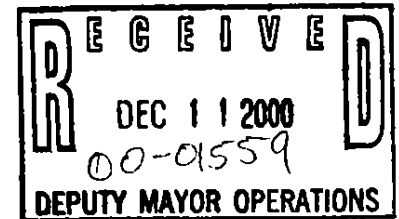
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MEMORANDUM

To: Mayor Rudolph W. Giuliani
From: Commissioner Joel A. Miele Sr., P.E.
Re: Bi-weekly Report - November 24 to December 8, 2000
Date: December 11, 2000



Emerging Issues

Delaware Aqueduct - Shaft 6 Valve Repair

During the reporting period, DEP undertook repair of a leaking gate valve at Shaft 6 on the Delaware Aqueduct. Shaft 6 is the dewatering shaft for the Rondout to West Branch Tunnel (the Tunnel) portion of the Delaware Aqueduct. Repair of the leaking gate valve was the first step in allowing the City to investigate and repair the leak in the Tunnel. Shutdown of the Tunnel was necessary to complete the repair. The shutdown began on November 28 and took two full days. Dive preparation took another day and the first dive to begin the repair began mid-day Friday. A total of seven dives were made to complete the repair. During the course of the repair, minor problems were encountered (primarily with the dive team's equipment) which put the entire job about 24 hours behind schedule. However, DEP had anticipated such delays in its project planning, so none of the delays jeopardized the project or the City's ability to supply water. Refilling of the Tunnel began 10 AM Tuesday and it is now back in service, running at near full capacity (919 million gallons) this morning with no leaks in the valve.

Temp.
shut down
to allow for
repair

Emergency Response

Con Edison Steam Pipe Explosion

On Sunday, November 26, 2000, at approximately 12:47 p.m. we received telephone notification from Con Edison of a steam line explosion at East 63rd Street and Madison Avenue in Manhattan. Staff responded to the site, where they found that the explosion had spread suspected asbestos-containing debris along East 63rd Street, on vehicles parked on the street, and on the facades and the roofs of the buildings. Con Edison's initial response was that they had abated that steam line therefore, there was no asbestos in the debris released by the explosion. We took six samples of debris from around the crater. Four of these samples tested positive for Amosite Asbestos. In response to these findings, we issued Con Edison an order to immediately start air monitoring and to hire an Asbestos Abatement Contractor to clean up all affected surfaces. No injuries were reported as a result of the explosion. The project started on Sunday, November 26 and was completed on Tuesday, November 28, 2000. We were on site at all times to make sure that all clean-up activities were done in compliance with New York City, State and Federal Regulations.

Water Main Breaks (For full details see Attachment-A at the end of this report)

- *8 Inch Water Main Break - 97th Street Between 157th and 158th Avenues; Queens*
- *12 Inch Water Main Break - East 175th St. Between Mohegan Avenue & Vineyard Place; Bronx*
- *Water Service Break - East 133rd Street Between Bruckner Boulevard and Cypress Place; Bronx*
- *12 Inch Water Main Break - West 21st Street Between 9th and 10th Avenues; Manhattan*
- *8 Inch Water Main Break - 163rd Avenue Between 90th and 91st Streets; Queens*
- *12 Inch Water Main Break - Intersection of Third Avenue and East 104th Street; Manhattan*
- *12 Inch Water Main Break - Intersection of Broadway and East 14th Street; Manhattan*
- *20 Inch Water Main Break - Intersection of Foster and Nostrand Avenues; Brooklyn*

Interagency Matters

Solid Waste Transfer Rail Facility at Fresh Kills Landfill; Staten Island

The NYC Department of Sanitation (DOS) and their consultant engineers met with DEP Engineers in mid-November regarding a proposed railroad facility for the Fresh Kills Landfill site in Staten

Island. DOS proposes to construct a transfer facility in order to load waste directly onto railroad cars rather than truck the material into New Jersey. DOS and their consultants are now preparing a sewer certification application for the proposed facility.

Middle School/High School 368 at Tibbet Avenue Extension; Bronx

DEP Engineers completed its review of a site connection proposal submitted by the NYC School Construction Authority (SCA) and their consultant engineer for this school site in the Bronx.

Request to Reduce EPA Lead Sampling

It was previously reported that a letter was sent to the NYSDOH requesting a reduction in EPA mandated lead and copper sampling from twice per year to annually. DEP has received word from both the NYSDOH and the NYCDOH that this request will be approved, pending City Health's further review of previously submitted data. The next round of sampling will therefore be conducted in June, 2001. The fact that the NYCDOH will be giving the formal approval is new. City Health will be assuming many of the oversight responsibilities formerly held by the State, with EPA Lead Sampling becoming one of the first. (See below).

Transition of NYC Water Supply Oversight Duties from State to City Dept. of Health

DEP has been notified by NYCDOH that certain responsibilities for oversight of NYC water supply operations is being shifted from NYSDOH to NYCDOH. This week DEP received a visit from the Chief Engineer in the Office of Public Health Engineering, with further information on this transition. Funds will be transferred from the State to the City to help cover costs of the new duties that NYCDOH will be taking on (an amount of \$400,000 per year, we believe). The duties that were mentioned as being shifted to the City include: plan review for any treatment/system modifications (e.g., development of UV for Cat/Del); field oversight (e.g., coliform/boil water events). Apparently watershed programs oversight will remain with NYSDOH. A meeting is to be scheduled between NYSDOH, NYCDOH and NYCDEP, probably in January, to formalize the transition. In preparation for that meeting, NYCDOH is interested in a pre-meeting in December with NYCDEP.

our office?

Re-engineering/Planning/E-Government

Electronic Bidding

In April of this year DEP became the first city, or state agency, in New York to offer bid documents and drawings on CD ROM (Kensico Flow Control Structure - Contract 566C). We are currently working toward our goal of offering ALL of the Department's bid offerings in this format. The next contracts we expect to offer in this format will be the Croton Filtration Site Preparation (CRO311) and the Spring Creek CSO project due out in early February. Drawings will be available in both AutoCAD and/or by using a resident Alchemy viewer. In the AutoCAD format, fee estimating software can be used which will allow contractors to more efficiently estimate the anticipated costs of the project in a shorter time frame.

Newtown Creek Extranet

On Wednesday, November 29th at our Newtown Creek facility our consultant demonstrated the secure Extranet web site they developed for us. This system will be used by our consultants and in

house engineers to monitor all aspects of this construction process. This system should make vendor approvals, design changes (change orders), payments and other project features rapidly trackable and help prevent errors and speed approvals. As we go forward, we plan to have this available for contractors as well.

This is our largest current construction project projected at 2.3 billion dollars and is expected to involve 30-40 contractors and over 100 subcontractors on a fifty-four acre site. In the future, we plan to expand the use this type of system to all of our major projects.

KWIC Management Plan/Kensico Reservoir

DEP will meet shortly with the co-chairs of the Kensico Watershed Improvement Committee (KWIC), and the Town of North Castle Supervisor, to discuss a public presentation of the Route 120 Management Plan. KWIC, intends to launch a media campaign to notify the public of the plan's existence, and conduct a public presentation of the plan which was developed by the Town and the corporations on Route 120, with technical and administrative support from DE. The plan establishes management practices that will be employed by the Town and the corporations to prevent pollution of the Kensico Reservoir from stormwater runoff, hazardous materials, waterfowl, turf management chemicals, winter road maintenance practices, wastewater and other potential pollutants.

Customer Service

Community Outreach regarding Odor Control at North River Plant

In compliance with the North River Consent Order, the Agency seeks to keep the West Harlem community informed and respond to issues raised by that community. In past meetings, members of the North River Community Environmental Review Board, Community Board #9 officials and other interested citizens raised questions concerning how plant personnel respond to local odor complaints and types of data generated by air monitoring meters within the North River plant. In prior community meetings we had provided all parties with information on the monitors dispersed throughout the surrounding area. We responded by inviting members of the Board and others to the plant and demonstrating the in-plant metering equipment.

Updates

General Water Quality and Quantity

As of December 8, the reservoirs were at 82.2% of capacity. Normal capacity for this time of year is 72.4%. Consumption for December 7 was 1172.9 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent. As the attached chart (see Attachment-B) explains, the normal reservoir capacity curve starts increasing on December 1st and continues increasing until June 1st when normal expected capacity reaches 100%.

Shaft 18 Spill

A contractor working at Shaft 18 pumped water containing traces of PCBs and lead into the wrong manhole. DEP had received a permit to discharge the water to a sewer, through which the water

would have traveled to the Yonkers WWTP. Instead the water was discharged to the basement of Shaft 18, where sump pumps pumped the water to an unnamed tributary leading to the Bronx River. DEC is expected to exact a \$ 25,000 penalty for this discharge. There were no discernable effects on the water quality of the Bronx River as a result.

Ultraviolet Light Patent

DEP was advised that the Calgon Corporation has been granted a patent for the use of UV to inactivate *Cryptosporidium*. The patent applies to all users of UV who practice continuous dose UV and low dose UV. At the expected rights fee of 1¢ per 1000 gallons treated, it appears that we will be obliged to pay Calgon about \$4 million/yr once our proposed UV plant begins treatment. It is understood that AWWA, EPA and others are looking into this matter in the hope of overturning the patent.

Westchester County Airport/Kensico Reservoir

Engineering staff has received notification from Westchester County that, based upon comments it received concerning the *Draft Supplemental Environmental Assessment and Supplemental Environmental Impact Statement for the Proposed Water Quality Buffer and the Reuse of the Former Air National Guard Site*, it has completed a Final Scoping Document. The proposed actions to be taken at the Westchester Airport include the creation of an undisturbed forested buffer between a portion of the airport and the Kensico Reservoir, new measures to improve aircraft deicing practices at the airport and several options for the use of the portion of the airport formerly used by the Air National Guard. DEP submitted extensive comments to the County concerning potential impacts on the Kensico Reservoir anticipated from the proposal and will review the final version to ensure all issues have been satisfactorily addressed.

House-to-House Septic Survey/Kensico Reservoir

DEP has received numerous responses to the Kensico House-to-House Septic Survey questionnaire, which was sent with a letter soliciting support for DEP's survey by the Town of North Castle Supervisor. Similar letters, with the questionnaire, are being sent by the Supervisor of Mount Pleasant, while the New Castle Supervisor has agreed to send a letter to municipal residents with septic systems asking for them to support DEP's program. Only the Town of Harrison, where relatively few septic systems exist, declined to participate in the program. The house-to-house survey is being conducted to identify failing septic systems in the Kensico Watershed pursuant to the Filtration Avoidance Determination.

Gowanus Flushing Tunnel Returned to Service

The Gowanus Flushing Tunnel (GFT) has been returned to service and is now fully operational. The GFT was shutdown from November 13 to December 1 for repairs and equipment replacement. The short duration of the shutdown was achieved by the coordinating efforts by Agency staff. Along with the contractor's replacement of worn components, machinists fabricated special parts, Marine Section specialists examined the Tunnel's propeller, underwater divers greased gate stems, and metallurgists investigated the causes of stem deterioration. Crews also cleaned out sediment and debris at the Buttermilk tunnel entrance prior to the restart.

Riverside South Park - Follow-up

In my last report, I advised that improper sanitary connections at the Riverside Park South development had been uncovered. This discovery was incidental to an investigation of sewage and oil leaks in the area.

We determined that a 6" waste stack serving an entire unit of 34 apartments had been mistakenly connected to a storm sewer rather than a sanitary sewer, and that the waste was flowing to an outfall at 72nd Street and the river. As noted previously, two Commissioner's Orders were served on the building management, Trump New World Project Mgmt. Ltd., directing immediate remedy. DEP staff reinspected the waste lines to determine that the illegal connections had been corrected. Several days later, a dye test was conducted, confirming that the connections conformed to code. Per procedure, we are closing out the NYSDEC file number, based upon our confirmation that the proper connections have been made. It is our understanding that NYSDEC has also completed the investigation of the earlier oil contamination complaints.

Croton Aqueduct/Jerome Reservoir

The filling of the north basin of the Jerome Reservoir was completed during the evening of November 26, 2000. The basin was then isolated and left in standby mode, in case it was needed during the Delaware Aqueduct shutdown. A flow of 10 million gallons of water a day from the Croton Aqueduct was diverted to the Central Park Reservoir on November 27, 2000 at 11:00 p.m. The flow was established to keep the water in the Aqueduct fresh and ready for use in the event of an emergency. The blow-off at Shaft 25 was shut at approximately the same time. A portion of the Manhattan Water Distribution System was reconfigured to isolate a 48-inch main from the rest of the system. This main is acting as a conduit allowing water to be flushed from the Croton Aqueduct, at Shaft 33, to the Central Park Reservoir. This allows water to be kept fresh in the southern leg of the Croton Aqueduct during the Delaware Aqueduct shutdown. Flow monitoring is being performed on a daily basis.

*Springfield Gardens Industrial Park (Air Freight Area) (a/k/a SE-727); Queens**Springfield Gardens Residential Areas (a/k/a SE-727A and SE-727B); Queens*

The Springfield Gardens Task Force team of DEP, the NYC Department of Design and Construction (DDC) and NYC Economic Development Corporation (EDC) met with Queens Borough President Shulman on Wednesday, December 6, 2000 to provide a status report on the proposed capital projects in the Air Freight and Residential Areas. The Task Force reported that construction of the Phase I project will commence in April, 2001. The Phase II project will begin the design and street acquisition process shortly with construction to be scheduled for FY-2003.

Gateway Estates - Retail and Residential Development, Brooklyn

DEP Engineers are currently reviewing a Private Sewer Plan (PDK-20/00), which was submitted by the consultants for the Gateway Estates owners. This private sewer plan is for the construction of storm sewers and outfalls to a proposed freshwater wetlands area adjacent to Shore Parkway. These sewers are being constructed for the new Gateway Center Mall project, this is the first phase of the Gateway Estates plan. The private sewer plans, along with the mitigation plans for the wetlands area,

are now being reviewed by BWSO/Engineering. In the meantime, the NYC Department of Transportation (DOT) has prepared a capital project for the construction of the Erskine Street Intersection and entrance/exit for Shore Parkway in order to accommodate the expected mall traffic. The proposed roadway grade and drainage work portions are also being reviewed by BWSO/Engineering.

Glen Oaks School Complex at Union Turnpike and Commonwealth Avenue; Queens

The NYC School Construction Authority (SCA) and their consultant engineers met with staff from BWSO/Engineering in mid-November to review a sewer certification application for the proposed construction of a school complex at this location. Following this meeting, the SCA and their consultant will prepare a site connection proposal for submission in early December.

Polytechnic University Expansion - Academic Center and Dormitory Facility; Brooklyn

EDC
reput
DEP staff has been meeting regularly with representatives from Polytechnic University and their consultant engineer on the proposed major expansion of their facilities in downtown Brooklyn. Part of this expansion includes a new Academic Center to be located on Jay Street and a new dormitory facility to be built on Johnson Street. Currently, the site connection proposal has been reviewed and certified by DEP. A Private Sewer Plan will be filed by the project engineers for the proposed relocation of an existing combined sewer located on the site of the proposed dormitory facility.

Attachment - A

8 Inch Water Main Break - 97th Street Between 157th and 158th Avenues; Queens

At 2:00 p.m., Monday, November 27, 2000, we received a report of a water main break in 97th Street between 157th and 158th Avenues. DEP personnel responded, were on location at 2:30 p.m. and found street flooding with a heavy flow of water emanating from a broken 8 inch water main in front of 157-43 97th Street. The Police Department and the Mayor's Office of Emergency Management were on location; 97th Street was closed to traffic. DEP staff initiated a shutdown on the eight inch water main. They experienced some difficulty closing the required water valves and did not get a complete shutdown until 7:00 p.m. Approximately one hundred and fifty residential consumers were affected. Department personnel repaired the water main and water service was restored at 4:00 a.m. The damaged roadway was repaired and 97th Street was re-opened to traffic.

12 Inch Water Main Break - East 175th St. Between Mohegan Avenue & Vineyard Place; Bronx

On Monday, November 27, 2000, at 2:10 p.m., the NYC Fire Department reported a possible water main break in East 175th Street. DEP personnel responded, were on location at 3:00 p.m. and found a heavy flow of water emanating from a broken 12 inch water main in front of 855 East 175th Street. The Mayor's Office of Emergency Management and the Fire Department were on location. The crew called for assistance and initiated a shutdown on the 12 inch main in East 175th Street that affected consumers from Crotona Park North to Marmion Avenue (a four block area). The water was shut off at 7:30 p.m. Due to street flooding and roadway damage, traffic was diverted off East 175th Street. DEP personnel repaired the water main and water service was restored at 1:00 a.m. on Tuesday. The site was turned over to the emergency repair contractor and reconstruction of the damaged roadway was completed on November 30.

Water Service Break - East 133rd Street Between Bruckner Boulevard and Cypress Place; Bronx

At 1:30 p.m., Monday, November 27, 2000, DEP Central Communications received a report of a water main break in front of 158 Bruckner Boulevard. DEP personnel responded, were on location at 2:30 p.m. and found considerable street flooding. The crew determined that the break was in East 133rd Street and shutdown the 12 inch water main in East 133rd Street between Bruckner Boulevard and Cypress Place; the water was shut off at 5:25 p.m. Con Edison was notified and responded to ensure that the integrity of their 30 inch high pressure gas main had not been compromised. Department personnel excavated over the defective water main and determined that the break was on the service line to 608 East 133rd Street. The 4 inch valve on that line was closed, stopping the leak, and the building owner was notified to make repairs. The water service to other consumers on East 133rd was restored at 7:00 a.m., Tuesday, November 28.

12 Inch Water Main Break - West 21st Street Between 9th and 10th Avenues; Manhattan

At 2:11 a.m., Tuesday, November 28, 2000, the NYC Fire Department reported a water main break in West 21st Street between 9th and 10th Avenues in Manhattan. DEP personnel responded, were on location at 2:30 a.m. and found considerable street flooding and roadway damage. The Fire Department, Police Department and the Mayor's Office of Emergency Management were on location, and West 21st Street was closed to traffic. The crew called for assistance and initiated a

shutdown on the twelve inch water main.

The water was off at 4:40 a.m. and approximately one hundred residential consumers were affected. DEP personnel initiated repairs on the failed section of water main and restored water service at 10:45 a.m. Due to considerable roadway damage and undermining, it was necessary to call the emergency repair contractor for permanent roadway restoration. The site was turned over to the contractor at 11:00 a.m. and restoration was completed on December 1, 2000.

8 Inch Water Main Break - 163rd Avenue Between 90th and 91st Streets; Queens

On Tuesday, November 28, 2000, at 2:30 a.m., the NYC Fire Department reported a possible water main break in 163rd Avenue between 90th and 91st Streets. DEP personnel responded, were on location at 3:00 a.m. and found street flooding with a heavy flow of water emanating from a broken 8 inch water main in 163rd Avenue, west of 91st Street. The Fire Department and the Mayor's Office of Emergency Management were on location and traffic was safely diverted around the water main break area. The crew called for assistance and initiated a shutdown on the 8 inch water main.

The water was off at approximately 4:45 a.m. One hundred residential consumers were affected. Department personnel repaired the water main and water service was restored at 9:30 p.m. The damaged roadway was repaired and 163rd Avenue was re-opened to traffic.

12 Inch Water Main Break - Intersection of Third Avenue and East 104th Street; Manhattan

On Wednesday, November 29, 2000, at 5:00 a.m., the NYC Fire Department reported a water main break in the intersection of Third Avenue and East 104th Street. DEP personnel responded, were on location at 5:30 a.m. and found considerable street flooding. The Fire Department, Police Department and the Mayor's Office of Emergency Management were on location. The Police Department diverted traffic off Third Avenue; East 104th Street was closed between Lexington and Third Avenues. The crew called for assistance and initiated a shutdown on the 12 inch water main.

The water was shut off at 7:35 a.m. and approximately one hundred twenty-five residential consumers were affected. Third Avenue, with the exception of two lanes on the west side, was opened to traffic; however, East 104th Street remained closed. DEP personnel initiated repairs on the failed section of the water main and restored water service at 5:00 p.m. Due to considerable roadway damage and undermining, it was necessary to call the emergency repair contractor for permanent roadway restoration. The site was turned over to the contractor and restoration will be completed today.

12 Inch Water Main Break - Intersection of Broadway and East 14th Street; Manhattan

On Saturday, December 2, 2000, at 5:04 p.m., the Transit Authority notified Central Communications that there was a leak in East 14th Street which was affecting operation on the south bound L train, causing service to be suspended. DEP personnel responded, were on location at 5:30 p.m. and determined that a 12 inch water main in the intersection of University Place and East 14th Street had failed and was flooding the subway tracks; in addition, there was some minor flooding in the basement of the commercial building on the south side of East 14th Street. There was no street flooding and roadway traffic was not interrupted. The crew initiated a shutdown on the 12 inch water main. They were able to effect an intersection shutdown. The water was shut off at 7:30 p.m. and no consumers were affected. The Transit Authority was able to restore normal service on

the L line at 8:00 p.m.

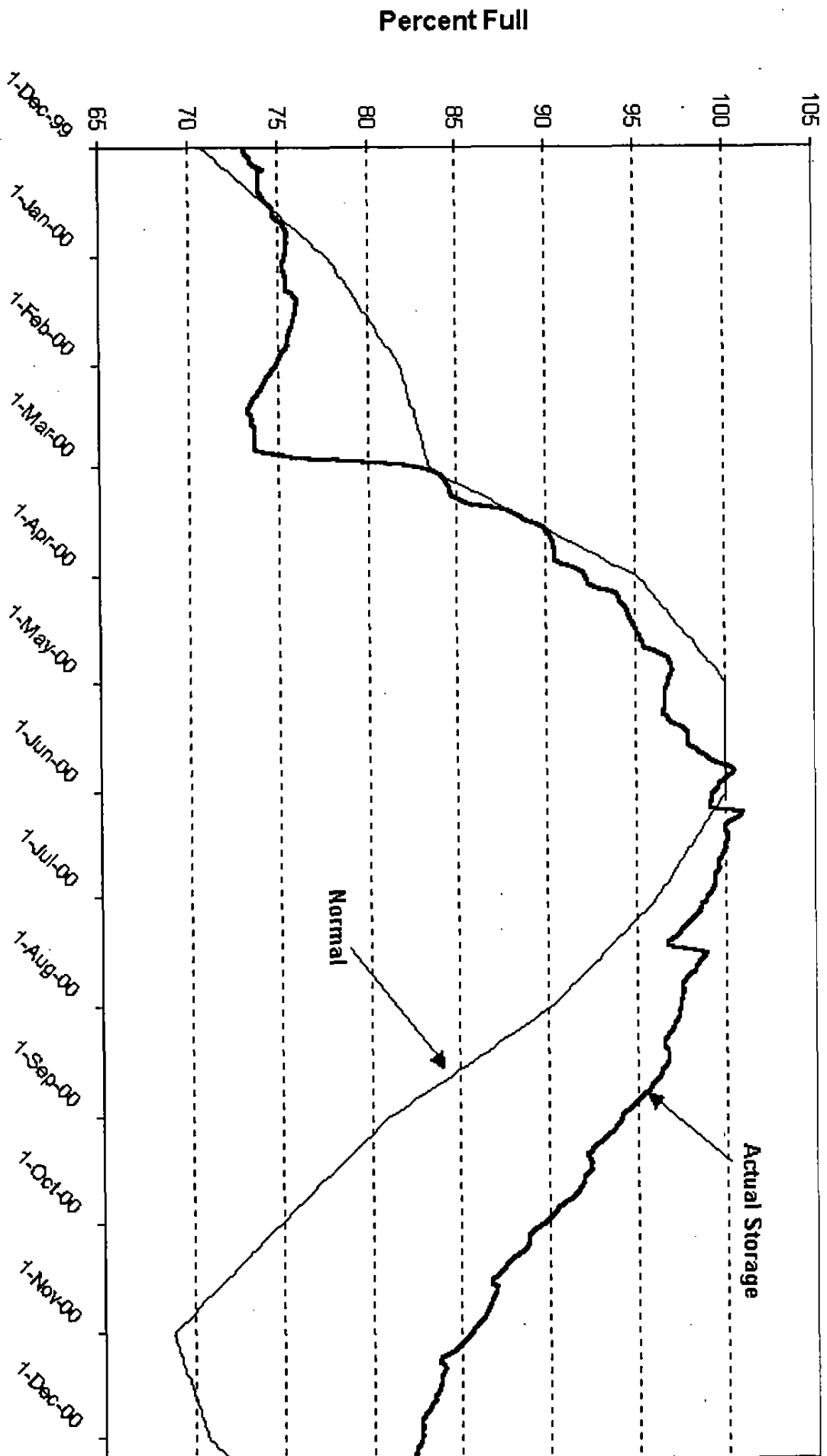
This Department's Leak Detection Unit will investigate to determine the exact location of the break. However, because the shutdown of the water main is not affecting consumers at this time, excavation to repair the water main will not commence until after the holiday embargo.

20 Inch Water Main Break - Intersection of Foster and Nostrand Avenues; Brooklyn

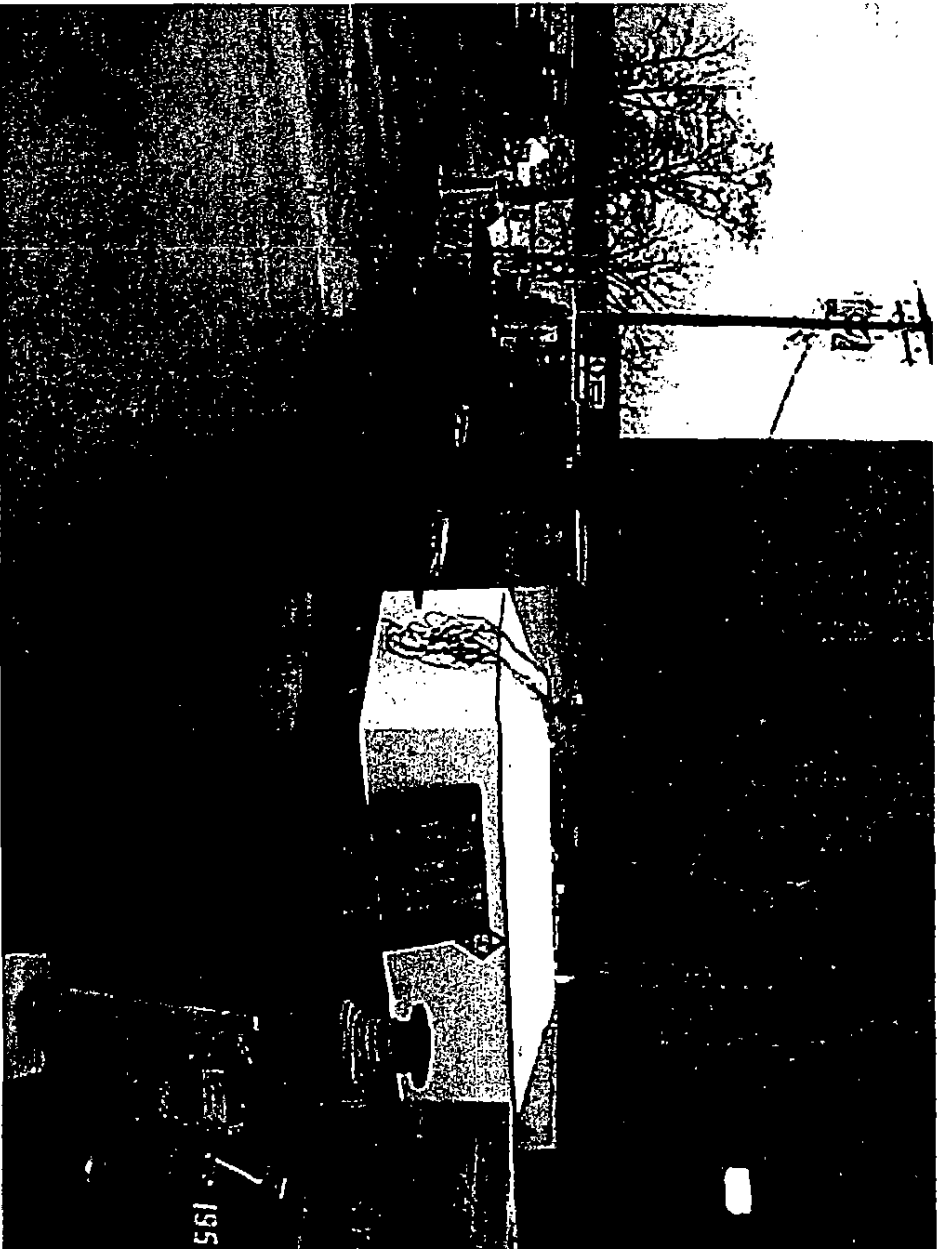
On Tuesday, December 5, 2000, at 5:10 a.m., the NYC Fire Department notified Central Communications that there was a water main break in the intersection of Foster and Nostrand Avenues, and that subway service at that location was affected since the Transit Authority was bypassing it's Newkirk Station. DEP personnel responded, were on location at 5:25 a.m. and found a heavy flow of water pushing up through a pavement repair in that intersection. The Fire Department, Police Department and Transit Authority were on location and the Mayor's Office of Emergency Management were en route. Keyspan, Verizon and Con Edison were notified and responded. The DEP crew initiated a shutdown on the 20 inch water main in Nostrand Avenue between Foster and Flatbush Avenues. The water was shut off at 8:00 a.m.. Approximately fifty residential consumers and Public School 296 were affected; however, the crew was able to make a temporary connection and provide water to the school. The Transit Authority was able to restore normal subway service since the shutdown was only due to street icing near the station. The failed section of the 20 inch main was replaced by DEP's emergency contractor and water was restored at 6:30 p.m. on December 5. Final street restoration will be complete by December 15, 2000. Our contractor is maintaining traffic through the affected area.

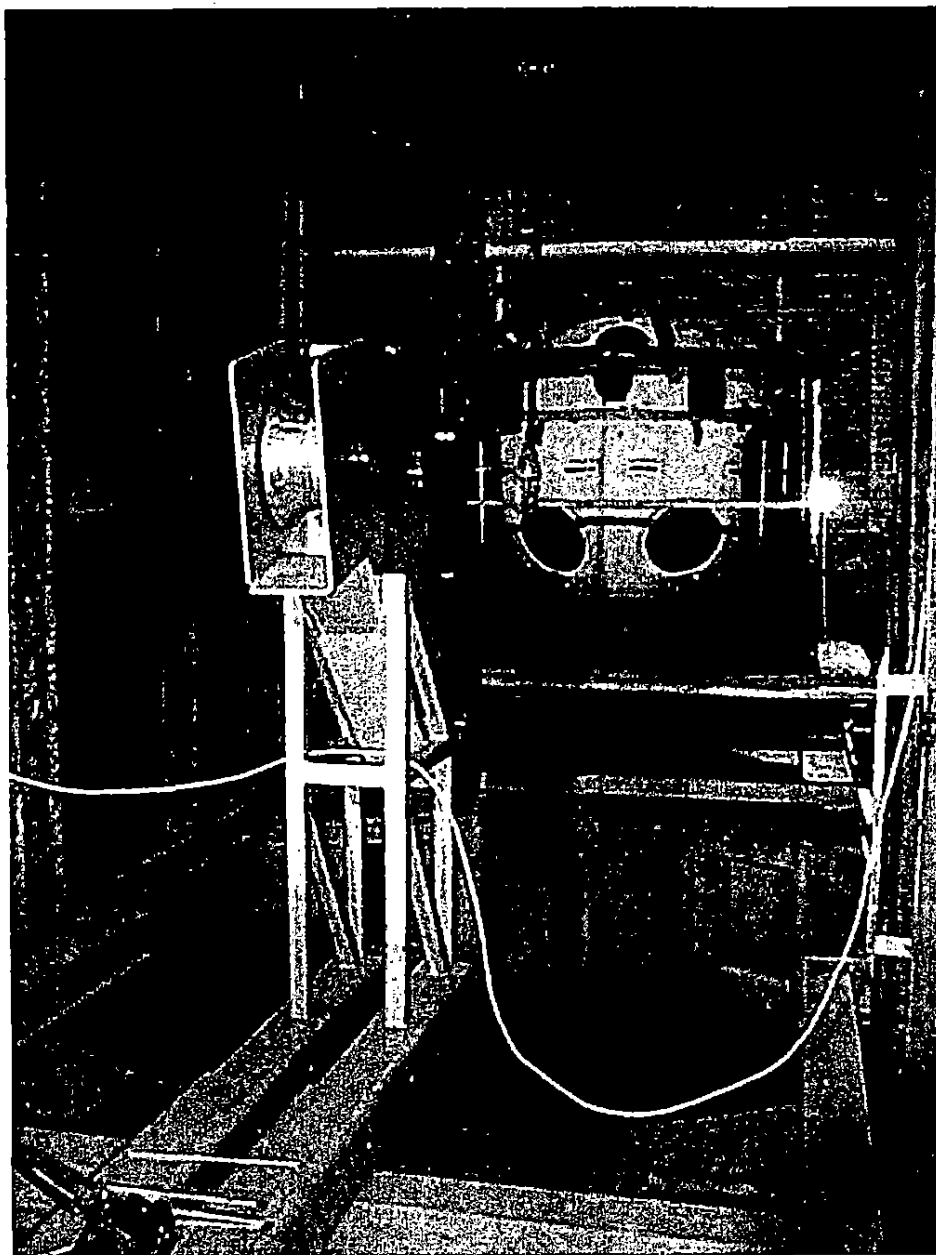
cc: Deputy Mayor Joseph J. Lhota
Deputy Mayor Robert M. Harding
Deputy Mayor Anthony P. Coles
Deputy Mayor Rudy Washington
Dennison Young, Jr.
Anthony V. Carbonetti
Michael T. Carpinello
Vincent LaPadula
Myrna Ramon
Michelle Bynoe
Alessandra Sumowicz

New York City Reservoir System

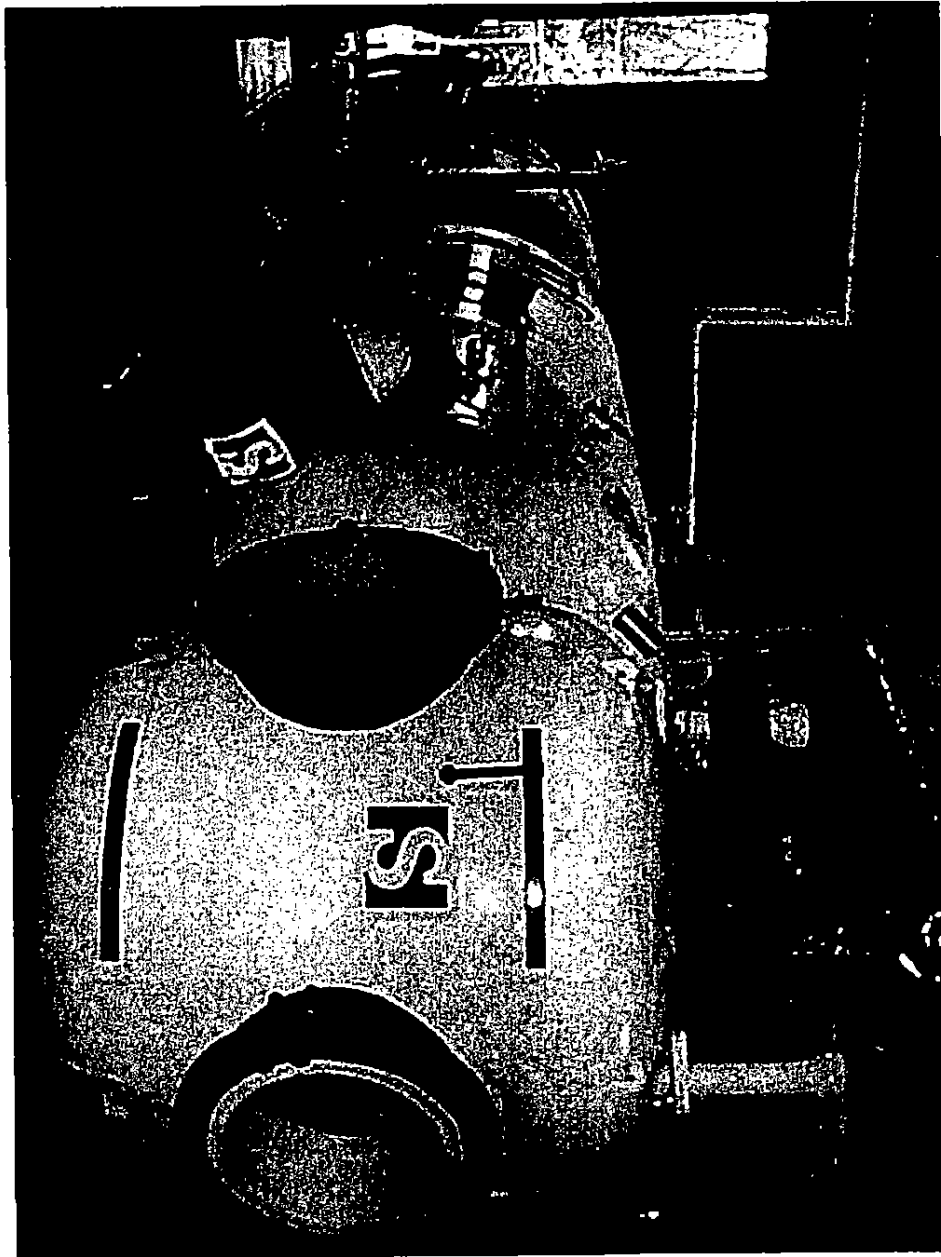


NYCDEP Contract DEL 166 - Stolt Offshore, Inc. Saturation
Diving Equipment Set-up at Shaft 6 Exterior and Interior -
photos taken on 11/14/2000





↓
DIVING
BELL
ABOVE
SHAFT



COMPRESSION / DECOMPRESSION CHAMBER



↑ COMPRESSION CHAMBER
WHICH CAN BE ATTACHED
AT TOP TO DIVING BELL



Department of Environmental Protection

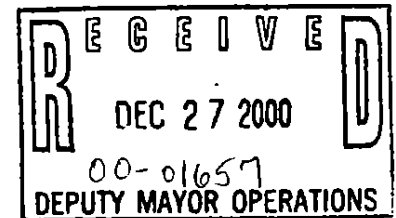
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DEP
C: VL
AS

Joel A. Miele Sr., P.E., Commissioner
(718) 595-6565 Fax #: (718) 595-3525

E-mail: Jmiele@nysnet.net

MEMORANDUM



To: Mayor Rudolph W. Giuliani
From: Commissioner Joel A. Miele Sr., P.E.
Re: Bi-weekly Report - December 8 - December 22, 2000
Date: December 27, 2000

Emerging Issues

DEP Employee Receives Award from US EPA, Criminal Division

On December 11, 2000, Mr. Carlstein Lutchmedial, of DEP's Asbestos Unit, was recognized at an award ceremony given by US EPA, Criminal Division. Mr. Lutchmedial was given this award for "The valuable assistance and significant contributions to the mission of the Criminal Investigation Division." Also in attendance were staff members from the US Attorney's Office who conveyed their thanks for his assistance and DEP's help and cooperation.

recognition letter?

Increased Enforcement Capabilities for DEP Police Enhancing Protection of Entire Watersystem

On December 20th, Gov. Pataki signed legislation initiated by the City which grants DEP Police the status of "police officers" within NYC. Up to this point, DEP Police only had the status of police officers outside of the City, which hampered DEP's ability to use its own police force to provide security at key water supply facilities within the City. The Hudson Riverkeeper and the NRDC had vigorously opposed enactment of this legislation, claiming that using DEP Police within the City would significantly weaken watershed protection.

Soc

Croton Alienation Lawsuit

As previously reported, a number of community groups brought a lawsuit against the City in the U.S. District Court for the Eastern District of New York, alleging that the siting of the Croton filtration plant under the Mosholu Golf Course amounted to alienation of parkland, which would require the consent of the State Legislature. DEP and the Law Department have consistently maintained that the project does not amount to alienation because (among other things) the plant is being built entirely underground, and the Golf Course will be fully restored and enhanced as part of the project, resulting in no loss of park usage. The City won a favorable ruling from the District Judge (Judge Gershon), who wrote a strong opinion holding that the project did not amount to alienation. Plaintiffs then appealed to the U.S. Court of Appeals for the Second Circuit. After setting the case down for oral argument, the Second Circuit, in an unexpected move, certified the question of alienation to the New York Court of Appeals. The Second Circuit panel felt this was appropriate because the issue of alienation is primarily an issue of state law, and the panel felt that New York State law on this point was unclear (we disagree and believe that the law, as explained in Judge Gershon's opinion, is quite clear). The New York Court of Appeals has accepted the question referred to it, and has scheduled oral argument for January 3, 2001. DEP believes that this case should be of interest (and concern) to other municipalities across the State. This is because the position of plaintiffs, if taken to its extreme, would essentially prohibit any type of construction under parkland without State legislative approval. We believe that many municipalities, quite apart from the City, have built or are considering building roads, sewers, water lines, subways and other public infrastructure underneath parks. We therefore suggested that it might be wise to secure support from other New York State municipalities, or organizations that represent them, in connection with the City's argument before the New York Court of Appeals. In addition to buttressing the City's legal position, such support would demonstrate to the Court that this is not simply a "New York City issue" and that an adverse decision against the City would have grave consequences for local government across the State. ~~With the help of the Mayor's Office of Legislative Affairs and the Law Department, it appears that the New York Conference of Mayors (NYCOM) is prepared to file an amicus brief in support of the City's position (NYCOM has already filed a motion with the New York Court of Appeals requesting permission to file such a brief).~~ Legislative Affairs is continuing to talk with the New York Association of Counties (of which the City is a member) in an effort to persuade them to join in the NYCOM brief.

Emergency Response*DEP Contractor Damages Housing Units*

On Wednesday, December 13, one of our water meter contractors (Par Plumbing, a licensed plumbing firm) started a fire while installing a water meter. 152 and 156 Park Place, two condominium units in Parkview Estates on Staten Island, suffered extensive damage. Three others suffered varying amounts of water and smoke damage. At this time, we believe the contractor's employee, who has subsequently been fired, was not following our written instructions regarding soldering, which forbid the use of open flames, require the use of fireproof "fireblocks" around the

work, and require having a fire extinguisher at hand.

The contractor, who had perviously performed good work, has been ordered to stop work and will not be allowed to resume until the cause of the fire is understood and appropriate actions have been taken both to compensate the property owners and also to prevent the problem from recurring. The fire was reported in the Staten Island Advance, where it was attributed to plumbing work, although no mention was made of DEP, water meters, or the contractor.

Heavy Rains, December 16 and 17, 2000 - Minor Street Flooding and Sewer Backups; Citywide
Heavy rainfall in the Metropolitan area Saturday and Sunday December 16 and 17, 2000 caused some roadway flooding. In general, the flooding was the result of an accumulation of debris over gratings that obstructed the flow into catch basins. DEP personnel patrolling area highways removed the debris and the flooding quickly subsided. In some areas the sewer system was temporarily overtaxed and backed-up; however, the system quickly recovered. Maintenance crews were ordered to extend their normal shifts in order to address problem areas.

Distribution Water Main Breaks; Citywide

With the onset of winter weather during the biweekly reporting period, cold nights followed by moderate day temperatures have resulted in a significant increase in the number of distribution water main failures. The following is a brief synopsis of events that occurred at water main breaks that had a significant impact on area residents:

12 Inch Water Main Break - West 13th Street Between Greenwich and Seventh Avenues; Manhattan

Saturday morning, December 9, 2000, the NYC Fire Department reported a water main break in West 13th Street between Greenwich and Seventh Avenues. DEP personnel responded, and found street flooding with a heavy flow of water emanating from a broken twelve inch water main in front of 239 West 13th Street. The Police and Fire Departments were on location and able to divert traffic around the break without closing West 13th Street to traffic. The crew called for assistance and initiated a shutdown on the twelve inch water main. Approximately eighty residential consumers were affected. Department personnel repaired the water main and restored water service that evening. The damaged roadway was repaired and West 13th Street was re-opened to normal traffic.

Water Service Break - 113th Street Between 75th and 77th Avenues; Queens

Tuesday morning, December 12, 2000, DEP Central Communications received a report of a street leak in 113th Street between 75th and 77th Avenues. DEP personnel responded and found street flooding in front of 75-31 113th Street. The crew called for assistance and initiated a shutdown on the eight inch water main that affected ten, six story residential buildings. Department personnel excavated over the leak and determined that the service line for 75-20 113th Street had failed. The valve on that line was closed, stopping the leak, and the building owner was notified to make repairs. The water service to other consumers was restored.

12 Inch Water Main Break - East 57th Street Between Lexington and Third Avenues; Manhattan

Early Tuesday afternoon, December 12, 2000, DEP Central Communications received a report of a street leak in East 57th Street between Lexington and Third Avenues in Manhattan. DEP personnel responded and found water flowing from a break in the twelve inch water main on the north side of East 57th Street. The Fire Department, Police Department and the Mayor's Office of Emergency Management were on location. The Police Department closed one lane on the north side of East 57th Street to traffic; however, the effect on traffic was minimal. The DEP crew called for assistance and initiated a shutdown on the twelve inch water main. Large apartment buildings, restaurants and commercial consumers on the north side of East 57th Street between Lexington and Third Avenues were affected. DEP personnel initiated repairs on the failed section of water main and restored water service that afternoon. Roadway restoration was completed and East 57th Street was opened to normal traffic.

12 Inch Water Main Break - West 21st Street and Tenth Avenue; Manhattan

Late Tuesday afternoon, December 12, 2000, the Fire Department reported a possible water main break in the intersection of West 21st Street and Tenth Avenue. DEP responded and found a heavy flow of water emanating from a broken 12 inch water main in West 21st Street. The Fire Department was on location. The DEP crew called for assistance and initiated a shutdown on the 12 inch main in West 21st Street. Approximately thirty, three story buildings between Ninth Avenue and the Westside Highway, including a school and a monastery, were affected. Two lanes of West 21st Street were closed to traffic; however delays were minimal. DEP personnel initiated repairs on the failed section of the water main and restored water service that evening. Roadway restoration was completed and West 21st Street was opened to normal traffic.

12 Inch Water Main Break - East 61st Street and the FDR Drive Service Road; Manhattan

Early Monday morning, December 18, 2000, the Mayor's Office of Emergency Management reported a water main break in the intersection of East 61st Street and the FDR Drive Service Road. DEP personnel responded and found considerable street flooding and roadway damage on the service road. The Mayor's Office of Emergency Management was on location. Although there was only a coating of water on the FDR the NYPD shut down a section of the highway to allow DOS to spread salt to prevent icing. The highway was quickly re-opened and an exit lane established to facilitate traffic flow. The crew called for assistance and initiated a shutdown on the twelve inch water main in the service road between East 60th and East 61st Streets. No consumers were affected. Due to the high density of traffic at this location which, affects an exit from the FDR Drive, the water main repair and roadway restoration were assigned to the emergency repair contractor. The emergency contractor repaired the water main and is in the process of restoring the roadway.

Customer Service

Complaint to Mayor's Radio Program

A complaint was called into the Mayor's Program on Friday, 12/15, concerning loud music from the Austin Steak Ale House in Kew Gardens, Queens. An inspection was made on Saturday/Sunday 12/16-17, and a violation was issued for audible music on the street. The hearing date is 1/30/01. The violation was issued to 82-60 Austin Street Corporation.

Complaint to Mayor's Radio Program

On Friday, December 15, Rose Huttel (144-06 76 Rd. Flushing) called the Mayor's radio show and said that her water bill was too high. Her recent bill was for \$145.89, and her two previous bills were \$94.70 and \$94.28. She was called on Monday and an appointment was set for Wednesday, December 20th. Our inspector found two leaking toilets and explained that she needed to have them fixed. As an aside, we found leaking toilets here on 4/30/1999 during an inspection in response to an earlier billing inquiry, and her bills went down immediately thereafter.

Press Issues

On Friday, December 15, the New York Times published an article about the Multiple Family Conservation Rate which was previously announced at the Water Board rate hearing last April. The article created the impression that the policy was a significant reversal by the Water Board, on universal metering. In fact, the policy requires metering, and requires that participating properties make significant investments in water conservation. It achieves the conservation benefits of metering while helping some properties manage the costs of running buildings with a particularly large number of residents per apartment. A second article is expected this Sunday, in Jay Romano's "Your Home" column in the Real Estate section. He called DEP and it appears that the article is intended to give property owners information about the new program, and point out to them that they need to study their billing options: some properties will have lower costs if they invest in conservation and then elect to be billed on metered consumption, rather than the new transition program.

Interagency Matters

Outbreak Detection System Evaluation Study

On December 13, 2000, a meeting was held to discuss progress being made on the joint NYCDEP/NYCDOH Outbreak Detection System Evaluation Study. This is a study aimed at both analyzing and improving our current gastrointestinal illness outbreak detection programs. The work is being conducted under contract with the New York Academy of Medicine. A number of mathematical approaches related to the analysis of existing systems were discussed, as well as the development of new systems that would greatly enhance our detection capabilities. Roadblocks to

progress on development of new systems were discussed, as well as possible means of overcoming those roadblocks.

Re-engineering/Planning/E-Government

Intranet

Two members of my staff met with OMB and a member of the citywide TAC on Computer initiatives to discuss the Department's plan for an agency wide Intranet. The Intranet is a technology that will permit the Department of Environmental Protection (DEP) to facilitate the exchange of ideas and information as it relates to carrying out the agency mission. Unlike the Internet, which is a public relations and customer support entity, the Intranet is an internal communications mechanism. Currently, most DEP employees use a computer at some point in the performance of their duties but have no mechanism for the sharing that information. Large databases are resident on Local Area Networks (LANs) and Wide Area Networks (WANs) within the agency which could be tied together and accessed by staff directly, instead of the current practice of sending a printed copy through the inter-office mail. The Department could take advantage of current technology (e.g. online training, whereby an employee could view a video or tutorial online at their desk). It would reduce the amount of paper currently distributed through the agency and would allow a more efficient record management system which could utilize searchable indexing of memos, meeting (including meeting notes), technical data, procedures, manuals, phone listings. The DEP Intranet would also increase the efficiency of information exchange throughout the entire department and facilitate collaboration between groups-including those separated by management structuring (between bureaus) and geographically (upstate and downstate). A well designed and executed Intranet will achieve these goals. We are awaiting OMB and DOITT approval to proceed.

Fiber Optics

Staff met with Deputy Mayor Coles and DOITT to discuss progress toward issuing an RFP for the installation of fiber optic cables in our vacant high pressure watermain lines. Our staff have performed site investigations. The Water Board's consultant Black and Veatch is preparing a base map, at our direction, which will include changes to the system as a result of construction projects coordinated by DDC. The group anticipates that it should be possible to issue an RFP sometime in February.

SPDES Discussions Planned with NYSDEC

A new Regional Water Engineer has been designated by NYSDEC. We have planned a meeting with him and other senior DEC officials for the first week of January in Albany. We particularly want to take up various SPDES issues. Specifically, we intend to discuss the manner in which the State issues SPDES permits. In the past, permits have been renewed with little or no alteration. In prior meetings, we have expressed our views on possible modification of various permits. This would apply to a broad spectrum of the treatment process, such as industrial pretreatment, CSOs, plant capacity upgrades, and State standards that limit the optimizing of treatment. DEC has given

preliminary indication that it would consider a streamlining of the permit issuance process, allowing the State to better focus on performance indicators. This is a substantive change in the State's oversight that we intend to pursue.

Updates

General Water Quality and Quantity

Heavy rains over the past week caused an increase in storage and turbidity at some reservoirs. Schoharie Reservoir rose from about 33% full to more than 80% full in the span of three days. Extremely high turbidity levels in the reservoir forced the City to shut down all diversions from Schoharie. Other operational changes were made to ensure that water being sent to the City is of the highest quality. In addition, operations at City-owned wastewater treatment plants (WWTPs) in the watershed were impacted by the rains. For example, the Margaretville WWTP, which has a SPDES permitted flow of 400,000 gallons per day, experienced flows in excess of 1.2 million gallons per day. As of December 22nd, the reservoirs were at 91.5% of capacity, up from approximately 80% a week ago. Normal capacity for this time of year is 75.5%. Consumption for December 21 was 1164.2 million gallons. The quality of Catskill/Delaware and Croton source water continues to be excellent.

Westside Corporation

On December 11, 2000, a meeting was held between DEP and a number of public officials to discuss the possible impact of the groundwater contamination at the Westside Corp. site on the drinking water in the area. In all, the meeting went very well. The NYS DEC staff were given full opportunity to explain the water delivery system and the results of testing performed to date. Following a series of questions, the elected officials appeared satisfied but still felt that some additional at the tap testing would be helpful. It was agreed that a mutually acceptable sampling protocol would be developed.

Compliance with EPA Administrative Order

This past July, DEP was issued an Administrative Order (AO) by the USEPA, enumerating a list of alleged violations in our Industrial Pre-treatment Program. The focus of the AO was on our methods of identifying, calculating, and enforcing Significant Industrial Users (SIU) and the publicizing of Significant Non-Compliance (SNC) industrial firms. We responded quickly to the AO, implementing a number of USEPA recommendations and partially revising our methodology. We contested several other recommendations with which we disagreed. The USEPA reviewed our progress and indicated that with the completion of one remaining provision, the publication of the fiscal year 2000 SNC list, the Agency will be considered in full compliance with the AO. That final provision was completed by way of our publication of the FY2000 SNC list in the *New York Daily News* last week. We expect this action will completely close out the USEPA AO.

Hundred Year Association Scholar Awards

I am pleased to report that the daughters of two DEP employees were given the Hundred Year Association of New York's 2000 College Award including the premier award for this class. The scholarships will be used to further the college studies of the two young ladies, and the Agency as well as the fathers are justifiably proud.

Reservoir Operations

Jerome Reservoir - With the successful completion of the Delaware Aqueduct shutdown, the draining of Jerome Reservoir's north basin was initiated on December 12, 2000. The basin is being drained for cleaning purposes and to allow the Bureau of Environmental Engineering's contractor to perform test borings in connection with the new Croton Treatment Plant. The basin is being drained at the rate of 10 MGD with the consent of the Bureau of Clean Water. The landscaping contractor began cleaning grass and brush from around the reservoir on December 6, 2000.

Central Park Reservoir - filling of the last two (2) feet of the Central Park Reservoir began on Monday evening, December 18, 2000.

Distribution

Capital projects for new water mains were initiated and sent to the Capital Planning Division for the following:

- water quality improvements in Prospect Avenue, etc. in Brooklyn
- new building sites at one location in Staten Island
- replacement of old unlined mains at three locations in Brooklyn.

Brooklyn - On December 8, 2000 a high pressure alarm was received at 3 a.m. from the north line regulator at Shaft 22. The shaft regulator was found to be working normally. The regulator machinist checked the regulators in the area outside of Shaft 22 the following day, high flow conditions (day time), and did not uncover a problem. Additional investigation will be performed to check the malfunctioning regulator during low flow conditions (night time). On December 16, 2000, the high alarm setting was raised to 75 psi at Shaft 22 which was reflecting the higher pressure generated outside the Shaft.

Local Law 65/96 Notifications and Notices of Violations (NOV); Citywide - Update

On December 8, 2000, DEP personnel shut the tap supplying water to 102-28 164th Avenue in Queens for their failure to comply with a directive to connect their premises to a sewer fronting the building. Additionally, a tap supplying water to 99-57 164th Avenue was to be shut for non-compliance to connection orders; however, it was found to have been previously shut due to a leak.

Meeting with the Department of Parks and Recreation - Re: Sewer Connection Requirements

On Friday, December 15, 2000, DEP staff met with NYC Dept of Parks and Recreation (DPR) to discuss sewer connection requirements for DPR concession facilities. At the meeting, it was agreed between all parties that DEP will assist DPR in identifying those facilities and other Parks properties which will require connection to sewers. This will allow DPR to establish an orderly means to

accomplish a mutual goal.

cc: Deputy Mayor Joseph J. Lhota
Deputy Mayor Robert M. Harding
Deputy Mayor Anthony P. Coles
Deputy Mayor Rudy Washington
Dennison Young, Jr.
Anthony V. Carbonetti
Michael T. Carpinello
Vincent LaPadula
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E-mail: Jmiele@nysnet.net

File

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MEMORANDUM

copy: VLW
AS
file: DEP

To: Mayor Rudolph W. Giuliani

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

Dear Mayor
for Joel A. Miele Sr., P.E.

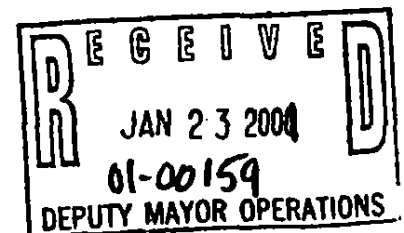
Re: Bi-weekly Report - January 5 to January 19, 2001

Date: January 19, 2001

Emerging Issues

General Water Quality and Quantity

As a result of mid-December rains turbidity levels rose throughout the system, but primarily in the Catskill district reservoirs. When it became clear that DEP would not be able to contain or control turbidity levels solely by means of operational measures, the City contacted the State to secure a permit to add alum at the Kensico Reservoir. Alum causes small particles in the water to bind together into larger particles that then settle out in the reservoirs. The City system is designed for alum addition, with a facility just north of Kensico along the Catskill Aqueduct dedicated for that purpose. Due to concerns raised by members of the environmental community, the State has been reluctant to give permits to the City on the rare occasions that alum addition is necessary. After a great deal of discussion, DEP was able to convince the State of the necessity of alum addition at this time and a permit was issued. DEP began adding alum on January 10. Preliminary results show that the alum has been effective in lowering turbidity levels moving through the Kensico Reservoir and DEP believes that any violation of drinking water standards from this event has been avoided. DEP expects that alum addition will be continue for at least the next couple of weeks. As of January 19, the reservoirs were at 89.4% of capacity. Normal capacity for this time of year is 80.1%. Consumption for January 18 was 1144.0 million gallons.



Anomalous Lead Reading

Lead was detected in a number of drinking water samples collected from 14 sites within the City's distribution system on January 9, 2001. Elevated lead level, greater than 15 ppb were detected at 8 of the 14 sites. Because these readings are totally out of keeping with all previous system reports and the presence of nickel (also an anomaly) was recorded in a few of the samples, an investigation into the collection and analytical procedures used during this sampling/analysis event is under way. DEP's Drinking Water Quality Division will be conducting further testing to determine the cause of the anomalous reading. State DOH has been notified.

New York Power Authority

On January 12, 2001 DEP staff faxed a letter to the New York Power Authority (NYPA) asserting that NYPA had to obtain permits for its proposed installation of natural gas turbine generators. This request was based upon the description of those generators set forth in the Negative Declaration issued by NYPA on November 20, 2000. The letter went on to state that NYPA must obtain permits for such facilities under the New York City Air Pollution Control Guide prior to their installation and operation.

Current Status of Grease Inspections

As of January 12, 2001, 1,760 restaurants have been inspected in seven target areas covered by our Grease Reduction Enforcement and Education Strategy (GREES) program. This resulted in 1,293 Commissioner's Orders issued, requiring the installation of 2,606 grease traps, and 87 notices of violation were issued for failure to maintain grease traps. Additionally, DEP reinspected 684 restaurants and recorded a 97.6% compliance rate.

Emergency Response

Distribution Water Main Breaks; Citywide

With the onset of winter weather during the biweekly reporting period, cold nights followed by moderate day temperatures have resulted in a significant increase in the number of distribution water main failures. The following is a brief synopsis of events that occurred at water main breaks that had a significant impact on area residence:

48 Inch Water Main Break - Cypress Avenue and Vermont Avenue; Queens

Early Sunday morning January 7, 2001, The NYC Department of Sanitation reported a street leak in Cypress Avenue east of Vermont Avenue, in Queens. DEP personnel responded and found considerable street flooding and roadway damage. The Police Department was on location and Cypress Avenue was closed to traffic. The crew called for assistance and initiated a shutdown on the failed 48 inch water main. DEP distribution engineers made adjustments to the transmission water main system in the area serviced by the failed main and no consumers were affected by the shutdown. Although Cypress Avenue was closed to traffic, delays were minimal because of the light Sunday usage. Due to considerable roadway damage and undermining the site was turned over to the emergency repair contractor and repairs to the water main are currently in progress. Two lanes of Cypress Avenue were open to traffic before the Monday peak traffic flow. However, final restoration of the roadway will not be completed until January 29, 2001.

12 Inch Water Main Break - East 175th Street and Prospect Avenue; Bronx

At 5:30 a.m. Sunday, January 7, 2001 while investigating a street leak in front of 810 East 175th Street DEP personnel determined that the 12 inch water main at that location had failed. The crew called for assistance and initiated a shutdown on the failed main. Consumers on the block serviced by the main were notified that the water was off and that emergency repairs were in progress. Water service was restored at 5:45 Sunday afternoon.

12 Inch Water Main Break - East Tremont and Bronxdale Avenues; Bronx

On Wednesday, January 10, 2001 DEP Central Communications received a report of a water main break in the intersection of East Tremont and Bronxdale Avenues. DEP personnel responded, were on location at 3:30 a.m. and found considerable street flooding. The crew determined that a 12 inch water main in the intersection had failed and they initiated an emergency shutdown. Traffic was diverted and utilities with structures in the vicinity of the break were called to the location. Approximately two hundred and fifty residential consumers were affected by the shutdown. Existing gas mains and telephone lines, that were installed over the failed main, had to be removed to facilitate repair of the water main. Removal of the utility interference delayed repairs but a temporary cap was installed on the water main to restore water service to all consumers. The location was turned over to the emergency repair contractor and normal water service was restored at 1:30 p.m. on January 17th. Reconstruction of the damaged roadway was completed on January 18th.

12 Inch Water Main Break - Jerome Avenue between Woodcrest Avenue and 161st Street; Bronx

At 4:30 a.m. Thursday, January 11, 2001, Central Communications received a report of a water main break in Jerome Avenue between Woodcrest Avenue and 161st Street. DEP personnel responded, were on location at 5:30 a.m., and found street flooding with water flowing from a broken 12 inch water main. The crew initiated a shutdown on the 12 inch main that affected a 100 unit nursing home located at 936 Woodcrest Avenue. Temporary water service was provided to the nursing home and DEP personnel initiated repairs on the failed main. Water service was restored at 12 noon on January 12.

Interagency Matters

Development of the Former Rheingold Brewery Site in Bushwick; Brooklyn

On January 10, 2001, HPD informed DEP and other NYC agencies and departments of their intention to reactivate plans to develop the former Rheingold Brewery site in Bushwick, Brooklyn. The project site is a large area which contains several streets which were demapped in the past. HPD is now re-evaluating several of the demapped streets in order to provide for residential development of the area. HPD is seeking DEP's expertise in assessing the condition of the existing sewers and water mains in the beds of the demapped streets in order that they be reactivated for use again. HPD has indicated that they have sufficient funds available in their budget to provide for the necessary infrastructure work.

subject
of planning
charrette

*Springfield Gardens Industrial Park (Air Freight Area) (a/k/a SE-727); Queens
Springfield Gardens Residential Areas (a/k/a SE-727A and SE-727B); Queens*

The next meeting of the Springfield Gardens Task Force team of DEP, Department of Design and Construction(DDC) and the Economic Development Corporation(EDC) is scheduled for Thursday, January 18, 2001. At the last meeting of the Task Force on January 4, 2001, DEP's OEPA Office reported that the wetlands mitigation plan was completed and Department of Environmental Conservation(DEC) has informally accepted the proposal. Upon final submission of the Environmental Assessment Statement (EAS) and mitigation plan and following the appropriate public notice period, DEC is expected to issue their permit.

Ramblersville Sanitary Sewer Project (SEQ-002433); Queens

The contractor for the capital sewer project has been given an order to commence work. A meeting was held with Council Member Stabile, community residents, and representatives from the Department of Design and Construction(DDC), the Queens Borough President's Office, and DEP. The focus of the meeting was to discuss issues involving the methods of service connections to the sewers when completed, due to the special nature of various property configurations in this area. It was agreed that a series of follow-up meetings would be scheduled to address issues such as the extent of work that the City would do to provide connections for such sites and how much would be the responsibility of the homeowners through homeowner associations and licensed plumbers.

Arverne-by-the-Sea Residential Development; Queens

On Wednesday, January 10, 2001, representatives from DEP, Departments of Transportation(DOT) and Design and Construction(DDC), as well as, other interested agencies met with the Deputy Mayor's Office of Economic Development and Finance and the NYC Department of Housing Preservation and Development (HPD) regarding the Arverne area of Queens. Pursuant to the Mayor's initiative to support new citywide housing development, HPD has prepared a Request for Proposal (RFP) for the westerly portion of the Arverne site between Beach 80th to Beach 59th Streets to be called the Arverne-by-the-Sea Development. At the January 10, 2001 meeting, the Deputy Mayor's Office of Economic Development and Finance and HPD indicated that the Mayor intends to subsidize the necessary infrastructure improvements for this development from Capital Funds. DEP estimated that the cost of the proposed storm and sanitary sewers and water mains will cost approximately \$15 million dollars. This estimate was based on the planned street configuration submitted with the RFP which proposes the demapping of seven (7) existing streets in the project area. DDC prepared an estimate for the required street work which will cost approximately \$26 million dollars.

Re-engineering/Planning/E-Government

New Scanning Project - Mapping and Records Unit; Citywide

DEP has begun work on a scanning project which was responsible for last year's Drainage Plan scanning project. The purpose of this project shall be to complete the scanning of records and drawings related to interceptor sewers and drainage calculation and computation sheets.

Distribution - Various Locations

Manhattan - On January 12, 2001 the discharge from the 40th Street Pumping Station was revalved. The northwest regulator at Shaft 18 was also revalved. This work was done to compensate for the 48" inch water main in 7th Avenue, between 40th and 42nd Streets, which was out of service due to subway station construction.

Capital projects for new water mains were initiated for the following:

- Improved water supply for Lower East Side of Manhattan in the vicinity of Stuyvesant Town
- New building sites along 149th Avenue at Springfield Lane in Queens.

The Green Building, Battery Park City; Manhattan

DEP staff has completed its review of the site connection proposal application filed by the Albanese Development Corporation and their consultant on behalf of the Battery Park City Authority for the 'Green Building' project at Terrace and Murray Streets in Battery Park City.

Updates

Bypass Discovered near New Stadium

Alerted by a contractor working at the new Yankee minor league stadium in the Saint George area of Staten Island, agency crews verified that there is a continuing dry-weather bypass of 5 to 10 GPM occurring at the PR-011 outfall. The outfall is located at Hamilton Avenue, and is discharging raw sewage into the Upper Bay. By January 9th, our investigations confirmed that at least one building, 185 St. Marks Place, had an illegal connection, and we were following up with monitoring and dye-testing on three other buildings that were suspected of being improperly connected. The bypass has been reported to NYSDEC, and to our own Division of Sewer Regulation and Control, which will direct the reconnection of all improperly connected buildings to the appropriate sanitary sewer.

Mercury Gauge Forum

On January 10, 2001, staff attended a "Mercury Gauge Forum" sponsored by Con Edison/EPA and held at the Con Edison Learning Center. An overview of mercury hazards was presented including health risks. The two primary sources of mercury in NYC were discussed which are (1) "pressure gauges" which are used to test the integrity of gas pipes and (2) mercury-containing regulators which regulate the gas pressure in buildings. Following the discussions, a demonstration was given of several non-mercury pressure gauges. In addition to DEP, DOH and DOB had representatives at the meeting.

Route 120/22 Project (Kensico Reservoir Basin)

NYSDOT has released the Final Design Report/Final Environmental Impact Statement for the Route 120/22 and I-684 Project in the Kensico Reservoir Watershed. DEP will review the five volume document to ensure that the issues raised in response to the Draft Environmental Impact Statement and the Supplemental Draft Environmental Impact Statement have been adequately addressed and that all potential impacts on the City's Water Supply have been identified and mitigated.

was it there
a Council
hearing on
this some
time ago?

Increased Emphasis on Best Management Practice Plans (BMPP) for Silver Halide

Following recommendations by USEPA, this Agency is increasing its oversight of facilities that discharge 'Silver Halide Process Wastewater' into the public sewer system. In the past, our implementation and enforcement of BMPPs (in effect since 1996) have primarily concentrated on photo-finishing firms, the largest users - and disposers - of silver halide. We are now extending our oversight to hospitals and other facilities that use silver halide in X-Ray processing. Initially, we are implementing an educational outreach, advising such facilities about the future scope of enforcement. We have contacted the Greater New York Hospital Association, advising on inspection schedules and the proper operation and maintenance of silver recovery equipment. The Association in turn will disseminate this information to its member facilities. Taking educational steps such as these is intended to familiarize the facilities with the enforcement process. Following the first round of inspections, we intend to issue only warnings. We will begin to issue summonses should reinspections confirm that facilities continue to refuse to comply with BMPP regulations.

PERC Inspections

We expect to complete our inspections for Perchloroethylene (PERC) within the next month. These inspections were originally concentrated in northern Manhattan, having been prompted by the discovery of PERC in the Croton Aqueduct earlier last year. A decision was made to inspect the entire drainage area of the North River WPCP, which covers the westside and northern parts of Manhattan. As of the end of CY2000, there were 276 Dry cleaners inspected; 207 Notice of Violations issued for PERC dumping; 101 Commissioners Orders issued to take corrective action, and 49 re-inspections undertaken. So far the decision to inspect one complete plant drainage area was done to create a statistical control for future inspections. After the Manhattan inspections are completed, we will begin to undertake representative inspections throughout the five Boroughs, thus making Agency oversight more equitable.

Kensico Stormwater Management Program Wins Local Award

The Putnam/Westchester Chapter of the New York Society of Professional Engineers has named DEP's Kensico Stormwater Management Program its Project of the Year. The award honors the one project each year that demonstrates the greatest achievement in the field of engineering. An awards ceremony will be held on February 24, 2000.

DEP Review of Stormwater Discharges

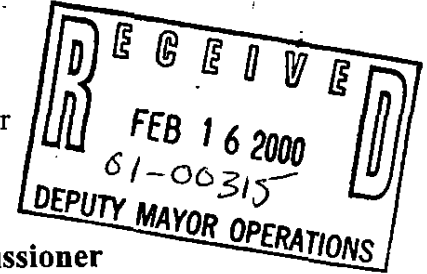
On January 8, DEP and NYSDOT staff conducted a field investigation to assess five of the "erosion sites" identified in the recently released Trout Unlimited report on stormwater discharges in the Croton watershed. The inspected sites are among the 12 that were identified in the report as involving City-owned land. DEP has agreed to facilitate repair of erosion on the 12 sites by developing and implementing remediation strategies with the State, county, and municipal entities responsible for the erosion. DEP staff will meet with representatives of Trout Unlimited, Westchester County and the Town of Somers on January 22 to discuss repairing one of the most severely eroded sites in Somers.

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DEP
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MEMORANDUM

To: Mayor Rudolph W. Giuliani
From: Commissioner Joel A. Miele Sr., P.E.
Re: Bi-weekly Report - February 2 to February 16, 2001
Date: February 16, 2001

Emerging Issues

Croton Water Filtration Plant

The New York Court of Appeals, much to our dismay, ruled against the City in a unanimous opinion concerning alienation of parkland at the Mosholu golf course. The Court essentially decided that since the project would close down a portion of the surface of Van Cortlandt Park for approximately 5 years, that in and of itself amounted to alienation of parkland. The decision will create major difficulties, not only for the City but also for sister municipalities across the State. With respect to the City, it will mean that we will either have to seek further judicial review, seek State legislation approving the alienation at Van Cortlandt Park, look at alternative sites or reconsider our need for the Croton system water. In any case, there will be extensive delay and the possibility of substantial penalties being imposed under the consent decree. With respect to the City and other municipalities, the decision calls into question whether any substantial public works project can be sited in a park, even if it is entirely underground (e.g., sewer pipes, water mains, subways, roads, etc.), if it requires substantial disturbance to the park operation and use for a 5 year or more period. I have directed staff to review our options and I will be making recommendations on appropriate next steps. We are also reviewing other planned projects such as combined sewer overflows and tunnel shaft sites where our planning might have any park impacts to determine how we should proceed in each instance.

NYCDOT may want to review sites where it has long term permitted occupancy from Parks in case a challenge is now made to that occupancy.

Con Edison - Right to Know Law

We recently concluded two years of negotiations with Con Edison, in an effort to make the company provide accurate and timely data on PCBs contained in its underground and pole-mounted transformers, pursuant to the City's Right to Know Law. Con Edison will enter into a three-year Memorandum of Understanding with DEP, in which the company will agree to submit certain data annually, in an agreed-upon format, and to pay an annual filing fee of approx. \$1.1 Million. The MOU also calls for joint inspections by DEP and Con Edison personnel, and the drawing of samples at DEP's request. The MOU will put the inspection of Con Edison's underground and pole-mounted transformers, and the filing of related Right to Know Law data on PCBs, on a firm footing. It will also enable us to resolve approximately 200 Notices of Violations against Con Edison currently pending before the Environmental Control Board (ECB).

Shandaken Tunnel Litigation

We previously reported that Riverkeeper, along with several sporting groups, had filed suit against the City in the US District Court for the Northern District of New York, with respect to operation of the Shandaken Tunnel. The plaintiffs claim that the City is violating the Clean Water Act when it discharges water from the Tunnel into the Esopus Creek, because Schoharie Reservoir basin water conveyed through the Tunnel becomes very turbid after heavy rains. The plaintiffs claim that when the City allows this turbid water to leave the Tunnel, it is "adding a pollutant" to the Esopus Creek, and that the City therefore needs a SPDES permit before it can operate the Tunnel. The City essentially contends that the turbidity is a natural phenomenon, that it adds nothing to the water conveyed through the Tunnel, and that it is therefore not "adding a pollutant". If the City were forced to obtain a SPDES permit, it would subject operation of the Tunnel (and of the Catskill Water Supply) to burdensome levels of State control, and could expose the City to additional lawsuits under the Clean Water Act. The City won a major victory several months ago, when the District Court ruled firmly in its favor, holding that the City did not "add a pollutant" to the Esopus Creek when it discharged water from the Tunnel that was turbid. The plaintiffs filed a motion for reconsideration, claiming that the Court misread applicable law. The District Court just issued a second opinion, rejecting the plaintiffs' motion and reconfirming its original ruling in favor of the City. The plaintiffs have filed a notice of appeal to the Second Circuit, but we are confident that our position will again be sustained.

Radiation Incident - Illegal dumping ✓

In the early morning hours of February 6th, a contractor's truck transporting grit and residuals from the Newtown Creek WPCP to a private (non-DOS) solid waste transfer site set off radiation-detector alarms. As soon as DEP was notified, we called in NYC Department of Health (DOH) and HazMat personnel. We also contacted NYSDEC, but were told that as long as the material was confined, we did not have to report it to them. During the course of our investigation, not only the original 30-yard container was found to be 'hot', but additionally, two other containers gave off radiation readings. We next initiated contact with a nuclear waste handler, to assist DOH in tracing the source of the radiation. That source was initially believed to be Iodine-131 pills, a low-dose nuclear medicine almost exclusively used in the treatment of thyroid cancer. It has a half-life of only eight

days, and will become virtually inert in less than three months.

While the substance is Iodine-131, two packets have since been discovered and further investigation and testing by NYCDOH indicates the radioactive material was in the packets which were with the pills. What the pills are composed of remains to be determined by testing, but they are not showing any active readings.

By February 7th, we were already addressing the concerns of the union representatives and employees at the Newtown Creek plant. All were assured that they were in no danger and NYCDOH administered 'thyroid burden' tests on 55 employees who requested testing. There were no positive readings on any employee. We sent out investigative teams to check the regulators and other treatment equipment feeding the Newtown Creek plant, to ensure no trace of radiation appeared on the equipment. All readings were negative. At this point, there is no evidence of measurable exposure to staff. We will be meeting with NYCDOH, and possibly Geiger-counter manufacturers to discuss detection of potential incidents in the future. Historically, the private hauler has monitored its pads for the last four years, and this is the first incident.. There are no manufacturers of I-131 in the United States, but there are packages in New York State and elsewhere in the U.S. No thefts of such materials have been reported to NYCDOH.

We are continuing to investigate all the treatment units at the plant including buildings, chambers, and containers. On Wednesday, February 14th, another packet of the material was found in another grit container. This packet appears to be from the earlier discovery, which suggests that a manufacturer or supplier may be involved. Joint investigations will continue both at the plant and as to pursuing a source.

As soon as we had confirmation of the materials we referred the matter to the United States Attorney's Eastern District Office, USEPA. The Chief of Environmental Litigation in the United States Attorney's office has expressed interest in opening a criminal investigation and has called in the FBI Environmental Crimes Unit, and the USEPA's Criminal Investigations Division. We are in the process of scheduling meetings with these parties to join together in investigating the source of this illegal incident. The FBI and USEPA and US Attorney's Office have been present during portions of the site investigations.

City Council Hearings on Grease Bills

On February 6th the NYC Council held a hearing on three bills introduced by Council members Sabini and Harrison concerning grease in the sewer system. Intro 735 would codify DEP's grease rules in the Administrative Code but, we believe, narrow the scope of enforcement by eliminating certain premises from regulation. Intro 736 would stiffen criminal penalties for violations of the sewer use rules. However, as we pointed out to the Council, the Department does not pursue violators criminally for grease infractions but instead saves this tool for more toxic polluters. We asked the Council to raise the maximum civil penalty to \$10,000 which would afford the agency a stronger penalty schedule to deal with all violators. Intro 830 would require food service establishments to have a contract with licensed master plumbers only for the routine maintenance

of grease traps. The Department opposed this portion of the bill pertaining to plumbers but testified that we would consider some reporting mechanism for routine maintenance by the establishments and one that was amenable to the restaurant industry.

Monthly Grease Inspections

As of February 6, 2001, 1829 restaurants have been inspected in thirteen target areas, resulting in 1327 Commissioner's Orders issued, requiring the installation of 2717 grease traps, and 97 notices of violation were issued for failure to maintain grease traps. Additionally, DEP reinspected 989 restaurants resulting in a 92% compliance rate.

Reconstruction and Closure of New Croton Dam Spillway Bridge

We were notified by the design firm under contract for the reconstruction of the city owned bridges in the east of the Hudson watershed that there appeared to be unanticipated movement detected in the base of the arches of the New Croton Dam Spillway Bridge. Upon learning this information we immediately ordered closure of the bridge and notified local authorities. A police post was implemented until more permanent barriers are installed. The Design engineering firm of Hardesty and Hanover reviewed the situation at the site and determined emergency repairs need to be initiated. Their report has been received and the bridge will have to remain closed for some

Emergency Response

8 Inch Water Main Break - Union Turnpike and 129th Street; Queens

On Monday morning February 12, 2001, Central Communications received a report of a water leak in the intersection of Union Turnpike and 129th Street in Queens. DEP personnel responded and found a street leak with water flowing through joints in the roadway surface. The amount of water was minimal; however, it was causing an icy condition on Union Turnpike and on the Grand Central Parkway which runs parallel to Union Turnpike at that location. The DEP crew called for assistance and initiated a shutdown on the 8 inch main in Union Turnpike between 126th Street and 132nd Street, which is one block, and no consumers were affected. DEP personnel excavated over the leak and repaired the broken water main. Water service was restored at 2:30 p.m. and the restoration of the roadway was completed early the following morning.

How long?

Interagency Matters

Meeting With State and City Health Departments

A meeting was held between representatives of NYCDOH, NYSDOH and DEP to discuss the transfer of certain public health engineering programs from the State Health Department to the City Health Department. It was generally agreed that the transfer of responsibility would take time and would be dependent upon hiring and training. Of significance was the fact that during the meeting NYSDOH agreed that the City's *Cryptosporidium* Action Plan was less problematic to them than they previously believed, and that they would very likely approve it. The Action Plan specifies the detailed actions to be taken if certain levels of the waterborne pathogen *Cryptosporidium* are

detected in the New York City supply.

Response from City Re: Lead Regulations

Over the last several years, DEP has conducted a program to prevent lead leaching into drinking water from service pipes within the City. The program has included the addition to the water of a corrosion control agent, and "hot spot" sampling at six-month intervals. The most recent rounds of sampling have demonstrated a reduction of lead levels to below the action level specified by NYSDOH. As a result of these findings, DEP sought clarification from NYSDOH regarding three issues: 1) the need for the City to undertake a lead service line replacement program, 2) what, if any, public notification is necessary, and 3) the frequency of monitoring required now that the City has met the standard. DEP recently received a response from NYCDOH. Under the consolidated jurisdiction mentioned above the response did not definitively answer all of DEP's questions. NYCDOH clearly specified that they approved a reduction in frequency of "hot spot" monitoring from semi-annual to annual. However, although implied, the letter does not specifically state that we do not have to pursue lead service line replacement and public notification is not discussed at all. We will seek clarification.

Customer Service

Outreach to Auto Body Shops regarding Right-to-Know compliance

The Environmental Economic Development Assistance and Right-to-Know (RTK) units completed their fourth outreach meeting on RTK compliance for the auto body industry. Attendance was excellent with approximately 235 attendees for all four meetings. Staff from the RTK unit gave the presentations on the program. They explained the broad purpose of the RTK Law (protecting worker health, emergency planning, making information available to communities, etc.) and how it began as a Federal law and now is being administered and enforced by DEP. They also gave a detailed presentation on how to complete the Facility Inventory Form, including how to determine if a substance is reportable, how to answer various questions on the form, and how to characterize substances (reactivity, etc.).

Updates

General Water Quality and Quantity

DEP has ceased adding alum to Catskill water at the Kensico Reservoir. Turbidity levels in the Catskill system have decreased to the point where alum treatment is no longer necessary. Thanks to the efforts of DEP's water supply staff, at no time during the turbidity event that lasted from mid-December to early February did New York City violate drinking water standards. As of February 16th, the reservoirs were at 89.2% of capacity. Normal capacity for this time of year is 82.7%. Consumption for February 15th was 1122.0 million gallons.

Westside Corporation Meeting

Some months ago, DEP received a request from the office of State Senator Malcolm Smith to sample the homes of approximately 5,000 residents in the area of the Westside Corporation, Jamaica, Queens for tetrachloroethene (PCE). The Senator made this request because of the fact that sometime ago the Westside Corporation had contaminated the ground in the area and the residents are concerned that this contamination will effect their drinking water. Despite assurances that this is not the case because the drinking water in the area is mainly surface water and the well water that supplements the surface water has no tetrachloroethene, there remained concern. A meeting was held in the office of State Senator Smith to discuss plans for testing the water in the vicinity of the Westside Corporation's property for PCE. Senator Smith accepted DEP's proposal to conduct 12 such tests at the homes of residents who volunteered for testing. It was agreed that testing would be conducted on February 14, 15 and 16, dates that DEP's laboratory has a window of opportunity to perform the tests. Of concern to Senator Smith was the fact that when he solicited volunteers for this testing program he promised those who volunteered that they would have their water tested. He asked if we could help him honor this promise. It was agreed that DEP would provide testing, aside from the PCE testing, to these volunteers, but the testing would be handled as conventional complaint testing, and be spread over a three month period.

Pumping Operations; Mosholu Pump Station

Mosholu Pump Station was shut down at 9:00 a.m. on February 2, 2001 to allow Con Edison to do work on their feeder. The work was completed and the station was returned to service by 4:40 p.m. the same day. A similar shutdown is being requested by Con Edison to perform additional work on February 14, 2001. Con Edison canceled the feeder shut down for February 14, 2001 and rescheduled it for next week. We are waiting for Con Edison to give us the date for the feeder shut down requested for next week.

Distribution

Capital projects for new water mains were initiated and sent to the Capital Planning Division for the following projects:

- Improved water supply and fire protection for 159th Street and 84th Avenue in Queens
- Improved water supply and fire protection for Randalls and Wards Island
- Improved water supply and fire protection for 110th Street, between Frederick Douglas Boulevard and Malcolm X Boulevard in Manhattan
- New Buildings in Belfield Avenue, between Rosedale Avenue and Woodrow Road, in Staten Island

Shaft Maintenance; Shaft 17 City Tunnel No. 1

DEP staff are preparing for the removal of the Northeast Guard Gate, due to a serious cracking

condition. They have prepared a blind flange for permanent installation and have done necessary preparation work to remove the valve, including removal of the gear mechanism. The intention is to remove the valve stem, the bonnet, and then the body of the valve itself. They will be using a hoisting system devised by our machinists. The work is scheduled to begin on Saturday February 17, 2001 due to distribution concerns.

Springfield Gardens Industrial Park (Air Freight Area) (a/k/a SE-727); Queens

Springfield Gardens Residential Areas (a/k/a SE-727A and SE-727B); Queens

The next meeting of the Springfield Gardens Task Force team consisting of DEP, Department of Design and Construction (DDC) and the Economic Development Corporation (EDC) took place on Thursday, February 15, 2001. Currently, the Task Force anticipates meeting its goals for the next series of action dates for the project. The targeted bid date for the project is March 1, 2001. The next progress report to the Borough President has been moved up to Friday, March 16, 2001. At the last meeting, additional comments from the NYS Department of Environmental Conservation (DEC) were received which were forwarded to DEP's OEPA Office for review with DEC. It is hoped that the State DEC permit will be secured prior to the project bid date.

Local Law 65/96 Notifications and Notices of Violations (NOV); Citywide

Three (3) homeowners in the Broad Channel area of Queens, who failed to respond to several prior LL 65/96 notices to connect to the public sewer, failed to appear at an Environmental Control Board (ECB) after being subject to a board Cease and Desist Order. As a result, the Board ordered the homeowner's water be shut off. However, after receiving the shut off notices, the three homeowners each contacted ECB and arranged for hearings, thereby postponing the shutoff of their water service pending the outcome of the hearings.

Septic Failure at 227 Kramer Avenue; Staten Island

At the request of the NYC Department of Health, inspectors from DEP posted a Water Shutoff Notice at 227 Kramer Avenue due to an overflowing septic system condition. The Shutoff Order was scheduled for February 7, 2001; but was postponed at the request of NYC DOH. The homeowner finally took corrective measures and had their septic system pumped out and treated with chemical cleaner. DEP will continue to monitor the situation on a daily basis until the overflow situation is fully addressed.

c: Deputy Mayor Joseph J. Lhota
Deputy Mayor Robert M. Harding
Deputy Mayor Anthony P. Coles
Deputy Mayor Rudy Washington

Dennison Young, Jr.
Anthony V. Carbonetti
Michael T. Carpinello
Vincent LaPadula
Myrna Ramon
Michelle Bynoe
Alessandra Sumowicz



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MEMORANDUM

DEP
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To: Mayor Rudolph W. Giuliani
From: Commissioner Joel A. Miele Sr., P.E.
Re: Bi-weekly Report - March 2 to March 16, 2001
Date: March 30, 2001

Emerging Issues

Millennium Gas Pipeline

DEP has been reviewing the Federal Energy Regulatory Commission's (FERC's) Supplemental Draft Environmental Impact Statement (SDEIS) on the Millennium gas pipeline. DEP has been reviewing plans for this proposed new pipeline for more than a year. Throughout the process, DEP has consistently voiced concerns regarding the pipeline's proximity to water supply aqueducts and, in particular, a proposed crossing of the Catskill Aqueduct at the Bryn Mawr Siphon (near Yonkers, NY). DEP will be generating comments on the SDEIS in order to update and clarify the City's concerns. FERC, in response to DEP's earlier comments, has recommended an independent engineering assessment of the proposed aqueduct crossing. A public hearing on the pipeline will be held on April 9th in Ossining, NY. DEP staff will attend the hearing and plans to read comments.

Water Power: Conference for Educators

On Thursday, March 22nd, I provided the welcome address to over 100 New York City and watershed educators who participated in "Water Power," the first-ever conference on the New York City water supply system and watershed issues. "Water Power" was made possible by a grant to the City Parks Foundation (CPF) from the Catskill Watershed Corporation's (CWC) Public Education Grants Program.

As part of the historic Watershed Memorandum of Agreement of 1997, DEP provides over a million dollars to the CWC for grants that fund educational projects in the watershed and in the City. DEP and New York University School of Education's Wallerstein Collaborative for Urban Environmental Education partnered with CPF to produce the conference. The conference was a great opportunity for teachers to participate in workshops and hear from environmental professionals and educators in order to help stimulate dialogue and share resources for making water a stimulating part of the classroom curriculum. The conference began with an optional viewing of the South Street Seaport Museum's new exhibition "Healing Waters" and closed with a performance, supported by the Education Grants Program, of "City that Drinks the Mountain Sky."

City that Drinks the Mountain Sky

A group of 23 high school students from the North Carolina Conference of the United Methodist Church came to New York City on March 22nd to study the New York City water environment. Their seminar was designed by the United Methodist Seminar Program on National and International Affairs. While in New York, the group took a tour of the North River Wastewater Treatment Plant and viewed "City that Drinks the Mountain Sky," at the Washington Square United Methodist Church which was performed there as part of "Water Power: A Conference for Educators."

City Comptroller Audit of Water and Sewer Collections from Parks Concessionaires

The City Comptroller has been conducting an audit of how well the City collects water and sewer charges from entities who have concession agreements with the Parks Department. As the property owner, Parks includes in their concession agreements a provision requiring the concessionaire to meter their facility and to pay water and sewer charges. We are working with Parks to develop procedures to ensure that concessionaires are metered and to prohibit them from incurring delinquencies in excess of their security deposits. In addition, we have asked Parks to demand payment from their delinquent concessionaires prior to DEP taking stronger action. This will allow us to give a coordinated response to the Comptroller when a draft is issued.

Emergency Response

Heavy Rains, March 21 and 22, 2001 - Minor Street Flooding and Sewer Backups; Citywide

Heavy rain fall in the Metropolitan area Wednesday, March 21, and Thursday, March 22, 2001, caused some roadway flooding and sewer backups. Central Communications processed nine hundred-five sewer and flooding related complaints during the two day storm. In general, the roadway flooding was the result of an accumulation of debris over gratings that obstructed the flow into catch basins. DEP personnel patrolling area highways removed the debris and the flooding quickly subsided. In some areas the sewer system was temporarily overtaxed and backed-up; however, the system quickly recovered. Maintenance crews were ordered to extend their normal shifts in order to address problem areas.

Re-engineering/Planning/E-Government

SE-723 -Sewer Mapping Project - Digitizing and Conversion Contract (SMP-DCC)

On Tuesday, March 20, 2001, the seven (7) pre-qualified vendors submitted Technical and Cost Proposals for the Sewer Mapping Project - Digitizing and Conversion Contract (SMP-DCC). On Wednesday, March 21, 2001, a meeting convened of the Technical Advisory Committee (TAC) for the project. The purpose of the meeting was to distribute the seven (7) proposals and establish a timetable of milestone dates to complete review of the proposals. All vendors have been invited to make an Oral Presentation to the TAC during the week of April 2, 2001. Each vendor will be allotted two (2) hours to make an informal presentation of their proposed methodology and answer any questions which may be posed by the TAC.

SE-723 -Sewer Mapping Project - Quality Assurance Contract (SMP-QA)

DEP is awaiting the submission of a corrected and revised Scope of Work for the Sewer Mapping Project - Quality Assurance Contract (SMP-QA) from the Hunter College Center for the Analysis and Research of Spatial Information (CARSI). CARSI's subcontractors have already submitted updated comments.

Interagency Matters

Staten Island Dredging Project

DEP's noise staff is setting up a meeting with the Corps of Engineer project manager to discuss the next phases of the project. We have taken sound level readings in some of the residential areas and the readings were not as high as those taken when traffic was passing at the same point. We are optimistic that some of the next phases are along the industrial areas and far enough away from residential areas not to be a source of complaint.

Health Orders on Beach 25th Street; Queens;

The NYC Department of Housing Preservation and Development (HPD) completed repairs on the backyard common sewer located behind 382, 386, 390, 394, and 398 Beach 25th Street during the week of March 12, 2001. As previously reported, the system was malfunctioning resulting in the discharge of raw sewage into Beach 25th Street. It should be noted that several homeowners from this development have contacted DEP to inquire about connecting their residences directly to a sanitary sewer located in Beach 25th Street fronting these houses.

Springfield Gardens Industrial Park (Air Freight Area) (a/k/a SE-727); Queens

Springfield Gardens Residential Areas (a/k/a SE-727A and SE-727B); Queens

Final comments on the Private Sewer/Drain Plan were transmitted to Economic Development Corporation(EDC) and their consultant on March 2, 2001.

Updates

General Water Quality and Quantity

As of March 30, the reservoirs were at 91.7% of capacity. Normal capacity for this time of year is 94.4%. Consumption for March 29 was 1103.0 million gallons (see attached chart - Mayors copy only). Above normal precipitation in the month of March has raised reservoir levels to just about normal for this year. The storm of March 29th and 30th brought 1½ to 2 inches of rain throughout the watershed. Runoff into the reservoirs is due to a combination of precipitation and melting snow. As of March 28th, there was approximately 104 billion gallons of water stored in the snowpack in the New York City watershed. Nearly all of that water will enter watershed tributaries and the reservoirs during April, bringing the probability of total refill of the reservoirs by June 1st to 100%. As of midday today the precipitation had not led to widespread flooding in the watershed. There have been localized flooding events, but not enough to lead to significant property damage or severe water quality concerns. However, if rain and warm weather in the next few weeks leads to a quick melting of the snowpack, the City could face high levels of turbidity in certain reservoirs. With the flexibility of our system we are confident that we can change flows to increase flows from unaffected areas of our system to maintain high quality water service.

FAD Annual Report

Under the Filtration Avoidance Determination (FAD), DEP is required to submit to EPA an annual report on its efforts to protect the Catskill/Delaware watershed by March 31 of each year. DEP has just completed the report for the year 2000. The report catalogues the tremendous achievements of the year just past, including continued acquisition of key watershed lands; repair of nearly 200 septic systems, bringing the total repaired in the last 4 years to approximately 1,500; review of more 2,000 watershed projects pursuant to the Watershed Rules and Regulations; meeting and exceeding the FAD goals for implementation of the Watershed Agricultural Program; and advancement of the program to upgrade all non-City-owned wastewater treatment plants in the watershed.

Quarterly State Coordination Meeting

Staff chaired the most recent quarterly meeting with State agencies to coordinate on watershed issues. Topics addressed included State plans for widening Route 22, which passes through a portion of the east of Hudson watershed; the current status of wastewater diversion plans for Putnam and Westchester County; efforts by the State to implement non-point source pollution controls designed to bring certain reservoirs into compliance with their Total Maximum Daily Loads for phosphorus; and the status of the State's review of DEP's proposal to ban a certain type of subsurface wastewater disposal system in the watershed.

DEP Employees Honored

Three DEP employees (Amy Flavin, Frances Leung and Kim Hanna) were recognized at a City Hall ceremony honoring Women in the Uniformed Services. The event was hosted by the your Commission on the Status of Women.

State Senator Seward Meeting

DEP, along with your Office of Legislative Affairs, met with State Senator Seward in Albany. A portion of Senator Seward's district is located in the west of Hudson watershed. Topics discussed included the status of the rehabilitation of the Gilboa Dam, repair of certain roads around the Schoharie Reservoir and recreational uses permitted on newly-acquired City-owned land. The Senator asked that DEP participate in a meeting with local officials and residents of the Towns of Gilboa and Conesville. Senator Seward's office will be scheduling that meeting, which is expected to take place in the next two months.

Coney Island WPCP sludge Force Main Blockage

My last report discussed the 'pigging' procedure used to locate and clear the blockages in the 7-mile force main that conducts sludge from the Coney Island WPCP to another plant where the sludge is to be dewatered. Initially, a valve was found that was malfunctioning. The valve was repaired, portions of pipe were replaced, and 2,400' of force main was flushed. The pigging process was restarted to insure there were no other obstructions in the force main. As the pig was propelled along the course of the force main, it was once again blocked, this time by a crystal-like formation inside the pipe. This material was collected and examined. The pigging procedure has been stopped while the unknown substance is analyzed in our laboratories. When the nature of the material is determined, we will resume the process to clear the remaining length of the force main.

Rebuilt Load Lugger Accepted

We have received, inspected and accepted the first fully refurbished Load Lugger truck referred to in a previous report. This is a specialty vehicle designed to haul residual materials collected at our wastewater treatment plants. Two out-of-service trucks were sent to a vendor as part of a pilot project to reduce replacement costs. The trucks have been completely retrofitted, with new engines, new mechanical equipment, and more substantial truck beds to accommodate the heavier grit containers they will carry. The second Load Lugger is now undergoing a similar conversion and is expected to be delivered for testing within two months.

Title V Clean Air Permits

The process of establishing conditions and wording for the State's issuance of a Title V Clean Air permit for the North River WPCP has advanced another step. We had previously sent our comments to NYSDEC in response to their original draft conditions. We have since met with DEC representatives, and have obtained their comments in turn. Our negotiations with the State continue, and it appears that the State is receptive to our suggested modifications. Included in our recommendations was relief from onerous long and routine reporting requirements, and that DEP be allowed to file exception reports as necessary. We believe the State will be issuing its final draft of the permit conditions in the next two weeks. The State has also indicated that is in agreement with suggestions we have proposed for modifying Title V permit conditions for several other of our treatment plants.

Radiation and Pollution Prevention CAC Meeting

Updating the radiation incident described in previous reports, the FBI has reviewed all the evidence available and determined that there is not any indication of criminal intent in the disposal of radioactive substances found at the Newtown Creek WPCP. There will be no criminal investigation. However, the case has been referred to the US Attorney Civil Division for review possibly leading to a civil environmental investigation. On March 21st, members of my staff attended a meeting of the City-Wide Pollution Prevention CAC at 125 Worth Street. One of the agenda items related to the radiation issue. Certain concerns had been previously expressed by CAC members. We reported on the radiation incident, responded to questions, and allayed the concerns of the attendees as to the public safety issue. After the CAC requested that there be follow up discussions of the possible impact of radiation on biosolids, we advised that we were tracking the Joint National Survey currently underway by USEPA and the Nuclear Regulatory Commission on that specific issue. The discussion of biosolids tied in with another presentation made at the meeting.

NYCDOT described its program of landscaping of natural areas along major highways and at exits and entrances of major arteries, through the land application of City biosolids. NYCDOT expressed satisfaction with its use of biosolids product, and recommended that biosolids application be extended to other uses within the City.

Settlement of Fill Material - 84th Avenue between 159th and 160th Streets; Queens

Settlement of the fill material used in the vicinity of 84th Avenue and 159th Street has caused the foundations of some area homes to settle or shift and resulted in significant structural damage to several homes. On January 23, 2001 the settlement of the unstable soil caused the 8 inch water main in that intersection to fail. A section of the 8 inch water main was replaced and the main was put back in service later that day. The sewers in the area were inspected and found functioning properly and the water mains were surveyed and no other leaks were found. As a precaution the storm and sanitary sewers in 159th Street between the Grand Central Parkway Service Road and 84th Avenue (one block) were lined. In order to eliminate the potential of a failure in the existing cast iron water main in 84th Avenue, the main will be replaced with a more durable ductile iron main. The Department of Design and Construction is developing procedures to be used when the main is replaced that will minimize the impact on structures in the area affected by the unstable soil. The main will be replaced by DEP personnel.

Reservoir Operations; Hillview Reservoir

The South Connecting Conduit, which had been shut down since February 21, 2001 for inspection, was put back into service Wednesday, March 14, 2001. The Catskill Aqueduct was shut down Friday and Saturday nights, March 23 and 24, 2001 between 10 p.m. and 6 a.m. to allow the contractor's diver to take measurements in the Uptake 1 shaft. The contractor, NAB Construction will be installing a new caustic injection ring in the shaft. A number of additional dives are planned in the upcoming weeks.

Pumping Operations; Mosholu Pump Station

Con Edison had scheduled a shutdown of the Mosholu Pump Station for Thursday, March 23, 2001 to work on their equipment. The shutdown was canceled at the last minute because of the inclement weather. It will be rescheduled for sometime in the near future.

Local Law 65/96 Notifications and Notices of Violations (NOV); Citywide

On March 12, 2001, Water Shutoff Notices were served to five (5) homeowners (three in Broad Channel, one in Howard Beach, one in Staten Island) advising them of an impending shutoff of their water services on March 15, 2001 due to non-compliance with Local Law 65/96. All five (5) owners have since contacted the Environmental Control Board to arrange emergency hearings. This resulted in the postponement of water shut-off pending the emergency hearings.

c: Deputy Mayor Joseph J. Lhota
 Deputy Mayor Robert M. Harding
 Deputy Mayor Anthony P. Coles
 Deputy Mayor Rudy Washington
 Dennison Young, Jr.
 Anthony V. Carbonetti
 Michael T. Carpinello
 Vincent LaPadula
 Myrna Ramon
 Michelle Bynoe
 Alessandra Sumowicz

NYCDEP/BWSQ&P
Systems Planning
Strategic Services
March 28, 2001

Total NYC Reservoir System Percent Useable Storage

