



NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTEWATER TREATMENT
CSO Order on Consent
DEC Case #CO2-20110512-25 CSO Order Modification to CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – Fourth Quarter 2012



January 2013

City of New York
Department of Environmental Protection
Bureau of Engineering Design & Construction

CSO Order on Consent
DEC Case # CO2-20110512-25 CSO Order Modification to CO2-20000107-8

QUARTERLY PROGRESS REPORT

FOURTH QUARTER 2012
(October 1 to December 31)

January 30, 2013

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1.0 Executive Summary

The Combined Sewer Overflow Order on Consent (DEC Case # CO2-20000107-8) was entered into by the City of New York (City), the New York City Department of Environmental Protection (DEP) and the New York State Department of Environmental Conservation (DEC) on January 14, 2005. This Order on Consent was modified on April 14, 2008, September 3, 2009, and March 8, 2012 (collectively, the “Order”). Pursuant to the Order, the City shall submit quarterly status reports to DEC (Quarterly Reports). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress made by DEP in complying with the milestones set forth in the Order between **Oct 1 2012 and Dec 31 2012**.

Critical Events This Quarter

The following critical events occurred this quarter:

1. DEP certified Initiation of Final Design of the Flushing Bay Regulator Modifications on Dec 31 2012 in accordance with Milestone V.K.2 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A.
2. DEP certified Dredging Permit Submittal for the Flushing Bay Environmental Dredging on Dec 31 2012, in accordance with Milestone V.L.1 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A.
3. DEP certified Construction Completion of the Bronx River Floatables Control Facility on Oct 18 2012, in accordance with Milestone X.C.4 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A. DEC acknowledged receipt of the certification on Nov 2 2012.
4. DEP certified Completion of Field Sampling for the Hutchinson River Waste Load Allocation and submitted a report on Dec 31 2012, in accordance with Milestone XI.F.2 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A.
5. DEP certified Initiation of Final Design of the Jamaica Bay 26th Ward High Level Sewer Separation (Phase 1) on Dec 31 2012 in accordance with Milestone XII.I.2 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A.
6. DEP certified Construction Completion of the Jamaica Bay Green Infrastructure Demonstration Project on Dec 31 2012 in accordance with Milestone XII.J.3 of Appendix A of the Order. A copy of the Certification letter is provided in Appendix A.
7. DEC accepted DEP's Certification of Construction Completion for the Coney Island Creek Avenue V Pumping Station Upgrade and Force Main (Milestones VII.C.4 and VII.D.4) on Oct 23 2012.

8. DEC accepted DEP's Certification of Notice to Proceed to Construction for the Newtown Creek Green Infrastructure Demonstration (Milestone VIII.L.2) on Oct 31 2012.
9. DEC acknowledged DEP's Certification of Drainage Plan Submission for the 26th Ward High Level Sewer Separation (Milestone XII.I.1) on Oct 3 2012.
10. On Nov 19 2012, DEP submitted a Notice of Force Majeure related to Hurricane Sandy for the following Projects: Inner Harbor Gowanus Pump Station and Flushing Tunnel (Milestones III.F.2 and III.G.2); Flushing Bay Tallman Island WWTP (V.I.4); Newtown Creek Green Infrastructure Demonstration Project (VIII.L.3); Hutchinson River Green Infrastructure Demonstration Project (XI.H.3); Jamaica Bay Green Infrastructure Demonstration Project (Milestone XII.J.3); and 26th Ward Wet Weather Stabilization (Milestone XII.K.3).
11. DEP submitted a Notice of Potential Force Majeure for the Paerdegat Basin Environmental Dredging (Milestones IV.G.4 and IV.G.5) on Oct 18 2012 related to a Sep 27 2012 oil spill during which between 800 and 1,400 gallons of compressor and turbine oil under the responsibility of National Grid was discharged. DEP was informed of the spill on Sep 28 2012.
12. DEP submitted a Notice of Force Majeure and Modification Request for the Newtown Creek Enhanced Aeration in Lower English Kills (Milestone VIII.H) on Nov 2 2012 related to the delay in issuance of a USACE Permit necessary to award the construction contract.
13. DEP submitted a Request for Modification of a Jamaica Tributaries Parallel 48-Inch Siphon/Interceptor Milestone on Nov 2 2012 (Milestone VI.H.2). The request is related to an adjustment in the approach to horizontal directional drilling resulting from a program-wide safety review triggered by a building collapse on the Gowanus Canal project.

Major Actions This Quarter

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report. As required by the Order, DEP and DEC held a Quarterly Progress Meeting on **Dec 11 2012** at the **Paerdegat Basin CSO Facility** to discuss issues related to the Order and to review milestones met during the last quarter.

Table 1 presents the milestones that occurred this quarter. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Table 2 presents milestones from the reporting quarter that are under consideration for potential modification.

Table 1 – Milestones Certified This Quarter (Oct 2012 – Dec 2012)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Flushing Bay	Regulator Modifications	Dec 2012	Initiate Final Design (Design Phase II)	Certified Dec 31 2012
Flushing Bay	Environmental Dredging	Dec 2012	Permit Submittal	Certified Dec 31 2012
Newtown Creek	GI Demonstration	Oct 2012	NTP	Certified and accepted Oct 31 2012
Bronx River	Floatables Control	Oct 18 2012 (modified)	Construction Completion	Certified Oct 18 2012
Hutchinson River	Waste Load Allocation	Dec 2012	Submit Field Sampling Report	Certified Dec 31 2012
Jamaica Bay	26 th Ward High Level Sewer Separation	Dec 2012	Phase I Initiate Design	Certified Dec 31 2012
Jamaica Bay	26 th Ward GI Demonstration	Dec 2012	Construction Completion	Certified Dec 31 2012

Table 2 – Milestones this Quarter to be Considered for Potential Modification

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Jamaica Tributaries	Parallel 48-Inch Siphon / Interceptor	Dec 2012	Final Design Completion	Modification Request submitted Nov 2 2012
Newtown Creek	Enhanced Aeration LEK	Dec 2012	NTP	Notice of Force Majeure submitted Nov 2 2012

Major Actions Next Quarter

The following major actions are expected to occur from **Jan through Mar 2013**:
Hold the next Quarterly Progress Meeting between DEC and DEP **at a time and location to be determined.**

Table 3 – Milestones Next Quarter (Jan 2013 – Mar 2013)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Paerdegat Basin	Environmental Dredging	Mar 2013	NTP	Notice of Force Majeure submitted (National Grid oil spill)

Table 4 – Force Majeure Notifications and Outstanding Modification Requests

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION(S)	REASON FOR ACTION(S)	MILESTONE DATE	STATUS
Inner Harbor	Flushing Tunnel Modernization	Notice of Force Majeure	Flushing Tunnel Leak at Station 52+28	Construction Completion Sep 2014	DEC affirmed Force Majeure on Jul 21 2012
Inner Harbor	Flushing Tunnel Modernization	Notice of Force Majeure	Con Ed Work Stoppage	Construction Completion Sep 2014	Notice submitted Jul 20 2012; DEC affirmed Force Majeure Jul 21 2012
Inner Harbor	Gowanus Pump Station and Flushing Tunnel Modernization	Notice of Force Majeure	Hurricane Sandy	Construction Completion Sep 2014	Notice submitted Nov 19 2012
Paerdegat Basin	Dredging	Notice of Force Majeure	Sep 27 2012 oil spill	NTP Mar 2013	Pending DEC response
Flushing Bay	Tallman Island WWTP	Notice of Force Majeure	Hurricane Sandy	Construction Completion Jul 2015	Notice submitted Nov 19 2012
Jamaica Tributaries	Parallel 48-Inch Siphon / Interceptor	Modification Request	HDD Safety Improvements	Final Design Dec 2012	Mod Request submitted Nov 2 2012
Newtown Creek	Enhanced Aeration LEK	Notice of Force Majeure and Modification Request	USACE Permit Delay	NTP Dec 2012	Notice and Request submitted Nov 2 2012
Newtown Creek	Green Infrastructure Demonstration Project	Notice of Force Majeure	Hurricane Sandy	Construction Completion May 2013	Notice submitted Nov 19 2012
Hutchinson River	Green Infrastructure Demonstration Project	Notice of Force Majeure	Hurricane Sandy	Construction Completion Apr 2013	Notice submitted Nov 19 2012
Jamaica Bay	26 th Ward Green Infrastructure Demonstration Project	Notice of Force Majeure	Hurricane Sandy	Construction Completion Dec 2012	Notice submitted Nov 19 2012
Jamaica Bay	26th Ward Wet Low Level MSPs	Notice of Force Majeure	Hurricane Sandy	Construction Completion Apr 2015	Notice submitted Nov 19 2012

Changes from the previous reporting period are shown in **bold**

2.0 Construction Contracts

The 2012 CSO Consent Order contains milestones and schedules governing the planning, design and construction of DEP's Citywide CSO Program. Numerous CSO related facilities will be constructed to reduce combined sewage discharges to the receiving waters surrounding the City. The table below provides a list of construction contracts, identified in Appendix A of the Order, necessary to fulfill the requirements of the Order. This table identifies, by percentage, the estimated amount of construction that has been completed.

Table 5 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
Alley Creek	CSO Retention Facility	Dec 2006	Dec 2009	Certified Complete	100%	100%
Inner Harbor	Gowanus Flushing Tunnel Modernization	Feb 2010	Sep 2014	Sep 2014	56%	61%
	Gowanus Pump Station Reconstruction	Feb 2010	Sep 2014	Sep 2014	56%	61%
	Dredging of Gowanus Canal	TBD ⁽²⁾	TBD ⁽²⁾	TBD ⁽²⁾	-	-
Paerdegat Basin	Structures and Equipment	Sep 2005	May 2011	Certified Complete	100%	100%
	Dredging of Paerdegat Basin	Mar 2013	Mar 2015	Mar 2015	-	-
Flushing Bay	Tallman Island Whitestone Interceptor	Dec 2011	Jul 2015	Jan 2015	33%	11%
	Tallman Island Flushing Interceptor	TBD	TBD	-	-	-
	Divert Low-Lying Sewers / Raise Weir BB-R02	Jun 2014	Dec 2016	Dec 2016	-	-
	Regulator Modifications	Dec 2015	Jun 2018	Jun 2018	-	-
	Environmental Dredging of Flushing Bay	TBD ⁽³⁾	TBD ⁽³⁾	TBD ⁽³⁾	-	-
Jamaica Tributaries	Destratification Facility	Sep 2010	Mar 2012	Certified Complete	100%	100%
	Parallel 48-Inch Siphon / Interceptor	Dec 2013	Jun 2016	Jun 2016	-	-
	Bending Weirs	Dec 2014	Jun 2016	Jun 2016	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Jun 2012	Certified Complete	100%	100%
	Avenue V Force Main	Jul 2007	Jun 2012	Certified Complete	100%	100%
Newtown Creek	Enhanced Aeration Lower English Kills	Dec 2012	Dec 2013	Dec 2013	-	-
	Enhanced Aeration East Branch & Upper Newtown Cr	Jun 2015	Jun 2018	Jun 2018	-	-
	Enhanced Aeration Dutch Kills and Lower Newtown Creek	Dec 2016	Dec 2019	Dec 2019	-	-
	Bending Weirs / Floatables Control	Dec 2014	Dec 2017	Dec 2017	-	-

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
	GI Demonstration in Newtown Creek Watershed	Oct 2012	May 2013	May 2013	37%	-
Westchester Creek	Modifications to CSO-29 and CSO-29A	Dec 2015	Dec 2019	Dec 2019	-	-
	Pugsley Creek Parallel Interceptor start from CSO-24	Jun 2016	Dec 2019	Dec 2019	-	-
Bronx River	Floatables Control	Jun 2009	Oct 18 2012	Oct 18 2012	100%	100%
Hutchinson River	GI Demonstration in Hutchinson River Watershed	Aug 2012	Apr 2013	Apr 2013	45%	98%
Jamaica Bay	Hendrix Creek Dredging	Feb 2010	Feb 2012	Oct 2011	100%	100%
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-
	26 th Ward HLSS Phase 1	Mar 2016	Dec 2018	Dec 2018	-	-
	26 th Ward HLSS Phase 2	Mar 2018	Dec 2020	Dec 2020	-	-
	26 th Ward HLSS Phase 3	Mar 2020	Dec 2022	Dec 2022	-	-
	GI Demonstration in 26 th Ward Watershed	Jun 2012	Dec 2012	Dec 2012	100%	100%
	26 th Ward Low Level MSPs	Sep 2012	Apr 2015	Apr 2015	-	-
	26 th Ward PST#5 and High Level MSPs	Apr 2014	Dec 2017	Feb 2019	-	-
	26 th Ward Stabilization of PSTs #1 to 4	Dec 2017	Jul 2019 ⁽⁴⁾	Dec 2019	-	-
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-

Note: Changes from the previous reporting period are shown in **bold**

(1) Percentage Construction Completion is tracked based on cost incurred.

(2) Dredging NTP 3 years from effective date of permit; completion within 5 years of EDP.

(3) Dredging NTP 2 years from effective date of permit (DEC and USACE); completion TBD per permits.

(4) For escrow recovery; enforceable milestone is July 2020.

3.0 Detailed Description of Work Performed

3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area includes approximately 1,975 acres within the Tallman Island Wastewater Treatment Plant (WWTP) service area that discharges to Alley Creek in northeastern Queens. The Consent Order projects are constructed under contracts ER-AC1 and AC2, which include the following items:

- ◆ A 5 MG CSO storage facility to capture discharges from Outfall TI-008 just south of Northern Boulevard on the west bank of Alley Creek
- ◆ A double-barrel outfall sewer and outfall structure
- ◆ Upgrading the Old Douglaston Pumping Station
- ◆ Rehabilitation of Outfall TI-008 and restoration of a 1.51-acre surrounding area
- ◆ Additional water mains, stormwater sewers, and combined sewers.

DEP Certified Construction Completion of the Alley Creek CSO Facility on Jun 27 2011. The facility was certified as being operational as of Mar 11 2011 and the certification of Construction Completion was accepted by DEC on Sep 25 2012.

No Planning, Design, or Construction Work Performed During This Quarter.

Table 6 – Alley Creek CSO Projects

<i>Phase I, Stage 2</i>	
<i>Contract ID</i>	ER – AC2
<i>Plan Elements</i>	Alley Creek CSO Abatement Facilities
<i>Location</i>	Northern Boulevard and Alley Park in Bayside, Queens
<i>Actions</i>	Construction of CSO abatement facilities, including modifications to the Old Douglaston Pumping Station; hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; and rehabilitation of the CSO Outfall TI-008 structure.
<i>Cost</i>	\$35,629,594
<i>Status</i>	Certification accepted Sep 25 2012
<i>Other Issues</i>	

3.2. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Wastewater Treatment Plants (WWTPs) and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. The Consent Order projects are constructed under contracts CSO-DRDG/DRG-GC and CSO-GCER, which include the following items:

- ◆ Environmental dredging in approximately 825 feet of the head end of Gowanus Canal to a final water depth of 3.0 feet below mean lower low water
- ◆ Gowanus Canal Pumping Station reconstruction to improve operational reliability and to redirect flow directly to the Columbia Street Interceptor via a new force main to be constructed within the Flushing Tunnel.
- ◆ Rehabilitation of the Gowanus Flushing Tunnel to eliminate shutdowns during low tide and many maintenance operations with the installation of a new pumping system with redundant, interchangeable pumps.

Gowanus Canal was added to the US EPA Superfund National Priorities List (NPL) on March 2, 2010. According to EPA, placing the Gowanus Canal on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

Design Work Performed During This Quarter

The DEP is incorporating design modifications to address flood adaptation; which will be a combination of dyke walls, raising of control rooms / equipment, flood gates and door bulkheads.

Construction Work Performed During This Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
 - During this quarter, Hurricane Sandy greatly impacted work on the project with an estimated delay of 3 months and damages of roughly \$2 Million. The site is still being powered by a generator until utility power can be restored. A total of 6-8 weeks of schedule delays are expected. DEP is evaluating alternatives to get the interim oxygenation transfer system back into operation before Memorial Day.
 - Nearly all of the equipment associated with the interim oxygenation transfer system (OTS) was damaged from flooding during Hurricane Sandy and currently remains out of service. This includes the primary and backup pump, the oxygen generation components, compressor and power and control wiring. The estimated cost for repair / replacement of this equipment is \$500k and is not covered by the contractor's builder's risk policy.
 - The Flushing Tunnel was completely flooded along with the excavation within the Flushing Tunnel Building. Also, the water infiltrated into the Service Building and Waste Water Pumping Station. The flooding damaged the transformer and property line box that

provided temporary power for construction activities as well as the interim wastewater pumps and OTS. Currently both the site and interim wastewater pumps are being run by the Rudox generator. Temporary site power should be restored by Feb 1 2013.

- The DEP submitted a Force Majeure to the DEC on Nov 19 2012 for the delays resulting from Hurricane Sandy for several pumping stations including Gowanus.
- The Interim Wastewater Pumping System continued operation via power from the Rudox generator.
- Flushing Tunnel: Dewatering of the tunnel was completed on Nov 1 2012 and the tunnel utilities, electricity, lighting, ventilation and communication, were restored on Nov 30 2012. The Contractor installed and backfilled the Exit Chamber at Columbia and Degraw Streets before the end of Dec 2012.
- Flushing Tunnel Building: The excavation was nearing completion when Hurricane Sandy occurred. The FTB excavation was unwatered on Nov 1 2012.
- Force Main: The Contractor resumed work on the force main on Dec 3 2012, by realigning sections of pipe that were misaligned due to the flooding of the tunnel. Also, repairs were needed on the encasement. Further installation and encasement were performed during this quarter.
- Wastewater Pumping Station: The wet wells in the Wastewater Pumping Station were unwatered after Hurricane Sandy and disinfection of the area along with installed piping occurred. The plumbers are currently working to realign and install further piping.
- Service Building: Concrete masonry work continued in the Service Building on exterior and interior. The roof leak test was performed and passed. HVAC equipment for the roof were delivered and installed.

Anticipated Construction Activities for Next Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
 - The Interim Wastewater Pumping System will continue operation.
 - The Oxygen Transfer System will be placed back in service by Apr 1 2013. Plans are currently underway to use portable oxygen tanks as a means to obtain the required DO levels in the Canal.
 - Flushing Tunnel: Continue dewatering
 - Flushing Tunnel Building: Perform chemical grouting to stop leaks. Complete excavation inside the building and construct new concrete intake structure for the Flushing Tunnel Pumping system.
 - Force Main: Complete installation and testing of 33-inch FRPMP force main pipe and encasement. Perform shotcrete and other masonry repairs to sections of the Flushing Tunnel.

- Wastewater Pumping Station: Continue with the installation of force main piping inside the building. Continue masonry work. Installation of submersible concrete pump bases and slider brackets. Removal of existing Tide Gate No. 1 and installation of new Tide Gate No.1.
- Service Building: Complete all concrete masonry unit work. Install conduit, piping and ductwork at the first and second floors. Painting, brick veneer and stone masonry work. Deliver and install Motor Control Centers, Switchgear and associated Electrical equipment. Construct roof slab and backfill at the Fuel Oil Tank vault.
- Continue installation of Con Edison Network Protection equipment and install first floor electrical equipment.
- Make necessary repairs to the oxygenation system to bring it back into service by Memorial Day.

Table 7 – Inner Harbor CSO Projects

	<i>Dredging of Gowanus Canal</i>	<i>Gowanus Canal Pumping Station and Flushing Tunnel</i>
<i>Contract ID</i>	CSO-DRDG/DRG-GC	CSO-GC
<i>Plan Elements</i>	Dredging Gowanus Canal Head End	Rehabilitation of Pumping Station and Flushing Tunnel
<i>Location</i>	Gowanus Canal	Gowanus Pumping Station Property Brooklyn
<i>Actions</i>	Design on hold pending JAP Approval	Wastewater Pumping Station and Flushing Tunnel Pumping System upgrades
<i>Construction Cost</i>	\$13,100,000	\$147,490,441
<i>Status</i>	Contract procured. Design initiated.	In Construction
<i>Other Issues</i>	Design on hold pending JAP Approval.	

3.3. Paerdegat Basin CSO

The Paerdegat Basin CSO Facility Planning area includes the portion of the Coney Island WWTP service area, associated sewers, and pumping stations that discharges to Paerdegat Basin in Brooklyn. The Consent Order projects are constructed under contracts CSO-5 and CSO-DRDG, which include the following items:

- ◆ The Paerdegat Basin CSO Retention Facility, located at the intersection of Flatlands and Ralph Avenues. The facility receives combined sewer overflows from outfalls CI –004, CI-005, and CI-006 serving approximately 6,000 acres of Brooklyn. The facility consists of a four bay underground storage tank and operations buildings. The stored CSO is pumped back to the Coney Island WWTP for treatment after each rain event.
- ◆ DEC formally accepted the DEP Certification of Construction Completion for Paerdegat Basin CSO Retention Facility after field inspection and documentation review. The DEC acceptance was dated Aug 24 2012.
- ◆ Environmental dredging in the head end of Paerdegat Basin to a final water depth of 3.0 feet below mean lower low water

DEP Certified Construction Completion of the Paerdegat Basin CSO Retention Facility and the certification of Construction Completion was accepted by DEC on Aug 24 2012.

Design Work Performed During This Quarter

- Environmental Dredging
 - Procurement for both the construction management and construction contracts are in progress to meet the Mar 2013 construction NTP date.
 - On Oct 18 2012 DEP submitted a Force Majeure to DEC related to the Sep 27 2012 oil spill event in Paerdegat Basin where between 800 - 1,400 gallons of compressor and turbine oil under the responsibility of National Grid was discharged.

Construction Work Performed During This Quarter

- Environmental Dredging
 - Negotiating Construction Management Contract.

Anticipated Design Activities for Next Quarter

- Environmental Dredging
 - Continue procurement process for environmental dredging construction and CM contracts.

Anticipated Construction Activities for Next Quarter

- Environmental Dredging
 - Issue NTP for construction, as required by the consent milestone, in Mar 2013.

Table 8 – Paerdegat Basin CSO Projects

	<i>Phase III</i>	<i>Dredging</i>
<i>Contract ID</i>	CSO - 5	CSO – DRDG/DRG-PB
<i>Plan Elements</i>	Structures and Equipment	Environmental Dredging
<i>Location</i>	West Shore of Paerdegat Basin	Head end of Paerdegat Basin
<i>Actions</i>	Minor items and documentation	Dredge bottom sediments to finish depth of three ft below MLLW
<i>Construction Cost</i>	\$ 207,324,114	\$8,884,940 (based on low bidder)
<i>Status</i>	DEC formally accepted construction completion on Aug 24 2012.	National Grid oil spill on Sep 28 2012
<i>Other Issues</i>		Construction and CM Contracts being procured. NTP Construction Milestone is Mar 2013

Changes from the previous reporting period are shown in **bold**

3.4. Flushing Bay CSO

The Flushing Bay CSO Facility Planning area includes the portions of the Tallman Island WWTP and the High Level Interceptor of the Bowery Bay WWTP drainage areas, associated sewers, and pumping stations that discharge to Flushing Bay and Flushing Creek in Queens. The Consent Order projects are constructed under contracts TI-WW-1, EE-DSGN-4, CS-FB-LLD, CS-FB-BWR, and CSO-DRDG, which respectively include the following items:

- ◆ Tallman Island Whitestone Interceptor
- ◆ Tallman Island Flushing Interceptor
- ◆ Diversion of low-lying sewers and raising of the weir at BB-R02
- ◆ Regulator Modifications
- ◆ Environmental dredging of Flushing Bay

Design Work Performed During This Quarter

- Tallman Island Flushing Interceptor
 - DEP Certified Completion of the Report and Milestones Submittal on Mar 30 2012.
 - Contractor submitted proposal to DEP for performing diving inspection to determine the condition of the bottom and sides of the sewer. Inspection and cleaning protocol **was** submitted to DEC for approval. DEC requested further information as discussed at Dec 11 2012 quarterly meeting and DEP provided DEC with an update on Dec 19 2012.
- Divert Low-Lying Sewers/Raise Weir BB-R02
 - The basis of design report (BODR) was reviewed and comments were incorporated. The Basis of Design Report was approved on Jul 18 2012.
 - Preliminary Design was submitted on Jul 20 2012. Design of the sewers and drop structures began.
 - Regulator modification drawings were prepared DEP began reviewing submittal.
 - A preliminary list of specifications was prepared.
 - The need for additional field surveys was identified during this period.
 - Consultant received comments on the 30% design from BWSO on Oct 10 2012. Consultant responded and a second review workshop was scheduled for Oct 30. Due to Hurricane Sandy and the ensuing emergency response, the workshop was rescheduled and held on Nov 20 2012.
 - A revised Drainage Plan was prepared and submitted to DEP on Nov 30 2012. Comments from DEP's drainage group were received on Dec 13 2012 and Dec 21 2012. A response to comments was submitted to DEP on Dec 19 2012 and Dec 21 2012, respectively.
- Regulator Modifications
 - Completed Basis of Design Report and received approval from operating bureau on Dec 27 2012.
 - Initiated detailed design.

- Environmental Dredging
 - Revised the 30% Design Drawings, Preliminary Design report and Construction Cost Estimate on Nov 19 2012.
 - Completed the EAS and JAP, which were submitted on Dec 28 2012.

Construction Work Performed During This Quarter

- Tallman Island Whitestone Interceptor
 - Contractor completed mobilization to the Powell's Cove Park site.
 - Began construction of New Whitestone Interceptor in Powell's Cove Park.
 - Began Demolition of Pier at 7th Avenue.
 - Began installation of dewatering system.
 - Maintained erosion and sediment control measures in Wetland and adjacent areas.

Anticipated Design Activities for Next Quarter

- Tallman Island Flushing Interceptor
 - Developing an inspection protocol for diving inspection and submitting to DEC for review.
- **Divert Low-Lying Sewers/Raise Weir BB-R02**
 - Obtain approval for the revised Drainage Plan and proceed to final design.
 - Conduct Environmental Borings.
 - Continue permitting.
 - Inspect nearby structures.
 - Start 90% design.
- Regulator Modifications
 - Begin work on 30% design.
 - Perform traffic studies required by NYCDOT and NYSDOT.
 - Perform soil borings, geotechnical and contaminated materials investigations.
- Environmental Dredging
 - Respond to comments and questions from DEC and/or USACE on the JAP.

Anticipated Construction Activities for Next Quarter

- Tallman Island Whitestone Interceptor
 - Complete dewatering system installation

- Continue construction of New Whitestone Interceptor in Powell's Cove Park
- Complete Demolition of Pier at 7th Avenue.
- Begin work for new connection chamber at Tallman Island WPCP.

Table 9 – Flushing Bay CSO Projects

	<i>Tallman Island Whitestone Interceptor</i>	<i>Tallman Island Flushing Interceptor</i>	<i>Divert Low- Lying Sewers / Raise Weir BB- R02</i>	<i>Regulator Modifications</i>	<i>Environmental Dredging of Flushing Bay</i>
<i>Contract ID</i>	TI-WW-1	EE-DSGN-4	CS-FB-LLD	CS-FB-BWR	CSO-DRDG DRG-FB
<i>Plan Elements</i>	New section of Whitestone Interceptor; Regulators 10, 10A and 13	Address Flushing Interceptor sag in Ulmer Street	Divert Low Lying sewers in the vicinity of Bowery Bay WWTP. Raise the weir at regulator BB - 02	Bowery Bay High Level Interceptor regulator modifications at 10 regulators	Environmental Dredging
<i>Location</i>	From existing junction chamber at 11 th Ave / 130 th St to the WWTP, College Point, Queens	From MH 45 at Whitestone Expressway to MH 29 at Ulmer Street and 25 th Avenue	Regulator BB- 02. Berrian Blvd and 19 th Ave between 43 rd St. and 45 th St.	Six of ten regulators along 108 th street, Ditmars Blvd and the LaGuardia Airport site	Within proximity of Outfalls BB006 and BB008
<i>Actions</i>					Dredge bottom sediments to finish depth of 4 ft below MLLW
<i>Cost</i>	\$22,071,512	\$139,000	\$5,610,000	\$41,400,000	\$38,100,000 (based on 30% Design)
<i>Status</i>	Construction NTP Issued December 22, 2011	Diving inspection unsuccessful other inspection technologies being explored	In Design	In Design	30% Design complete; JAP submitted
<i>Other Issues</i>	-				None

Changes from the previous reporting period are shown in **bold**

3.5. Jamaica Tributaries CSO

The Jamaica Tributaries CSO Facility Planning area includes the drainage area of the Jamaica WWTP and its associated sewers and pumping stations. The receiving waters of the study area are Bergen, Thurston, Shellbank, and Hawtree Basins, which are located along the eastern shore of Jamaica Bay on either side of JFK International Airport. The Consent Order projects are constructed under contracts CSO-JT-SB, CS- JA-BBS, and CS-JA-BWR, which include the following items, respectively:

- ◆ The Destratification Facility, a permanent diffused-air bubble mixing system at Shellbank Basin designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills.
- ◆ A Parallel 48-inch sewer under the Belt Parkway to complement the existing 36-inch double barrel Belt Parkway crossing in the West interceptor.
- ◆ Bending Weirs at regulators J3 and J14 in the West Interceptor and J6 in the East interceptor drainage area.

DEP Certified Construction Completion of the Destratification Facility, and DEC accepted the certification on Jul 23 2012.

Design Work Performed During This Quarter

- Parallel 48-inch Siphon/Interceptor
 - Submitted 30% Design for internal review and addressing review comments.
 - Prepared Horizontal Directional Drilling (HDD) geotechnical investigation design package.
 - Submitted to DEC a request to modify the milestone date for Final Design Completion from Dec 2012 to Aug 2013, and received DEC's subsequent request for additional information.
- Bending Weirs
 - Submitted 30% Design and conducted 30% design scope freeze workshop.

No Construction Work Performed During This Quarter

Anticipated Design Activities for Next Quarter

- Parallel 48-inch Siphon/Interceptor
 - Conduct 30% Design Scope Freeze Workshop and initiate 90% design.
 - Complete HDD investigation design, obtain bids, and select contractor to conduct HDD work.
- Bending Weirs
 - Initiate 90% Design.

Table 10 – Jamaica Tributaries CSO Projects

	<i>Destratification Facility</i>	<i>Parallel 48-inch Siphon / Interceptor</i>	<i>Bending Weirs</i>
<i>Contract ID</i>	CSO-JT-SB	CS-JA-BBS	CS-JA-BWR
<i>Plan Elements</i>	Destratification	Parallel 48-inch Sewer	Bending Weirs
<i>Location</i>	Shellbank Basin Queens	Belt Parkway Queens	Regulator J6 on the East Interceptor and regulators J3 and J14 on the West Interceptor
<i>Actions</i>	Construct Permanent Facility	Design and construct system upgrades	Design and construct system upgrades
<i>Construction Cost</i>	\$2,621,918	\$24,725,000	\$6,468,000
<i>Status</i>	Complete	30% Design Submitted	30% Design Submitted
<i>Other Issues</i>	Certification Accepted Jul 23 2012	Final Design Delayed; Modification Request submitted on Nov 2 2012	

Changes from the previous reporting period are shown in **bold**

3.6. Coney Island Creek CSO

The Coney Island Creek CSO Facility Planning area includes the drainage area of CSO Outfall OH-021, approximately 2,900 acres within the Owls Head WWTP service area in Brooklyn. Outfall OH-021 discharges into Coney Island Creek approximately midway between its head end and the mouth. The Consent Order projects are constructed under contracts PS-79G, PS-79H, PS-79P, PS-79E, and PS-79F, which include the following items:

- ◆ Upgrade of Avenue V Pumping Station to increase the wet weather pumping capacity; and
- ◆ Construction of Avenue V Force Mains to provide additional conveyance to the increased pumping station capacity.

DEP Certified Construction Completion of the Coney Island Creek Avenue V Pumping Station Upgrade and Force Main on Jun 29 2012. DEC accepted DEP's certification on Oct 23 2012.

Table 11 – Coney Island Creek CSO Projects

	<i>Avenue V Pumping Station Upgrade</i>	<i>Avenue V Force Mains</i>
<i>Contract ID</i>	PS-79G, H, P, E	PS-79F
<i>Plan Elements</i>	Upgrade Pumping Station	42-inch and 48-inch force mains
<i>Location</i>	Avenue V and West 11th Street Brooklyn	Shore Parkway to Regulator 9A Brooklyn
<i>Actions</i>	Comprehensive upgrade to automate and increase station capacity to 80 MGD; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey dry and wet weather flow
<i>Construction Cost</i>	\$80,152,297	\$116,818,080
<i>Status</i>	Certification Accepted Oct 23 2012	Certification Accepted Oct 23 2012
<i>Other Issues</i>		

Changes from the previous reporting period are shown in **bold**

3.7. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area includes the portions of the Newtown Creek WWTP and the Low Level Interceptor of the Bowery Bay WWTP drainage areas that discharge to Newtown Creek, English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch along the Brooklyn-Queens border. The Consent Order projects are constructed under contracts CSO-NC-2, CSO-NC-3, CSO-NC-4, CS-NC-REG & FLO, GBNC15-05, which include the following items:

- ◆ Enhanced Aeration in the Lower English Kills
- ◆ Enhanced Aeration in East Branch and Upper Newtown Creek
- ◆ Enhanced Aeration in Dutch Kills and Lower Newtown Creek
- ◆ Bending Weirs / Floatables Control
- ◆ Green Infrastructure Demonstration project in the Newtown Creek watershed

Newtown Creek was added to the US EPA Superfund National Priorities List (NPL) on September 29, 2010. According to EPA, placing Newtown Creek on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

Design Work Performed During This Quarter

- Enhanced Aeration
 - The US Army Corps of Engineers (USACE) issued the draft individual permit needed for the work associated with the Enhanced Aeration in Lower English Kills project on Dec 28 2012.
 - Work continued on the 30% design for the Enhanced Aeration in East Branch and Portions of Newtown Creek Enhanced Aeration project.
 - Continued evaluation of the Borden Ave. Pump Station to be used as a potential site to house the aeration equipment for the Enhanced Aeration in Dutch Kills and Portions of Newtown Creek project. A draft Basis of Design Report (BODR) was prepared.
 - Force majeure notification and modification request submitted on Nov 2 2012 and DEC responded on Nov 26 2102 requesting additional information.
- Bending Weirs and Floatables Control
 - Completed surveying, geotechnical and related fieldwork.
 - Completed 30% design.
 - Completed initial 30% design workshop.
 - Initiated OMB VE process which included attendance at Orientation Meeting with OMB VE Team.
- Green Infrastructure Demonstration Project in Newtown Creek Watershed

- Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Design Activities for Next Quarter

- Enhanced Aeration
 - Award & register the construction contract for the Enhanced Aeration in Lower English Kills project.
 - Continue work on the 30% design for the Enhanced Aeration in East Branch and Portions of Newtown Creek project.
 - Finalize the BODR for the Enhanced Aeration in Dutch Kills and Portions of Newtown Creek project.
- Bending Weirs and Floatables Control
 - Complete OMB VE Process including attendance at VE Workshop Meeting with OMB VE Team.
 - Complete 30% design workshop.
 - Initiate 60% design activities.
- Infrastructure Demonstration Project in Newtown Creek Watershed
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 12 – Newtown Creek CSO Projects

	<i>Enhanced Aeration 1</i>	<i>Enhanced Aeration 2</i>	<i>Enhanced Aeration 3</i>	<i>Bending Weirs / Floatables Control</i>
<i>Contract ID</i>	CSO-NC-2	CSO-NC-3	CSO-NC-4	CS-NC-REG & FLO
<i>Plan Elements</i>	Enhanced Aeration	Enhanced Aeration	Enhanced Aeration	Floatables Controls and Overflow Reduction
<i>Location</i>	Lower English Kills	East Branch and Upper Newtown Creek	Dutch Kills and Lower Newtown Creek	Dutch Kills, Maspeth Creek, English Kills and East Branch
<i>Actions</i>	Construction contract has been bid, but the low bid has been withdrawn. DEP preparing to award contract to other bidder.	The design of the blower building and aeration system continues.	The design of the blower building and aeration system continues	Design of bending weirs and baffles, to reduce overflows/floatables
<i>Construction Cost</i>	\$1,769,000	\$17,180,731	\$20,583,632	\$32.3 Million (30% Design Estimate)
<i>Status</i>	Construction Bid	Design	Design	Design
<i>Other Issues</i>	Due to delay in obtaining required USACE permit, a Mod Request & Force Majeure for Construction NTP was submitted by DEP to DEC .			Based on results of in situ sediment and soil sampling and analysis, thorium-232 radioactivity was found to be below defined limits (5 pCi/g) at St. Nicks Weir and Regulator B-1 sites.

Changes from the previous reporting period are shown in **bold**

3.8. Westchester Creek CSO

The Westchester Creek CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to Westchester Creek and Pugsley Creek in the Bronx. The Consent Order projects are constructed under contracts CS-ER-WCM and CS-ER-WCP, which respectively include the following items:

- ◆ Modifications to CSO-29 and CSO-29A to increase conveyance to the WWTP and reduce discharges from Outfall HP-014
- ◆ Pugsley Creek Parallel Interceptor to increase conveyance to the WWTP and reduce discharges from Outfall HP-013

Design Work Performed During This Quarter

- Modifications to CSO-29 and 29A
 - Completed Basis of Design Report
 - Completed Basis of Design Review Meeting
- Pugsley Creek Parallel Interceptor
 - The drainage plan amendment was finalized on Jun 26 2012.
 - Topographic survey ordered Jun 28 2012. Survey is underway and projected to be completed by mid-Feb 2013.
 - DEP/BWSO certified design initiation on Jun 29 2012

Anticipated Design Activities for Next Quarter

- Modifications to CSO-29 and 29A
 - Initiate 30% Design activities
- Pugsley Creek Parallel Interceptor
 - Continue with survey

Table 13 – Westchester Creek CSO Project

	<i>Modifications to CSO-29 and CSO-29A</i>	<i>Pugsley Creek Parallel Interceptor start from CSO-24</i>
<i>Contract ID</i>	CS-ER-WCM	CS-ER-WCP
<i>Plan Elements</i>	Improve flow control structures in sewers to convey more flow to the Hunts Point WWTP	Add capacity to convey more flow to the Hunts Point WWTP
<i>Location</i>	Eastchester Road, Bronx	Classon Point, Bronx
<i>Actions</i>	Continue Design	Continue Design at DDC
<i>Construction Cost</i>	\$8.25 Million	\$65.8 Million (Estimated)
<i>Status</i>	Basis of Design Report under review.	Drainage Plan under review
<i>Other Issues</i>		

Changes from the previous reporting period are shown in **bold**

3.9. Bronx River CSO

The Bronx River CSO Facility Planning area includes the portion of the Hunts Point WWTP service area, the associated sewers, and pumping stations that discharge to the Bronx River in the Bronx. The Consent Order project is constructed under contract ER-BR-1 which includes the following items:

- ◆ Floatables Control at the Bronx Zoo site (CSO-27)
- ◆ Floatables Control at the Bronx Park Avenue site (CSO-27A)
- ◆ Floatables Control at the Soundview Park site (CSO-13)
- ◆ Floatables Control at the West Farm Road site (CSO-28)
- ◆ Green Infrastructure Demonstration project in the Bronx River watershed

The green infrastructure demonstration project originally intended for the Bronx River CSO drainage area has been modified to take place in the Hutchinson River drainage area due to a lack of viable sites in the originally planned area. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Construction Work Performed During This Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
 - Completed site restoration.
 - Completed relocation of mechanical screens hydraulic panel.

Anticipated Construction Activities for Next Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
 - Complete site restoration.

Table 14 – Bronx River CSO Project

<i>Floatables Control</i>	
<i>Contract ID</i>	ER – BR - 1
<i>Plan Elements</i>	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
<i>Location</i>	West Farms Road, Bronx Park Avenue, Bronx Zoo, Soundview Park
<i>Actions</i>	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
<i>Construction Cost</i>	\$29,025,336
<i>Status</i>	Certified Completion on Oct 18 2012
<i>Other Issues</i>	

Changes from the previous reporting period are shown in **bold**

3.10. Hutchinson River CSO

The Hutchinson River CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to the Hutchinson River in the Bronx. The Consent Order projects are being executed under contracts LTCPI, CSO-PLANYC, and GXHP-24-03 (DPR), which include the following items:

- ◆ Waste Load Allocation Field Sampling
- ◆ The Green Infrastructure Demonstration project that had originally been planned for the Bronx River drainage area, which will now be conducted in the Hutchinson River drainage area within subcatchment HP-024, per Modification Request submitted by DEP to DEC on March 30, 2012.

Planning Work Performed During This Quarter

- Waste Load Allocation Field Sampling
 - The Field Sampling and Analysis Plan (FSAP) was approved by DEC on May 15 2012.
 - DEP initiated field sampling on May 22 2012.
 - DEP completed sampling and monitoring program as of Oct 15 2012.
 - A Final Field Sampling Data Report was submitted to the DEC on Dec 28 2012.

Design Work Performed During This Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Planning Activities for Next Quarter

- Initiate modeling and analysis needed to complete the Waste Load Allocation Report on Water Quality and the Sewer System that is due to the DEC by Jun 2013.

Anticipated Design Activities for Next Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 15 – Hutchinson River CSO Project

<i>Waste Load Allocation Field Sampling</i>	
<i>Contract ID</i>	LTCP1
<i>Plan Elements</i>	Surface water and discharge outfall water quality sampling and characterization to develop Waste Load Allocation (WLA) for the Hutchinson River
<i>Location</i>	Hutchinson River
<i>Actions</i>	
<i>Construction Cost</i>	n/a
<i>Status</i>	Completed
<i>Other Issues</i>	

Changes from the previous reporting period are shown in **bold**

3.11. Jamaica Bay CSO

The Jamaica Bay CSO Facility Planning area includes the drainage areas of the 26th Ward, Coney Island, and Rockaway WWTPs and their associated sewers and pumping stations. The receiving waters of the study area include Fresh Creek, Hendrix Creek, Spring Creek, and the open waters of Jamaica Bay. The Consent Order projects are constructed under contracts CSO-DRG and CSO-GCER, which include the following items:

- ◆ Interim dredging of the head-end of Hendrix Creek
- ◆ Improving conveyance to the Rockaway WWTP
- ◆ 26th Ward High Level Sewer Separation (HLSS)
- ◆ Demonstration
- ◆ 26th Ward Wet Weather Stabilization
- ◆ 26th Ward Green Infrastructure Demonstration Project

Design Work Performed During This Quarter

- 26th Ward High Level Sewer Separation
 - DEP/BWSO submitted drainage plans to the DEC on Sep 28 2012.
 - DEP/BWSO directed Department of Design and Construction (DDC) to initiate designs associated with this HLSS on Dec 7 2012.
 - DEP certified initiation of design to the DEC on Dec 27 2012.
- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.
- 26th Ward Wet Weather Stabilization
 - DEP is finalizing the design contract with a new consultant. As such there will be a delay to the start of the design process and consequently the design completion date. DEP will soon be providing additional details in a modification request letter.

Construction Work Performed During This Quarter

- Hendrix Street Canal Dredging
 - Continued preparation of the first Post-Dredge Monitoring Report.
 - Complete ambient odor monitoring for the second Post Dredge Monitoring Report.

Anticipated Design Activities for Next Quarter

- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Construction Activities for Next Quarter

- Hendrix Street Canal Dredging
 - Complete and submit first Post Dredge Monitoring Survey Report to the DEC.
 - Complete bathymetric survey and benthic field activities for the second Post Dredge Monitoring Report.

Table 16 – Jamaica Bay CSO Projects

	<i>Hendrix Creek Dredging</i>	<i>Rockaway WWTP Conveyance Improvements</i>	<i>26th Ward HLSS</i>	<i>26th Ward Wet Weather Stabilization</i>
<i>Contract ID</i>	CSO-HC	Project not yet initiated	CS-FB-SEW	26W-15 26W-20
<i>Plan Elements</i>	Removal of CSO sediment mounds from the head end of the Hendrix Street Canal	Improve collection system and WWTP capacity to achieve 2DDWF		Low Level MSPs High Level MSPs PST#5 PST1-4 Stabilization
<i>Location</i>	Hendrix Creek, Brooklyn	Rockaway WWTP, Queens	Fresh Creek, Brooklyn	26 th Ward WWTP, Brooklyn
<i>Actions</i>	None	None	None	-
<i>Construction Cost</i>	\$13.2 million	TBD	\$50 million for Phases 1a and 1b (estimated)	\$7.6M \$126.4M
<i>Status</i>	Construction Complete	Project not yet initiated	BWSO preparing CPI for Phases 1a and 1b	In Design
<i>Other Issues</i>				

Changes from the previous reporting period are shown in **bold**

3.12. Environmental Benefits Projects

These projects were undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations. The 2008 Modification to the CSO Consent Order requires not less than \$4 million worth of DEP-funded Environmental Benefit Projects (EBPs) designed to abate CSOs and/or address wet weather water quality impacts from CSOs and to benefit the waters in and around New York City. The 2012 Modified Consent Order requires the extension of DEP's existing Green Infrastructure Grant Program and a commitment to use no less than \$3 million of EBP funds over the next three years to expand available grant funding for applicants. DEP will identify awarded projects with signed Funding Agreements to commit EBP funds toward before December 31 for each year of the three-year grant program (i.e., 2012, 2013 and 2014).

Work Performed During This Quarter

- 2012 Green Infrastructure Grant Program
 - EBP Grantees continued to submit updated timelines, budgets, scopes of work and designs which were reviewed and accepted by the Office of Green Infrastructure.
 - DEP signed Funding Agreements with three 2012 Green Infrastructure Grant Program Awardees whose projects will be funded through the Environmental Benefits Program. The total EBP funding allocated for the 2012 Grant Cycle is \$1,118,473.
- 2013 Green Infrastructure Grant Program
 - DEP announced the 2013 cycle of Green Infrastructure Grant Program which will make a total of \$6 million (including \$1 million in EBP funding) available for green infrastructure projects on private property in combined sewer areas.
 - Held a series of workshops to explain eligibility requirements, guide users through the online application and provide support in computing the stormwater calculations.
- Bronx River and Gowanus-Flushing EBP Grant Projects
 - Commence soil boring work in both the Bronx and Gowanus.
 - Legal review of contract transferred to Columbia from NYC Audubon was completed, and Columbia signed the contract.
 - Modular green roof trays are being grown.
 - Unisphere and RPA designs have been completed and put it out to bid.
- DEC US Forestry Service Grant
 - Gaia portion of grant completed.
 - Riverkeeper is working on finding another site. US Forest Service contract has been signed and a contract extension is being developed.

Anticipated Activities for Next Quarter

- 2013 Green Infrastructure Grant Program
 - Receive and review applications for the 2013 Green Infrastructure Grant Program
- 2012 Green Infrastructure Grant Program
 - Continue design review and approval for the three EBP grant projects
- Bronx River and Gowanus-Flushing EBP Grant Projects
 - Install modular green roof trays in late summer 2012
 - Apply for DOB permit for green roofs
 - Continue to incorporate soil boring information into designs.
- DEC US Forestry Service Grant
 - USFS contracts almost completed, may have extension of time.

Table 17 – 2012 Modified CSO Consent Order Environmental Benefits Projects

<i>Plan Elements:</i>	<i>Albert Einstein College of Medicine</i>	<i>New School University</i>	<i>St. Luke and St. Matthew Church</i>
Location:	1300 Morris Park Avenue Bronx NY	65 5th Avenue New York, NY	520 Clinton Avenue Brooklyn, NY
Description:	Green Roof	Green Roof	Rain Garden and Porous Pavement
Cost:	\$503,470	\$325,000	\$290,273
Status:	Final Designs Due	90% designs submitted	60% designs due
Other Issues:	None	None	None

Table 18 – 2008 Modified CSO Consent Order Environmental Benefits Projects

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Location:	HP-009 service area	Multiple areas	6th St / 2nd Ave, Brooklyn	Bronx River and Newtown Creek CSO Areas

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Description:	Stormwater BMP evaluations	Manhattan College New York Hospital Green roof (\$660,440); RPA bioretention basins under the LIE (\$600,000); Unisphere treatment wetlands and rain gardens for Meadow Lake (\$386,551); Columbia University Rego Park Green Streets (\$389,187);	Gowanus Canal Conservancy 6th Street Green Corridor Project	Enhanced tree pit evaluation in HP-009 service area; Green infrastructure installation in Newtown Creek CSO shed; Open source access for Drexel University's LIDRA model; Education and stewardship activities in the HP-009 area.
Cost:	Budget: \$850,000 Cost to date: \$0 This Qtr: \$0 Next Qtr: \$75,000	Budget: \$2,036,178 Cost to date: \$300,000 This Qtr: \$150,000 Next Qtr: \$150,000	Budget: \$583,470 Cost to date: \$75,000 This Qtr: \$75,000 Next Qtr: \$10,000	Budget: \$250,000 Cost to date: \$223,244 This Qtr: \$17,467 Next Qtr: ~\$5,000
Status:	In Design	Manhattan College completed design. Unisphere and RPA completed design. Columbia has signed contract to complete NYC Audubon grant	In design	Gaia portion of grant completed. Riverkeeper is working on finding another site.
Other Issues:	None	None	None	USFS contracts almost completed, may have extension of time.

3.13. Green Infrastructure Program Implementation

This section of the quarterly report provides the status of green infrastructure program implementation required under the 2012 CSO Consent Order. The Order sets forth financial commitments, schedule and capture targets, and other requirements for the program to reduce runoff and CSO through the use of green infrastructure. Additionally, Appendix A of the 2012 CSO Consent Order contains completion milestones for three green infrastructure demonstration projects:

- ◆ Newtown Creek Green Infrastructure Demonstration Project (**EBP Funded**)
- ◆ Hutchinson River Green Infrastructure Demonstration Project (**EBP Funded**)
- ◆ Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed

This information is in addition to and complementary with the Environmental Benefits Projects described in the previous section.

Design and Construction Work Performed During This Quarter

- Green Infrastructure Program (Citywide)
 - DPR continued site investigations and began construction on four stormwater greenstreets in the Bronx (HP-008 & HP-009) and ten right of way bioswales in LeFrak, Queens (BB-006).
 - DDC advertised a RFP for Design Services contract to on-call engineering firms for the Hutchinson River and Newtown Creek Priority Areas.
 - As part of DEP's 2011 and 2012 Green Infrastructure Grant Program cycles, Queens College finished construction. In addition, DEP continued Funding Agreement and Design Review for the remaining grant recipients. To date, DEP has awarded 21 projects, approximately \$7 million worth in funding for green infrastructure construction on private property in combined sewer areas.
 - Design continued for on-site work at NYCHA's Edenwald Houses in Hutchinson River Watershed.
- Hutchinson River Green Infrastructure Demonstration Project (Demo Area 1)
 - Saw cutting, excavation, placing of open graded stone, engineered soil, pouring of concrete aprons and curbs, installation of steel tree pit guards, transplanting of trees, planting on new trees and plants, installation of mulch, installation of stone columns occurred.
- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed (Demo Area 2)
 - Saw cutting, excavation, placing of open graded stone, engineered soil, pouring of concrete aprons and curbs, grading, planting on new trees and plants, installation of mulch, installation of steel tree pit guards, installation of stone columns, installation of monitoring equipment occurred. Final acceptance of ROW bioswales given by DEP on Dec 29 2012.

- Newtown Creek Green Infrastructure Demonstration Project (Demo Area 3)
 - Notice to proceed issued Oct 25 2012.
 - Contractor sent submittals for approval.
 - Submit final Newtown Creek GI Demo Project Engineering Report including responses to DEC's comments received on Jul 24 2012 and Sep 7 2012 via email.

Anticipated Design and Construction Activities for Next Quarter

- Green Infrastructure Program (Citywide)
 - Continue construction of bioswales and stormwater greenstreets in Flushing Bay (Phase I) under DPR contracts. Continue to design Phase 2.
 - Construction to commence for bioswales and stormwater greenstreets in Bronx River under DPR contracts.
 - Register contracts for design services for Gowanus, Newtown Creek and Flushing Bay in January.
 - Proceed with design of on-site work at NYCHA's Edenwald Houses in Hutchinson River Watershed to finalize designs and bid package in the First Quarter of 2013.
 - Proceed with EDC on design in 26th Ward and Newtown Creek NCB-015.
 - Select DDC consultants for Hutchinson River and Newtown Creek.
 - In the GI Grant program, receive and review applications for the 2013 Green Infrastructure Grant Program cycle.
 - Bid contract documents for construction of on-site work at NYCHA Seth Low Houses through EDC on-call contract.
 - Bid contract documents for construction of on-site work at NYCHA Hope Garden Houses through EDC on-call contract.
- Hutchinson River Green Infrastructure Demonstration Project (Demo Area 1)
 - Continue monitoring data collection related to wet weather flows.
 - Continue construction in anticipation of construction completion certification in second Quarter of 2013.
- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed (Demo Area 2)
 - Schedule final inspection with DEC.
 - Continue monitoring data collection related to wet weather flows.
- Newtown Creek Green Infrastructure Demonstration Project (Demo Area 3)
 - Continue monitoring data collection related to wet weather flows.
 - Begin construction in Jan 2013.

Table 19 – Green Infrastructure Program Implementation Status

	<i>Green Infrastructure Program</i>	<i>Hutchinson River Demo</i>	<i>26th Ward Demo</i>	<i>Newtown Creek Demo</i>
<i>Contract ID</i>	Implemented under numerous contracts	DPR Contract GXHP24-02	GK26W03-1	GKNC15-05
<i>Plan Elements</i>	Capture first inch of precipitation on 1.5% of impervious surfaces citywide	24-acre GI Demonstration Area	23-acre GI Demonstration Area	16-acre GI Demonstration Area
<i>Location</i>	Citywide	E. 225 St, E. 229 St, Schiefflen Ave, and Baychester Street Bronx; Outfall HP-024	Junius St and Powell Street between East New York and Belmont Avenues Brooklyn; Outfall 26W-003	Grove Street area, Brooklyn; Outfall NCB-015
<i>Actions</i>	Design and construct green infrastructure on public property in priority areas; administer GI Grant Program	In construction	Construction complete	Construction work starting Jan 2013
<i>Construction Cost</i>	\$187 million citywide	Approximately \$300,000 for ROW bioswales	\$600,000 for ROW bioswales	\$508,000 for ROW bioswales
<i>Status</i>	On-going	In construction	Complete	In construction
<i>Other Issues</i>	NA	NA	NA	DEP to submit Amended Engineering Report

Changes from the previous reporting period are shown in **bold**. In addition, DEP is in the process of designing and constructing onsite installations that when combined with ROW installations will achieve the EPB funding requirements of Section III, Paragraph B of the Order.

4.0 Community Relations

During the **Fourth Quarter of 2012**, DEP completed several community relations-related tasks and provided several LTCP-related updates and education materials to the public. All tasks, efforts and updates are described in this Quarterly Report.

DEP's public participation plan was released to the public on Jun 26 2012 and describes the multipronged tools and activities DEP will utilize to inform and involve diverse stakeholders and the broader public throughout the LTCP process.

The purpose of the public participation plan is to create a framework for communicating with and soliciting input from interested stakeholders and the broader public on water quality and the challenges and opportunities for CSO controls. The public participation plan is designed to keep important stakeholder issues associated with the LTCP program before the public and ratepayers throughout the life of the program.

DEP will report quarterly to DEC on completed public participation activities outlined in the public participation plan as part of this and all future CSO Quarterly Reports. All updates to the Public Participation Plan implemented as a result of public comments received and quarterly reviews of public participation activities by DEC will be posted annually to DEP's website.

LTCP Meetings

- Oct 3 2012: SWIM Coalition Quarterly Meeting at Newtown Creek Visitor Center (20 attendees)
- Oct 24 2012: Coordination meeting with Alley Pond Environmental Center staff (3 attendees)
- Oct 24 2012: Alley Creek LTCP Kickoff Meeting; topics included Alley Creek and Little Neck Bay waterbody and watershed characteristics, Alley Creek CSO improvement projects, the Alley Creek LTCP development process and schedule and the public participation plan and schedule (15 attendees)
- Nov 27 2012: Green Infrastructure Standards Event for GI Steering Committee, GI Task Force Members and Environmental and Design stakeholders (100 attendees)
- Nov 29 2012: Bronx Green Infrastructure Grant Workshop (25 attendees)
- Dec 5 2012: Brooklyn Green Infrastructure Grant Workshop (25 attendees)
- Dec 11 2012: Green Infrastructure Steering Committee Quarterly Meeting (17 attendees)
- Dec 12 2012: Queens Green Infrastructure Grant Workshop (45 attendees)

LTCP Education and Outreach Activities

- On Oct 24 2012, DEP held a public meeting at the Alley Pond Environmental Center in Douglaston, Queens. The meeting was advertised as the Alley Creek LTCP Kickoff Meeting the week of Oct 15 2012 in the following newspapers: Bayside Times; Flushing Times; Little Neck Ledger; Whitestone Times; Jamaica Times; Astoria Times; Forest Hills Ledger; Caribbean Life; and El Diario.

- The kickoff meeting advertisement was also posted to DEP's LTCP Website and emailed to approximately 700 community planning, environmental, design/economic development and academic/research stakeholders, including: members of the Green Infrastructure Steering Committee, Community Board representatives and Waterbody Watershed Facility Plan meeting attendees.
- DEP representatives were available to answer questions and discuss LTCP-related topics. Poster boards targeting the general public were also available on the following topics:
 - History of NYC's Sewer and Wastewater Systems
 - NYC's Combined Sewer Overflow Program
 - Evaluating Alternatives for Water Quality Improvements
- In addition to poster boards, the following handouts were made available to the public during the meeting:
 - What is an LTCP?
 - LTCP Goal Statement
 - LTCP Frequently Asked Questions (FAQs)
 - Alley Creek LTCP Summary
 - New York City Area: Health Advice on Eating Fish You Catch (courtesy of New York State Department of Health)
 - Waterfront Action Agenda: Transforming New York City's Waterfront (courtesy of New York City Department of City Planning)
- DEP's LTCP Program website was updated several times during this quarter. The Alley Creek LTCP Kickoff Meeting advertisement was added to the Alley Creek page on DEP's LTCP Program website on Oct 15 2012. The Alley Creek LTCP Summary handout, Alley Creek LTCP Kickoff Meeting agenda and presentation were added on Nov 16 2012. A summary of the Alley Creek LTCP Kickoff Meeting, including comments received and responses from DEP and DEC was posted on Dec 18 2012.
- DEP created renderings to explain the function of the Right of Way Bioswales. These renderings will be used on the DEP website as well as print materials.
- DEP's website was significantly updated with materials for the Green Infrastructure Grant Program.

Planned Activities Not Conducted During This Quarter

- DEP conducted all planned activities this quarter.

Summary of Comments Received

- A summary of comments received during the Fourth Quarter of 2012 was developed and reviewed by DEC and approved on Dec 13 2012. The summary was posted to DEP's LTCP Program website on Dec 18 2012 and emailed to all meeting attendees on Dec 20 2012.

Comments received during the Fourth Quarter of 2012 were specific to Alley Creek, the LTCP planning process, LTCP modeling and public outreach.

5.0 Key Personnel Changes

The table below provides key personnel as of the **Fourth Quarter of 2012**.

Table 20 – Key DEP Personnel for Contracts Subject to the CSO Consent Order

Planning Area	Project	DEP Responsible Personnel		
		Bureau	Chief	APM
Alley Creek	ER-AC2: Storage Facility	BEDC	Osit	A Patel
Outer Harbor	All Projects Complete	-	-	-
Inner Harbor	CSO-DRDG: Gowanus Dredging	BEDC	Tysvaer	Chao
	CSO-GC: Flushing Tunnel	BEDC	Clarke	DJ Patel
	CSO-GC: Gowanus PS	BEDC	Clarke	DJ Patel
Paerdegat Basin	CSO-5: Storage Facility	BEDC	Tysvaer	Novotny
	CSO-DRDG: Dredging	BEDC	Tysvaer	Chao
Flushing Bay	CSO-DRDG: Dredging	BEDC	Tysvaer	Chao
	EE-DSGN-4: Flushing Interceptor	BWT	Lochan	Goldin
	CS-FB-LLD: Low-Lying Sewers / R2 Weir	BEDC	Tysvaer	Chao
	CS-FB-BWR: Regulators	BEDC	Tysvaer	Szeto
	TI-WW-1: Whitestone Interceptor	BEDC	Solimando	Sadat
Jamaica Tributaries	CS-JA-BWR: Bending Weirs	BEDC	Tysvaer	Szeto
	CS-JA-BBS: 48-Inch Sewer	BEDC	Tysvaer	Szeto
	CSO-JT-SB: Destratification	BEDC	Clarke	Gordon
Coney Island Creek	PS-79F: Ave V Force Main	BEDC	Clarke	Gordon
	PS-79: Ave V Pump Station	BEDC	Clarke	Gordon
Newtown Creek	CSO-NC-4: Dutch Kills, Lower Newtown	BEDC	Tysvaer	Szeto
	CSO-NC-3: East Branch, Upper Newtown	BEDC	Tysvaer	Szeto
	CSO-NC-2: Enhanced Aeration Lower English Kills	BEDC	Tysvaer	Szeto
	CS-NC-REG&FLO: Regulators / Floatables Control	BEDC	Tysvaer	Chao
Westchester Creek	CS-ER-WCM: Modifications to CSO-29 / 29A	BEDC	Tysvaer	Chao
	CS-ER-WCP: Pugsley Creek Parallel Interceptor	BWSO	P. Gordon	P Shah
Bronx River	ER-BR-1: Floatables Controls	BEDC	Clarke	Gordon
Hutchinson River	LTCP1: Waste Load Allocation	BWT	Mahoney	Lee
Jamaica Bay	CSO-HC: Hendrix Creek Dredging	BEDC	Tysvaer	Nayan Shah
	CS-FB-SEW: 26th Ward / Fresh Creek HLSS	BWSO	P. Gordon	P Shah
	CO 26W-128: Low Level Main Sewage Pumps	BEDC	Solimando	Meshkati
	26W-20: 26th Ward Wet Weather Stabilization	BEDC	Solimando	Meshkati
G.I. Demonstrations	CSO-PLANYC: Newtown Creek	OGI	Farag	Stein
	CSO-PLANYC: 26th Ward Sewershed	OGI	Farag	Stein
	CSO-PLANYC: Hutchinson River	OGI	Farag	Stein

Changes from the previous reporting period are shown in **bold**

6.0 Other Issues

Action Items generated during the **Dec 11 2012** CSO Quarterly Meeting are summarized below.

Table 21 – Action Items from Quarterly Progress Meeting

<i>Planning Area</i>	<i>Responsible Party</i>	<i>Action Item</i>	<i>Status</i>
Paerdegat Basin	DEC	-Confirm if additional sampling by DEP is required for Paerdegat Basin dredging	- Sampling plan under review; DEC will notify DEP of decision
Bronx River	DEP DEC	-Provide technical justification for removal of tide gate at West Farms Road site -Complete final inspection of BRF project	- Drafting official request to chain gates open - Additional data required
Inner Harbor	DEP	-Confirm with Corps that dredging permit application was received and is undergoing review -Provide operational data for inflatable dams	- Confirmed Dec 13 2012 - Data not currently available, DEP is in process of repairing some malfunctioning sensors
Flushing Bay	DEP	-Submit revised inspection protocol for Flushing Interceptor -Provide information on historical dry weather flows in Flushing Interceptor	- Inspection protocol under development - Completed. DEC requested further information, which DEP respond to by Feb 22 2013
Green Infrastructure	DEP	-Provide revised engineering report for Newtown Creek GI demonstration project	- Submitted by DEP; approved by DEC Jan 14 2013

7.0 Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific Long Term Control Plan (LTCP) and Waterbody/Watershed Facility Plan (WWFP) development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved.

APPENDIX A
CONSENT ORDER CERTIFICATION LETTERS



December 31, 2012

Carter H. Strickland, Jr.
Commissioner

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RE: CSO Order on Consent DEC Case No. CO2-20000107-8 as modified by
DEC Case No. CO2-20110512-25
Appendix A, V. Flushing Bay CSO, K. Regulator Modifications, 2.
Initiate Final Design (Design Phase II)
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III. B of the CSO Order on Consent, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestone named above. A copy of the Order to Commence Work is attached hereto.

Please contact me at (718) 595-5045 if you have any questions regarding this certification.

Yours Truly,

Anthony Maracic, P.E.
Director, Capital Planning and Asset Management
Bureau of Wastewater Treatment

cc:

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DEC, Director, Division of Water
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December 31, 2012

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RE: Order on Consent (DEC Case No. CO2-20110512-25)
Appendix A, V. Flushing Bay CSO
L. Environmental Dredging, 1. Submit Dredging Permit
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III.B of the Order on Consent referenced above, this letter certifies compliance by the New York City Department of Environmental Protection with a milestone set forth in the Order. Specifically, the joint application permit for the dredging of Flushing Bay has been submitted to the New York State Department of Environmental Conservation and the United States Army Corps of Engineers in conformance with Milestone V.L.1 of Appendix A. The milestone date is December 31, 2012.

Please contact me at (718) 595-5045 if you have any questions regarding this certification.

Yours Truly,

Anthony Maracic, P.E.
Director, Capital Planning and Asset Management
Bureau of Wastewater Treatment

cc:

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October 18, 2012

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RE: CSO Order on Consent (DEC Case No. CO2-20000107-8 as modified
by DEC Case No. CO2-20110512-25)
Appendix A, X. Bronx River CSO, C. Floatables Control,
4. Construction Completion
Certification of Milestone Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced Order on Consent (the "Order"), this letter provides certification of compliance by the New York City Department of Environmental Protection (DEP) with the above-referenced milestone. The completion date was modified to October 18, 2012 by letter from the New York State Department of Environmental Conservation (DEC) dated September 21, 2012. This modification was granted in response to a force majeure notification and extension request made by DEP on August 31, 2012, stemming from the Con Ed lock-out. A copy of the Project Manager's certification of completion is attached hereto.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.
Director, Capital Planning and Asset Management
Bureau of Wastewater Treatment

Copy to:

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c: BWT: Sapienza, Mueller, Mahoney, Lee, Wong
BEDC: Clarke, W. Gordon, K. Donnelly, Mallon
BLA: H. Donnelly
H&S: P. Young



December 31, 2012

Carter H. Strickland, Jr.
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Re: CSO Order on Consent (DEC Case no C02-20110512-25) (modification to DEC Case No. C02-20000107-8) (collectively, the "CSO Order")
Appendix A, XI. Hutchinson River CSO, F. Waste Load Allocation,
2. Submit Report on Completed Field Sampling
Certification of Milestone Completion

Dear Mr. DiMura:

In accordance with Paragraph III.B of the CSO Order referenced above, this letter certifies compliance by the New York City Department of Environmental Protection with a milestone contained in the Order. Enclosed is the Hutchinson River CSO Wasteload Allocation Completed Field Sampling report, which is due December 31, 2012.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
Bureau of Wastewater Treatment

Copy with Attachment:

Mark Klotz
Director, DEC Division of Water
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Gary Kline, P.E.
Chief, DEC Division of Water
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Copy without Attachment:

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DEP BWT:	J. Mueller; A. Maracic; R. LaGrotta; D. Hammerman; L. Lipton; J. Villacis; K. Mahoney; L. Lee; File
DEP Legal:	J. Rousakis; R. Levine; H. Donnelly
DEP BEPA:	A. Licata; P. Balci; S. Rangarajan
H&S:	P. Young



December 31, 2012

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RE: CSO Order on Consent (DEC Case No. CO2-20000107-8 as modified by DEC Case No. CO2-20110512-25 (collectively, the "CSO Order") Appendix A, XII Jamaica Bay CSO, I. 26th Ward High Level Sewer Separation, 2. Phase 1 – Initiate Design
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III. B of the CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the milestone referenced above. A copy of the letter authorizing the New York City Department of Design and Construction to initiate the design is attached.

Please contact me at (718) 595-5045 if you have any questions regarding this certification.

Yours Truly,

Anthony Maracic, P.E., Director
Director, Capital Planning and Asset Management
Bureau of Wastewater Treatment

cc:

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December 31, 2012

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Re: Order on Consent (DEC Case No. CO2-20110512-25)
Appendix A, XII. Jamaica Bay CSO, J. Green Infrastructure
Demonstration Project in 26th Ward Sewershed, 3. Construction
Completion

Certification of Construction Completion

Dear Mr. DiMura:

In accordance with Paragraph III.B of the above referenced CSO Order on Consent, the New York City Department of Environmental Protection hereby certifies compliance with milestone XII.J.3 as set forth in the Order. All green infrastructure related equipment and materials have been constructed and placed into operation. Attached is the certification from the Construction Manager.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
Bureau of Wastewater Treatment

cc:

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H&S: P. Young, File

APPENDIX B
NYSDEC COMMENTS ON PREVIOUS QUARTERLY REPORT

**NY\$ DEC Comments
Quarterly Report
3rd Quarter 2012**

Comments on Quarterly Report:

1. **Page 1-1:** DEC did accept the certification of completion for the Newtown Creek GI demo project engineering report but it did not approve the engineering report yet and is waiting for submittal of a revised report.
2. **Page 3-6, Environmental Dredging:** DEC has already issued a modified permit for the dredging operation; no further permit approval is required at this time.
3. **Page 3-12:** DEP should provide an update on status of the additional geotechnical work being completed for the 48-inch parallel interceptor.

Questions/Comments for Quarterly Meeting:

1. **Alley Creek**
 - a. DEP provide update on summary of comments from public meeting
2. **Inner Harbor**
 - a. DEC discuss pending approval of dredging permit for Gowanus Canal (no SPDES permit required but special conditions for discharge will be included in dredging permit)
 - b. DEP provide costs and schedule for putting the oxygen transfer system for the Gowanus Canal back into service.
 - c. DEP provide update on availability of data for operational inspection of inflatable dams project.
3. **Paerdegat Basin**
 - a. DEC provide update on sampling requirements for oil spill for dredging project (and respond to FM)
 - b. DEP provide update on contract award for dredging project
4. **Flushing Bay/Creek**
 - a. DEP provide update on diving inspection for the Flushing interceptor and submittal of revised engineering report
5. **Coney Island**
 - a. DEP provide an update on wet weather operation of Avenue V pump station
6. **Newtown Creek**
 - a. DEP provide update on responding to Corps concerns for permit for aeration system for lower English Kills.
 - b. DEP provide update on submittal of revised Newtown Creek GI Demo project engineering report.

**NY\$ DEC Comments
Quarterly Report
3rd Quarter 2012**

7. Bronx River

- a. DEP confirm availability of final inspection data for Bronx River floatables control.

8. Hutchinson River

- a. DEP confirm content of forthcoming December 2012 report on Hutchinson River water sampling

9. Jamaica Bay

- a. DEP provide update on 26th Ward wet weather stabilization project and anticipated submittal date for modification request.

10. LTCPs

- a. DEP discuss resolution of baseline assumptions for LTCPs.
- b. DEP reporting on LTCP activities, such as water quality sampling for Alley Creek LTCP

Additional DEC Comments / Updates

- Alley Creek LTCP Development
 - Alley Creek water quality sampling update
 - Submittal of final sampling plan to DEC
- Green Infrastructure Action Items
 - Status of Revised Newtown Creek Engineering Report
- Flushing Interceptor Inspection
 - Methodology and schedule for completion
- Bronx River Floatables Control
 - Technical basis for removal of tide gate at W. Farms Road site
- Hutchinson River Sampling Report Scope
- Gowanus Canal Dredging Project
 - Update on DEC permit
 - Update on Corps permit