

**REVISED Agenda: Croton Facility Monitoring Committee Meeting Attachment 2**  
Thursday, July 7, 2005 – 5:30PM – 8:15 PM  
Location Arranged by Community Board #7

*Sr. Annunciata's Bethel Senior Center Dining Room - 243 East 204<sup>th</sup> Street (between Mosholu Pkwy S. & Valentine Ave) Bronx NY 10458-1301 - Contact : Joy Robinson or Patricia Burlace (718) 365-3725*

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| <b>I. Welcome</b>                                      | John Leonforte, DEP<br>5:30 PM - 5:35 PM                      |
| <b>II. Comments from the Public</b>                    | Signup & Speak–3 min max.<br>5:40 PM - 6:10 PM                |
| <b>III. LL 77/2003 &amp; Air Monitor Status</b>        | Gerry Kelpin - DEP<br>6:10 PM – 6:40 PM                       |
| <b>IV. Quality of Life Programs</b>                    | Bernard Daly &<br>Richard Friedman – DEP<br>6:40 PM – 6:55 PM |
| <b>V. Construction and 3 Month Look Ahead Schedule</b> | Bernard Daly<br>6:55 PM –7:25 PM                              |
| <b><u>VI. CFMC INPUT, QUESTIONS, COMMENTS</u></b>      | 7:25 PM – 8:10 PM   |
| CFMC Discussion  |   |
| <b>VII. Adjourn</b>                                    | John Leonforte<br>8:15 PM                                     |

**NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**BUREAU OF ENVIRONMENTAL ENGINEERING**  
**CROTON FACILITY MONITORING COMMITTEE MEETING**  
THURSDAY, JULY 7, 2005 – 6:00PM  
SUMMARY

The July 2005 meeting of the Croton Facility Monitoring Committee pursuant to City Council Resolution 933/1999 was held on July 7th at the Sister Annunciata's Bethel Senior Center, 243 East 204<sup>th</sup> Street, Bronx NY 10458. The names of the CFMC representatives and alternates, staff from DEP and its consultants, and visitors are attached (*Attachment 1*).

The meeting commenced at approximately 6:00PM; an agenda (*Attachment 2*), which had been circulated to the CFMC, was distributed.

Welcome

John Leonforte, DEP's Director of Intergovernmental Coordination and Outreach for the Bureau of Environmental Engineering, welcomed the CFMC and the public, and thanked CB #7's District Manager Rita Kessler for making the arrangements to have the meeting at the Senior Center. Mr. Leonforte recognized and welcomed Gregory Faulkner, Chair of CB #7. He acknowledged Patricia Burlace, Director of the Center, and invited her to greet those present. Ms. Burlace said she was pleased to have the meeting at the center and offered a tour of the facility following the meeting. She said the building is available to the CFMC for meetings, and to the community as a resource, and she encouraged everyone to become familiar with the center's programs.

Open Meeting Format

In keeping with the agreed-to format for the public portion of the meeting, Mr. Leonforte called on four speakers who had registered to speak.

Lowell Green, College Gardens Co-Op, said the Croton Filter Project is within two NY Police Department precincts; the 50<sup>th</sup> Pct and the 52<sup>nd</sup> Pct. Because of concerns with security and safety, Ms. Green requested that DEP ensure both precincts are knowledgeable about the project, provide adequate security, and patrol the area. She said she supports the project's use of ultra low sulfur diesel (ULSD) to minimize air pollution in the community.

Robert Press, Committee of 100 Democrats, said he was a participant in the original Facility Monitoring Committee's meetings. He said he was skeptical of the DEP's willingness to let the public monitor the project.

Sally Regenhard, a member of Woodlawn Taxpayers Association and the Skyscraper Safety Campaign, said her concern is for public safety. She requested the evacuation plan developed for the project and surrounding area. Bernard Daly, Croton Filter Project

Manager, said that evacuation exercises and a comprehensive safety plan are an integral part of the project, and that the next evacuation exercise will take place on July 29<sup>th</sup>.

Fay Muir, Clean Water for Bronx, said she is concerned about the project's impacts on the environment. She mentioned traffic, air quality, and public safety as areas of greatest concern. She and Ms. Burlace said that prostitution near the park is a continuing problem, and they cited the dual police precincts' jurisdiction already mentioned as one reason for it. Mr. Leonforte said the problem falls properly within Community Board #7's District Service Cabinet responsibilities. Ms. Kessler said the problem is longstanding in nature and has been a concern for CB 7.

Mr. Leonforte thanked the speakers. He said that DEP's Police Chief, Edward Welch, was scheduled to speak at the meeting but cancelled because of NYC's response to the London incidents that re-directed activities of all emergency and enforcement personnel. He said that Chief Welch would come to a future CFMC meeting.

**Follow up:** DEP will arrange for presentation about security at an upcoming CFMC meeting.

#### Quality of Life Programs

Mr. Daly made a presentation about his role, the role of the Construction Manager on the project, and the community office that is open near the site.

Mr. Daly showed slides of the wetlands near the site and measures to ensure that the wetlands are preserved and undamaged by the construction work. Then he illustrated how DEP and the contractor manage storm water at the site. He explained the NYS Department of Environmental Conservation's Storm Water Management regulations and the Storm Water Pollution Prevention Plan developed for the project. With respect to noise, Mr. Daly said that the project work is not causing increased noise levels in the nearby community. He said that there have been occasional noise readings that are over allowable limits, but they were caused by the Transit Authority's (NYCTA) construction work on Jerome Avenue. Mr. Daly said that cleanliness is required of the contractor, who must keep roadways clear of debris, and must wash and cover trucks exiting the site. He showed slides of the truck wash in use. Mr. Daly said that truck traffic is being kept out of the nearby community by the use of dedicated truck routes. He said that Gerry Kelpin of DEP would provide more information about minimizing vehicular air pollution and the air monitoring program.

Mr. Daly said that off-road (on-site) equipment must use Ultra Low Sulfur Diesel (ULSD), and that funding is in place for retrofitting the equipment with the Best Available Technology. He said that there have been frequent meetings with the contractor to determine the appropriate retrofit for off-road equipment and that a consultant company, Emisstar, is signing a contract with DEP's construction manager to assist in identifying proper retrofit technology. For on-road vehicles, ULSD must be used. Mr. Daly said that a fueling station for ULSD is now operating on-site, as ULSD is not yet readily available throughout the region. An active pest control program is part of

the project, and Mr. Daly spoke about rat prevention activity. Rodent activity around the site is minimal. Weekly pest monitoring is being performed and will continue throughout construction. In coordination with the NYC Dept. of Health and Mental Hygiene (DOH), DEP will be providing garbage cans to certain residential properties in the community. Based on surveys conducted by DOH, about 500 garbage cans will be distributed to owners/managers of residential properties that should be using lidded garbage cans. If DEP holds an event this summer to kick off the program, the CFMC will be invited to attend.

#### Local Law 77/2003 & Monitor Air Pollution

Ms. Kelpin, Director of DEP's Environmental Programs and Enforcement, said that her office is responsible for two components of air pollution control for the Croton Filter Project: Local Law 77, which is intended to reduce emissions from on-site equipment; and air monitoring for off-site impacts. She explained that her bureau is independent of the Bureau of Environmental Engineering which is responsible for building the Croton project, although both bureaus are housed at DEP.

She explained the history and purpose of Local Law 77/2003, enacted as a result of the City's effort to minimize air pollution during intensive reconstruction in Lower Manhattan. It requires that emissions from equipment be controlled as far as technologically practicable.

DEP is preparing a final rule to implement provisions of LL 77. Ms. Kelpin said that publication of the rule is expected in the next few weeks. It will become effective 30 days after it is published. LL 77 requires that the rule be examined every six months. It is expected that the re-publication of the rule will contain specific model and equipment retrofit types for future construction projects.

Although construction projects initiated prior to the end of 2004 are not required to follow LL 77, DEP committed to do so for the Croton Filter Project. Construction projects initiated after December 2004 by city agencies are required to follow LL 77.

Ms. Kelpin spoke about pollution reductions achievable at the site by Diesel Particulate Filters (DPFs) and Diesel Oxidation Catalysts (DOCs). DPFs may be affixed to some of the contractor's on-site equipment, but most equipment cannot accommodate DPFs because of the space needed to install them. DOCs may be installed on more equipment, but they provide less pollution reduction. She said that each piece of equipment must be analyzed for the retrofit that can be installed. Meetings with and outreach to manufacturers are underway to learn about specifications for retrofit on each piece of equipment. It is a time consuming process. Emisstar will be working on this initiative. It is estimated that the correct retrofit equipment can be installed by November 2005.

Ms. Kelpin said that in addition to an existing on-site air monitor (which is producing information that can serve as baseline data), there will be high air monitors along the site fence that will be measuring emissions from onsite construction activities. In response to

Saul Scheinbach's inquiry, Ms. Kelpin said the monitors will operate 24 hours. Mr. Scheinbach asked how the baseline data will be gathered, and Ms. Kelpin replied that overnight and weekend measurements will provide the baseline because during these times no construction activities occur. Ms. Kelpin said that New York State Dept. of Environmental Conservation (DEC) also has an air monitoring network in the Bronx and, if its equipment is properly located for the Croton project, it might offer useful data. She mentioned that one DEC location is at the Bronx Botanical Gardens.

Joe Gordon, representing Council Member Oliver Koppell, asked whether federal agencies already have Bronx air quality databases, in particular for wind direction data. Ms. Kelpin said she has contacted the EPA, but their databases do not provide useful information for this project.

In response to Lyn Pyle's question about capturing 2.5 microns, Ms. Kelpin said that the smaller measurements would be problematic for the on-site air monitoring equipment, clogging it, and that the PM 10 measurements would pick up 2.5 measurements too. TSPs will not be distinguished separately from PM 10. Ms. Pyle said that while she appreciates the work that has taken place since June's CFMC meeting, she hopes the retrofits will be in place by the end of November. Ms. Kelpin said that since some of the construction equipment has multiple units, once the appropriate retrofit for a piece of equipment has been identified, it can be installed on the multiple units of the same type.

On behalf of Gary Axelbank who arrived after the public session ended, Jose Candelario of the Borough President's office, asked how Ms. Kelpin's office will remain independent from the BEE. Ms. Kelpin said her staff will manage the air monitoring program and will independently analyze and report on the data. She has received \$200,000 to purchase equipment and she has authorization to hire new staff. She will be conducting an aggressive air monitoring program at Commissioner Emily Lloyd's direction. As she obtains information, she will work closely with Mr. Daly to ensure that any air quality problems related to the project are immediately dealt with.

Ms. Kelpin said there will be seven air monitors for on-road emissions that will measure 2.5 microns. She said that there will be two 24 hour monitors – one on the roof of IS 308 on Bainbridge Avenue, as well as portable monitors at five locations (two locations will have duplicate monitors). They will be placed along Jerome Avenue on light poles and one will be at the site exit. Monitors will be spaced approximately 200' from the site exit, on both sides of the street towards the Major Deegan Expressway. Approximately 200' further, additional monitors on both sides will be installed. Mr. Scheinbach asked how quickly the equipment would be operable. Ms. Kelpin said by approximately September. Mr. Scheinbach asked to have a list of the locations of the monitors and Ms. Kelpin agreed to provide it.

**Follow up:** Provide CFMC with air monitoring locations. (Kelpin)

On behalf of Ms. Muir, Ms. Pyle asked for the location of the existing PM 10 air monitor. Mr. Daly said it is on-site, near the truck wash at the fence line, housed in a protective cage as shown in one of DEP's photos.

Ms. Kelpin said that use of ULSD by on-road vehicles produces lower emissions than other vehicles not using ULSD that travel on or near the Major Deegan Expressway. Ms. Kelpin was asked by Mr. Scheinbach whether the job would be shut down if emissions are over EPA standards. Ms. Kelpin said that if emissions are a problem, the contractor will be ordered to take corrective action immediately. Visual examination of site conditions is performed, with or without air monitoring equipment, throughout each work day.

Ms. Pyle then made a presentation on behalf of Community Board #12's Father Gorman. She distributed CB 12's letter to DEP and meeting attendees and read a portion of it. The letter said that on-road trucks are of concern to CB 12 and DEP should retrofit the on-road trucks too. Deputy Commissioner Warren Kurtz said that DEP would not respond to the letter at the meeting.

Ms. Pyle and Mr. Gordon asked about next steps. Mr. Gordon suggested that Emisstar work with the CFMC on the on-road vehicle issue. Mr. Kurtz said DEP would consider and respond to the CFMC about the request.

**Follow up:** Determine whether Emisstar has the ability in terms of time and DEP funds to add on-road vehicle retrofit to the scope of work it is performing for DEP. (Kurtz)

Mr. Scheinbach said the DEP has moved ahead since the June CFMC meeting. He was pleased that the consultant recommended by him and Ms. Pyle was chosen. He expressed interest in working with DEP on the on-road truck retrofit issue. He and Ms. Pyle asked for a meeting in August to continue the discussion on air quality issues, particularly the on-road vehicles. Mr. Kurtz said that Mr. Leonforte would schedule a meeting.

**Follow up:** Schedule August update (Leonforte) **Note:** Update is scheduled for Monday, August 8 at 2 PM at DEP community office.

#### Current construction activities

Mr. Daly reminded the CFMC that the Croton Water Treatment facility must be operational by October 31, 2011 pursuant to the consent decree. For the benefit of people who had not attended previous meetings, he showed slides of the asphalt paving at 233<sup>rd</sup> Street and the I-87 Ramp, the concrete roadwork at the new site entrance/exit roads, the concrete retaining wall along 233<sup>rd</sup> Street, and stone facing that were installed. TCAs at the Croton site have helped manage the traffic. A left-turn signal for southbound traffic exiting the Major Deegan Expressway onto 233<sup>rd</sup> Street was installed and is operative. Mr. Daly said that Woodlawn Cemetery officials will soon restore the sidewalk in front of the Mausoleum.

Mr. Daly showed photos of the project site, sheeting wall, noise attenuation barriers, preparation for club house demolition, maintenance facility construction, ornamental wall construction, golf course operation, soil removal, infiltration trench, oil water separator, electrical service for construction work, and rock drilling. Ms. Pyle said that the Environmental Impact Statement (EIS) says rocks cannot be crushed on site. Mr. Daly said that the contract permits rock crushing and the contractor follows contract requirements.

Mr. Daly said that during the controlled blasts that are needed for rock excavation, NYCTA's elevated subway line is not impacted due to its distance from the blasting. The 200' blast safety zone has had a negligible impact on the park and the golf course areas. Vibration monitoring is conducted. Controlled blasts occur between 7:30AM and 6:00PM on weekdays, and will continue for approximately 22 months longer.

Mr. Daly said that DEP has approved the contractor's rock truck plan. Ms. Pyle requested a copy of it.

**Follow up:** Provide rock truck plan to CFMC. (Daly)

#### Truck Plan

Mr. Leonforte said that DEP is considering a request from the contractor to load and truck away material earlier than 7:00 AM. If granted, the contractor would do early trucking on a trial basis. Mr. Leonforte asked Tom Farrell, Construction Manager, to describe the contractor's request. Mr. Farrell said that it typically takes 1-1/2 hours to load, truck material off site, dispose of it, and return to the site for another load. The contractor has asked to begin at 6:00 AM, ahead of rush hour traffic, in order to get material off-site more efficiently. The request is for early removal during summer, fall, and spring seasons. The contractor does not plan early removal in dark winter months.

Ms. Kessler said that if a 6:00 AM removal plan proceeds, DEP must advise the community in the immediate vicinity. Mr. Kurtz agreed and said that DEP would notify the community in a manner similar to notification when controlled blasts began. Notices were posted in the buildings near the site, and the CFMC was notified. Mr. Scheinbach asked whether the law allows for early removal, and Mr. Daly said that a variance must be obtained by the contractor to do so. Ms. Pyle said that if the CFMC were asked to vote on an early truck removal she thought it would be approved.

**Follow up:** Notifications in advance of early material removal (Daly).

Ms. Pyle requested a traffic turning arrow at an intersection on Gunhill Road and Jerome Ave. She said she would clarify the location and let Mr. Daly know. Mr. Leonforte stated that this was a DOT issue.

Ms. Pyle asked when all trucks will have the DEP sign that identifies that they are part of the DEP's construction project. Mr. Daly answered that only trucks that remove soil and rock are labeled; vehicles used for other activities will not have a sign.

Mr. Daly was asked about local hiring. He and Richard Friedman, DEP, replied that the contractor presently has 29 employees who are Bronx residents. Mr. Friedman said that the number fluctuates, but has consistently been from 25% to 45% of the contractor's workers on the project. There are 90 workers currently working for the contractor. The contractor is making every effort to hire locally, and the relevant union locals officials are cooperating when jobs open by referring Bronx residents who are members of the unions. Messrs. Daly and Friedman said that \$16 million has been spent so far on equipment and material bought from Bronx businesses.

#### CFMC Discussion

Interested CFMC representatives will hear an update on air quality and current construction at the DEP Community Office in August. A time and day will be set for the August meeting. A date for the next CFMC meeting will be selected that is not in conflict with the Labor Day holiday. It is expected that the September CFMC meeting will be held in the Community Board #8 area.

Mr. Leonforte closed the CFMC meeting at approximately 8:00 PM.

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