

**AGENDA**  
**Croton Facility Monitoring Committee Meeting**

Thursday, September 21, 2006 – 7:00 PM  
*DEP Community Office–3660 Jerome Avenue  
Bronx NY 10467 (718)231-8470*

- |   |                                 |
|---|---------------------------------|
| <b>I.</b> Welcome   | Greg Faulkner                   |
| <b>II.</b> Comments from the Public – Sign up to Speak                        | 3 Minute Maximum - 30 Minutes.  |
| <b>III.</b> Review, Comment, Adopt 7-20-06 CFMC Meeting Minutes               | CFMC Principals                 |
| <b>IV.</b> Presentation about Air Monitoring Program at Croton Filter Project | Gerry Kelpin, DEP               |
| <b>V.</b> Update about Equipment and Truck Retrofits                          | Bernard Daly, DEP               |
| <b>VI.</b> CFMC Discussion about October CFMC Meeting – Jobs & Training       | Greg Faulkner & CFMC Principals |
| <b>VII.</b> Adjourn   |                                 |

**NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION  
CROTON FACILITY MONITORING COMMITTEE MEETING MINUTES**

THURSDAY, SEPTEMBER 21, 2006 – 7:00PM

The September meeting of the Croton Facility Monitoring Committee was held on September 21, 2006 at NYCDEP's community outreach office, 3660 Jerome Avenue, Bronx, NY 10467. The names of those attending: CFMC representatives, staff from DEP, its construction manager and members of the public are attached. (*Attachment 1*)

The meeting was called to order at approximately 7:25 PM; an agenda (*Attachment 2*), which was previously circulated to the CFMC, was available.

Welcome

Greg Faulkner, Chair of Community Board #7 and of the CFMC, called the meeting to order and welcomed those attending.

He opened the public session by recognizing Bill Moakler, NWBCCC, who had signed up to speak. Mr. Moakler said that Croton Filter Project trucks have been using local streets, in particular McLean Avenue, and that they should be kept off local roadways. He said he wrote to DEP's Bernard Daly regarding the trucks, but hasn't received a reply. He said the facility monitoring committee should consist of residents who are more concerned about the project and live near the site. Saul Scheinbach, CB #8 representative on the CFMC, asked questions about Mr. Moakler's statements.

Fay Muir spoke next. She said that the source of NYC's water should have equal protection to the filtration of it. She reiterated the importance of emissions reductions through emissions control equipment and retrofits.

Anthony Gonzalez, COVE Environmental Justice, said that DEP has not yet given Croton jobs to members of the community as were promised. He said the youth in the area don't have open fields to play in and that they need jobs and training. He said he had a job but left it because it didn't pay well enough. Now, he said, he cannot find a suitable position.

Maurice Pool, COVE Environmental Justice, said he too is seeking a job and wants DEP to make the construction-related positions that were promised in exchange for siting the plant in Van Cortlandt Park available to those who live in the community.

Mr. Faulkner encouraged Messrs. Gonzalez and Pool to continue to advocate for employment and training at Croton and to press for amenities to the community. He thanked them for coming to the CFMC to make their comments.

Lyn Pyle, COVE & Knox Gates Neighborhood Assn, requested (1) that the CFMC determine the origin of funds for the Croton Filter Project and report on the sources to the

three Community Boards. She (2) spoke about a July 2005 book titled “Winning Construction Jobs for Local Residents: a User’s Guide”, published by the Brennan Center for Justice at NYU School of Law. Its authors say that DEP can require hiring goals in bid documents and in contracts. She requested the DEP to show in writing what legislation or administrative policy prevents DEP from doing so. Ms. Pyle (3) said she learned at a recent Community Board #7 meeting that DEP amended the upcoming construction contract to include language about jobs. As part of the CFMC’s review of the language, Ms. Pyle asked for a DEP sponsored pre-apprenticeship program, a first source agreement under which those who completed pre-apprenticeship training get hired, and that a first source agreement be instituted for union hires who reside within the three local Community Districts.

Susan Goldman, Kingsbridge Heights Neighborhood Improvement Assn, said she lives near Jerome Park reservoir and pleaded for more community jobs at Croton.

Rigoberto Espada, KHNIA, said his observations while biking in the community have been that Croton trucks are from New Jersey, not Bronx NY. He complained about outsiders getting jobs and salaries and not giving back to the community. He requested information about the jobs and services provided within the three local Community Districts. He spoke of the importance of dignity and pride that develop when the local workforce is tapped.

Assembly Member Jeffrey Dinowitz said there has been a failure by DEP to provide the jobs it promised.

Chairman Faulkner closed the public session.

Mr. Faulkner said that DEP encourages voluntary local hiring. He complimented Robert Barnes for his DEP outreach efforts. He said that he is hopeful there will be a breakthrough on hiring by October. Mr. Scheinbach asked whether there are constraints on preferential hiring. In response to Ms. Pyle’s comments, there was a discussion among Messrs. Faulkner, Scheinbach and Richard Friedman, DEP, concerning a NYC Corporation Counsel opinion about why no project-labor agreement or hiring quotas can be contained in DEP bid documents or contracts. The CFMC agreed to request in writing that the Corporation Counsel provide its written opinion to the CFMC. Mr. Friedman added that the last month for which percentages are available (June) showed 31% of those working at Croton were Bronx residents.

In response to Ms. Muir’s comments, Mr. Scheinbach requested that DEP make a presentation about watershed protection to the CFMC at a future meeting. Mr. Friedman said DEP would do so.

Mr. Faulkner asked Gerry Kelpin, DEP, to provide a progress report on air monitoring.

### Air Monitoring

Ms. Kelpin said DEP has preliminary information about air impacts from PM 10 and PM 2.5 monitors installed at and near the site. Equipment has been mounted on light poles along the site and roadways to measure mobile source impacts. Air monitoring technicians have collected both 24 hour samples and eight hour (daytime) samples. This allows air quality to be examined during the construction workday and during times when construction activities are not underway. Monitors are located at 233<sup>rd</sup> Street and Bainbridge Avenue, Bainbridge Avenue and Jerome Avenue, and east and west of Jerome Avenue near the Major Deegan Expressway,. An additional monitor is west of the site near the worker parking area. She said that DEP is having difficulty in getting one of the proposed air monitoring stations in operation because MS 308's private property owner has been slow to allow DEP to use the building's rooftop. She asked if the CFMC would ask the landlord to make MS 308 rooftop space available. Mr. Scheinbach requested additional information.

On a preliminary basis, Ms. Kelpin said that traffic affects air quality, particularly when barriers, such as apartment buildings block quick dispersion of the air. In addition, other construction projects, such as work being performed for the MTA at Woodlawn station and along Jerome Avenue, add to construction-related air impacts. The MTA work is in several shifts, not confined to an eight hour day. Despite the contributors to the community's air quality, the preliminary trends are encouraging. Ms. Kelpin said that air impacts are not as great as she expected. In general, the project impact sites when compared to the background site show similar or lower values for the 24 hour measurement period and slightly higher values for the 8 hour measurement periods.

Mr. Faulkner asked Bernard Daly to give an update on emissions reductions for on-site equipment and on the contractor's on-road trucks.

#### Emissions Reductions

Before updating the CFMC on current efforts to retrofit equipment and trucks with Best Available Technology (BAT), Mr. Daly responded to Mr. Moakler's comments earlier in the meeting. Mr. Daly said that the number of trucks taking rock from the site has been greatly reduced over the past few months. He said that no Croton trucks have been traveling through Yonkers since June 2006. He said that any truck that had visited the site even once to haul dirt and rock was required to post a "DEP Croton Filter Project" sign and many truck drivers left the signs in place long after they ceased working on the project. Mr. Daly said that there are specific routes on and off the Major Deegan Expressway that Croton truck drivers must use; however, McLean Avenue itself is a truck route and DEP does not have the authority to prevent trucks from using it. However, at the request of Yonkers officials, Croton trucks are no longer using McLean Avenue. Mr. Daly said that he had forwarded Mr. Moakler's letter to City officials.

Mr. Daly said that nineteen Active Diesel Particulate Filters (ADPFs) have been installed on equipment currently on site, in conformance with DEP's commitment to BAT. Of those nineteen, three had DPF failures, likely because of equipment vibrations. They were vertically mounted and disintegrated. As stated at prior meetings, the technology for reducing emissions on trucks and equipment is still in early development stages.

However, Emisstar and the emissions control vendor have been studying the problems. Three pieces of on-site equipment cannot be fitted with DPFs because no appropriate models are available. A second on-road truck is to be retrofitted on September 30<sup>th</sup>. Mr. Daly praised the contractor (Schiavone Construction), Emisstar, and Environment Canada for the time and effort placed on the retrofit program. Much of the work has been accomplished on weekends or late at night. Anthony Cassino, Chair of CB #8, said he is disappointed with the extent of cooperation from the contractor and the trucking companies to achieve emissions reductions on the on-road trucks. He asked the total value of the current contract. Mr. Daly said that the current contract is valued at \$127 million, a part of which pays for trucking.. Mr. Daly explained that the truckers are working under an agreement with the contractor and are not under contract to DEP. Mr. Daly said that Schiavone has been a satisfactory contractor and that the company is eligible for future City contracts. Ms. Kelpin added that the current trucks at the Croton site are running clean, have been well maintained, and are being fueled with Ultra Low Sulfur Diesel. CFMC representatives discussed that 2007 and later truck model years will have DPFs installed when they are manufactured, making the current emissions reduction program problems moot.

Mr. Daly indicated as he has previously that DEP has gained valuable experience with emissions reduction technology, equipment, installation, and performance. He further stated that in New York City, BAT for construction equipment on public projects is now the law - Local Law 77/2003.

Mr. Faulkner said that Richard Friedman, DEP, would present the status of jobs and purchases at the October CFMC meeting.

#### Adoption of Meeting Minutes

Mr. Faulkner asked if the principals would adopt the CFMC minutes of July 20, 2006. The CFMC approved the minutes by motion of Mr. Scheinback, seconded by Mr. Friedman.

#### CFMC Discussion

Mr. Faulkner asked if all agreed that the next CFMC meeting would be on Thursday, October 19, 2006 at 7 PM at the Croton community outreach office. The CFMC principals agreed.

Mr. Faulkner thanked the CFMC and the public for attending, and asked for a consensus to adjourn. The meeting was adjourned at approximately 8:45PM.

9/21/2006

**NYC DEP - CROTON FMC**

Attachment 1

<u>Name</u>	<u>Organization / Company</u>	<u>Address</u>	<u>Phone</u>	<u>Fax</u>	<u>E-Mail</u>
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Gerry Kelpin	DEP, Air Programs & Policies	59-17 Junction Boulevard Corona, NY 11368	(718) 595-3627	(718) 595-4544	<a href="mailto:gkelpin@dep.nyc.gov">gkelpin@dep.nyc.gov</a>
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## NYC DEP - CROTON FCMC

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[Several persons	did not sign	attendance list]			