

City of New York
Department of Environmental Protection
Acting Commissioner Steven W. Lawitts

Executive Order No. 120

Language Access
Implementation Plan

May 2009



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Agency Mission and Background

The **Department of Environmental Protection (DEP)** protects the environmental health, welfare, and natural resources of the City and its residents. The Department manages the City's water supply system, providing over 1.1 billion gallons of safe, clean drinking water daily from large upstate reservoirs to approximately 9 million residents throughout New York State, plus millions of tourists and commuters who visit the City year 'round. The water is transported via a complex network of 19 reservoirs, three controlled lakes and 6,200 miles of water pipes, tunnels and aqueducts. DEP is also responsible for managing stormwater throughout the City and treating wastewater at 14 in-City treatment plants, as well as several treatment plants upstate. Additionally, DEP carries out federal Clean Water Act rules and regulations, handles hazardous materials emergencies and toxic site remediation, oversees asbestos monitoring and removal, enforces the City's air and noise codes, bills and collects on approximately 830,000 water and sewer accounts, and manages citywide water conservation programs.

Key Direct Service Areas

The Bureaus and Offices responsible for carrying out the agency's mission each perform a level of "direct public service" with NYC residents and businesses through correspondence, community-based meetings, public hearings, issuance of publications and documents, telephone contact, web-based communication, or ongoing face-to-face interaction as in the Bureau of Customer Services' (BCS) "Borough Offices" in the five boroughs, and through its "Customer Service Call Center" at DEP headquarters in Queens. To a lesser degree public interaction is carried out by the other operating Bureaus. These Bureaus include the Bureau of Water and Sewer Operations (BWSO), the Bureau of Environmental Compliance (BEC), the Bureau of Water Supply (BWS) and the Bureau of Wastewater Treatment (BWT) and the Bureau of Communications and Intergovernmental Affairs, (BCIA).

We have listed below the "direct public services" provided by the Agency along with their plans to comply with EO 120, starting with those of BCS.

Agency-wide Direct Public Services:

- The issuance of water and sewer bills
- Responding to questions and concerns about customer accounts
- Responding to questions and problems about water meters and water conservation programs
- The issuance of emergency water shut-off notices, three and ten day notices

- Conduct field inspections in response to air and noise code complaints
- Inspect and monitor asbestos removal
- Promote environmental education in schools

Agency Language Access Goals

The goal of the Department of Environmental Protection's Language Access Plan is to provide meaningful language access to customers who interact with the agency for essential services and information, based on at least the top six Limited English Proficient (LEP) languages (Spanish, Chinese, Russian, Korean, Italian and Haitian-Creole).

BCS is the "front line" provider of direct public services for the agency. Therefore, we have focused the majority of our Language Access Plan on how this Bureau will develop and implement customer service policies and standards in compliance with EO 120. Also included are the descriptions of the services provided by the operating Bureaus, and the current interactions and future initiatives they are undertaking to comply with the Language Access Plan.

To take reasonable steps to develop and implement a Language Access Plan for the LEP populations that DEP serves, all operating Bureaus were interviewed to see if they were able to document that a language communication problem existed with the LEP population. While no official record-keeping was in place to document their findings, all operational Bureaus indicated they did not have a problem interacting with the LEP population.

To confirm this, DEP looked at the number of Service Requests (SRs) created by 311 in our Hansen complaint system from January 1, 2008 through December 11, 2008. During this time period there were 235,874 Service Requests received by DEP with only 50 from the LEP population. While there is no way to document which Bureaus received these LEP requests, they were all in languages that are supported within DEP. The 50 SRs by language for this period were as follows: Cantonese 1; Korean 1; Mandarin 3; Other 2; Polish 2; Russian 6; Spanish 36 (Note: We were unable to retrieve this data for 2007.)

Data concerning telephone calls transferred from 311 to DEP from the LEP population were also reviewed. In 2007 there were 258 calls transferred to DEP by 311 of which 231 were forwarded to the Bureau of Customer Services (BCS). During the period of January 1, 2008 through December 16, 2008 there were 322 calls transferred by 311 to DEP, 258 of which were forwarded to BCS.

This data confirms that Bureaus other than the Bureau of Customer Services do not have a need to contract with Language Line for interpretation services.

Starting in the first half of 2009, the 311 Agency Liaison will review the monthly data of 311 calls transferred to DEP from the LEP population. The Liaison will review the data with all Bureaus. Based on the data, revisions to the Language Access Plan may be made to meet the needs of the LEP population. For example, for phone calls transferred to the

agency, a determination will be made whether internal Bureau staff will be able to assist in the calls. Should calls be transferred in languages not covered by the receiving Bureau, the 311 Liaison will work with the Language Access Coordinator (LAC) to develop a plan to address these calls.

The Agency currently uses a Volunteer Language Bank (VLB) as well as Language Line for translation services on a limited basis. DEP has taken steps to enhance the language bank by initiating an agency-wide request for language translation and interpretation volunteers via a global email and an insert which accompanied paychecks. Agency volunteers have been identified and the language bank database has been updated to reflect the names of additional volunteers and the type of service (written, verbal translations) they will perform. The VLB coordinator will maintain and update the database on a yearly basis, i.e., tracking volunteers by name, Bureau, and telephone and language proficiency. Language service requests, dates received, and type of service (written, verbal translations) will also be tracked in the database, which will be updated according to a regular schedule. Documents/publications from all Bureaus that have been identified as “essential documents” requiring translation for LEP customers will be reviewed with staff from each Bureau by the Plain Language Coordinator and edited to conform to plain language standards and guidelines prior to translation.

The agency is working with the Mayor’s Office of Immigrant Affairs (MOIA) to develop assessment standards for interpretation and translation services, and will rely on self assessments until such time as there is a standard in place.

The Agency will be also be utilizing its own signage along with the language identification desktop display/and posters, its own language identification cards and the “I Speak” cards to be carried by LEP customers, the Guidelines for Accessing Interpreter Services, tools developed by the Mayor’s Office of Operations and the Mayor’s Office of Immigrant Affairs to help staff identify the primary language of a Limited English Proficient (LEP) customer.

The Department of Environmental Protection will be able to determine it has successfully implemented its Language Access Plan when the following goals have been met:

- Appropriate signage in our Borough Offices and other DEP public service locations has been translated, in addition to utilizing the Language Access signage and tools provided by the City.
- All documents/publications identified as “essential” for the implementation plan have been translated and made available to the LEP populations.
- Interpretation services have been made available to DEP LEP customers using the BCS Call Center and/or a BCS Borough Office.

The Language Access Coordinator will work with the 311 Agency Liaison to track the volume of LEP calls transferred by 311 to DEP. The data provided will include the

languages requested, the frequency of the requests, and the type of service associated with the call. This data will be reviewed on a semi annual basis and, if necessary, modifications will be made to the plan twice a year.

The Language Access Coordinator will schedule semi-annual meetings with all DEP bureaus that require translation and interpretation services to review the operating plan and make any necessary modifications to the plan.

The following details how the Bureau of Customer Services (BCS) will develop and implement its customer service policies and standards to address the needs of the LEP population. This will be followed by details of how other operating Bureaus within DEP will address the needs of their LEP customers.

Bureau of Customer Services (BCS)

BCS is responsible for almost all of the direct public services offered by DEP. This includes all functions related to water and wastewater billing for residents of New York City. Additionally, the Bureau contracts for the installation of water meters in unmetered buildings, and tests and validates the accuracy of water meters installed by private plumbers prior to installation. The Bureau has introduced a citywide Automatic Meter Reading system (AMR), a technology that will improve the frequency and accuracy of the meter reading process and allow customers to get an “early warning” of leaks and alerts of increased consumption before a billing problem occurs. Door-to-door installations of AMR technology started in March 2009, with the program taking an estimated three years to complete.

The AMR contractor’s field staff has multi-language capability. At least 30% of the staff is English-Spanish bilingual, with some staff fluent in Mandarin, Cantonese, Russian, and other languages to facilitate communication, access and success in communities where these languages are commonly spoken.

Documents that are deemed essential to this project will be translated into the appropriate languages for the demographic areas in which AMR will be installed. There is a Language Line contract in place to do the translations for AMR on an as needed basis.

The BCS Call Center is scheduled to upgrade its Interactive Voice Response (IVR) system. It is anticipated that the upgrade will take place in the second half of 2010. Proposed enhancements will include digital recording and monitoring of all calls for training and quality assurance. Call routing will be available for callers requiring an account specialist, or for LEP customers needing language assistance.

BCS Direct Public Services/Documents and Publications:

The importance of the benefits, services, and information available to LEP customers is very high, since BCS is the customer service Bureau that generates water and wastewater bills, and is responsible for their collection. Customers having questions

about their water and wastewater charges should be able to understand how their charges were calculated. Therefore, effective with the new DEP bill for water and wastewater charges, which will be introduced in the 4th quarter of 2009, a message in the six LEP-identified languages will be featured directing customers to call 311. Calls will then be routed to DEP's Bureau of Customer Services Call Center.

BCS offers a "Free Water-Saving Test Kit" that contains an informational booklet with instructions in Spanish and English for installing the kit's several water-saving devices. This brochure was developed under a pre-existing contract. When the next contract is let and a new brochure is printed, DEP will reassess what languages the brochure will need to be translated into. There is also copy in Russian, Chinese, Korean and Haitian-Creole inviting customers to write to the company for instructions in their respective language.

The Bureau also posts a Service Termination Notice for non-payment of water and wastewater bills. The Service Termination document is currently translated into Spanish, Chinese and Russian; Korean, Haitian-Creole and Italian will be added to the notice by the end of the second quarter.

The Bureau also conducted several successful Payment Incentive Programs (PIP) for community members experiencing late or non-payment problems with their water and sewer bills. Invitations, flyers and other printed materials were translated into Spanish, Chinese, Russian, Yiddish, Hebrew and Haitian-Creole. This practice will be continued and enhanced to include all appropriate languages for the LEP population, based on neighborhood demographics.

BCS LEP Population Assessment

How will you execute the Federal Department of Justice "Four-factor Analysis"?

BCS Borough Customer Service Offices (Five Borough Offices):

Using the "Four-factor Analysis" the BCS Borough Offices determined that it provides direct service to approximately 58,000 walk-in customers each year. BCS's customer surveys (tallied) show that about 10% or 5,800 customers make up the eligible LEP service population.

Surveys show that approximately 1,100 customers are served each week at the BCS Borough Office locations and the average weekly frequency of LEP customers interacted with at these five locations is 110 citywide. In the Manhattan office the languages encountered are Spanish, Chinese, Russian, Hindi; Brooklyn office, Spanish, Hebrew/Yiddish, Haitian-Creole; Russian, Chinese; Bronx office, Spanish, Chinese, Korean, Italian, Russian; Queens office, Spanish, Mandarin, Cantonese; Staten Island office, Spanish, Russian, Chinese.

BCS Call Center:

The Call Center is a vital customer service operation. It provides information to LEP customers by assisting them in understanding billing issues, water conservation programs, payment inquiries, payment plans, and any other related water and wastewater issues. In addition, the Call Center provides follow-up calls to the LEP customers to explain billing adjustments, related information and account updates.

Based on the BCS Call Center's 2008 Fiscal Year report, the Call Center responded to 328,683 customers citywide.

Reports and surveys collected by the Call Center Customer Service Representatives indicated that approximately 3% to 5% of all calls taken were in Spanish or Chinese.

The Call Center has developed a cost-effective strategic plan to address the LEP customer language needs. The BCS Call Center currently employs five of the six suggested languages available within the call center. BCS will continue to recruit new employees with multiple language skills, and utilize its Voluntary Language Bank when the employee is in close proximity to the Call Center. Language Line would only be used when the language is not available at the time of the call.

Will you utilize the top six citywide LEP languages in your plan?

BCS Borough Office:

The BCS Borough Offices will use the top six citywide LEP languages in its plan. Language Line services will be used to encompass these six languages and additional languages, if necessary. All LEP customer language requests, will be addressed first by using bilingual volunteers at the Borough Offices and, if needed reaching out to the BCS Call Center language bank volunteers, or by contacting Language Line.

BCS Call Center:

The BCS Call Center will also use the top six citywide LEP languages in its plan. In addition, the BCS Call Center will use Language Line services to accommodate languages not currently supported in the Call Center, nor by "in- Bureau" or Agency language bank volunteers.

BCS Implementation Plan Logistics

What is your time line for implementing your Language Access Plan?

Beginning in the 4th quarter, BCS will implement a three month pilot program using Language Line for telephonic translations in each of the Borough Offices and the Call Center for languages presently not supported by Bureau.

What are the major milestones in your plan?

Borough Offices

BCS has met with the QMatic vendor to upgrade its Borough Offices to include a management reporting tool that will record the number of LEP customers served in each location. Implementation will take place during the second half of 2010.

Effective with the full implementation of a Language Line contract, BCS will utilize language cards developed by the Mayor's Offices of Operations (MOO) and Immigrant Affairs (MOIA) that customers can use to point to the language they speak.

The Borough Offices will use the City's "I Speak" cards and Guidelines for Interpreting Services template for identifying the language the LEP customer speaks to let the greeter know that an interpreter is needed. It is anticipated that this task will be initiated by the third quarter.

The Borough Offices are located at the following addresses:

- 1932 Arthur Avenue, Bronx, NY
- 250 Livingston Street, Brooklyn, NY
- 1250 Broadway, New York, NY
- 96-05 Horace Harding Expressway, Corona, NY
- 60 Bay Street, Staten Island, NY

The Bureau will also use the language access signage and tools provided by the Customer Services Group (CSG) of the Mayor's Office of Operations (MOO) and Office of Immigrant Affairs (MOIA), within three months of the implementation of the Language Line pilot.

BCS Call Center:

The BCS Call Center has identified a methodology to measure current and future needs of LEP customers. A pilot program will be implemented utilizing Language Line to support languages not presently covered by bilingual staff in the Call Center. A designee in the Call Center will capture information, on a daily basis, of all customers served by bilingual staff and Language Line to determine future needs. If all of the LEP-identified languages are currently not spoken in the Call Center, the Bureau will look to future hires, if possible, to fill in the gaps.

Translation of written material

The Bureau posts a Service Termination Notice for non-payment of water and wastewater bills. The Service Termination document is currently translated into Spanish, Chinese and Russian. Korean, Haitian-Creole and Italian will be added to the notice by the end of the second quarter.

The Service Termination Notice will be reviewed and edited to conform to plain language guidelines and standards. In addition, the Bureau will review all other non-essential documents for possible future translation. This will begin in the third quarter and remain ongoing.

BCS Training

BCS is requesting training in the use of telephonic interpreters, and the language cards to identify the LEP-customer's primary language.

BCS has modified its current Language Line contract to include interpretative services. The contract will include a training component to ensure that employees are adequately trained, which will be done through our professional training staff.

The Bureau has a staff of professional trainers that are responsible for the training needs of all employees. The professional trainers will begin training with the Language Line staff once the contract is in place. They will attend the Language Line training session and report back to the Bureau. They will develop a training program, which will include standard operating procedures, and will be responsible for training the appropriate Bureau staff members.

The agency is working with the Mayor's Office of Immigrant Affairs to develop assessment standards for interpretation and translation services, and will rely on self assessments until such time as there is a standard in place. This will be done by the third quarter.

The timeline for the implementation of this initiative is 4-6 months after the language line contract is in place.

BCS Record-keeping and evaluation

A Bureau Liaison at each Borough Office will send the Manager of the Borough Offices quarterly reports on the number and kind of LEP requests, including the frequency of requests, and the nature of the requests to determine whether the Language Access Plan is effective. If necessary, adjustments to the administering of the Language Access services by BCS will be made and followed up in the next quarterly reporting period.

The Call Center currently maintains a log for LEP Chinese and Spanish customers. The log is used to collect information to ensure that customer inquiries are resolved and have met the customers' needs. The BCS Call Center has identified a methodology to measure

current and future needs of LEP customers. A pilot program will be implemented by the third quarter utilizing Language Line to support languages not presently covered by bilingual staff in the Call Center. A designee in the Call Center will capture information, on a daily basis, of all customers served by bilingual staff and Language Line to determine future needs.

During the second quarter, the Call Center will create a manual database recording, on a daily basis, LEP customer information consistent with the information that has been gathered by the Borough Offices. This daily log will record the language requested, the purpose of the call, outcome of the call, and if follow up is required. This information, gathered by the Bureau's Customer Service Representatives, will be used for review by the BCS Quality Assurance team. It will be sent on a quarterly basis to the Language Access Coordinator (LAC) for evaluation and modification to the Language Plan, if necessary.

CS Resource Analysis and Planning

In order to effectively maximize Bureau resources, language access services provided by the Bureau will utilize a hierarchy for service provision. Borough Office and Call Center bi-lingual staff will provide service to LEP customers in the languages each operation supports. If an LEP customer speaks a language that is not supported by this level of staff, assistance will be provided through the Language Line contract. This will allow the Bureau to maximize the dollars allocated through this contract.

Other Direct Public Services and Essential Documents

Outlined below are the current and future language access goal plans for those DEP Bureaus that have less direct public contact than BCS.

The Bureau of Communications and Intergovernmental Affairs (BCIA) manages the public information, community outreach and legislative affairs of the Agency. It is responsible for all press and media inquiries, environmental education, special projects and events, production of all public information materials, both print and electronic.

The Community Partnership Unit in BCIA is the Agency's primary liaison on all monitoring committees, citizen advisory committees, community outreach projects and service inquiries. It performs the outreach for the Agency's capital programs, including the upgrade of the Hunts Point Wastewater Treatment plant in the Bronx and the Newtown Creek Wastewater Treatment Plant. It has formed community-based committees for both projects: the Hunts Point Monitoring Committee (HPMC) for the Bronx plant and the Newtown Creek Monitoring Committee (NCCMC) for the Brooklyn plant. The committees work closely with the local community that may be impacted by the construction work, the local Community Board, and elected officials that represent the project's district.

The unit has recently advertised for a Spanish-speaking, Bronx resident to serve as a liaison on the HPMC. The selected candidate will act as a liaison between members of the local community and the DEP, and will set up community meetings, distribute literature and translate any concerns and problems the Hispanic community may have about the project.

The unit also works with a liaison to the NCMC who is bi-lingual Polish/English.

DEP has partnered with several community based organizations to develop a program to deal with the issue of illegally opened fire hydrants. The teams are staffed with youth who are bi-lingual in both English and Spanish. Literature consisting of flyers and posters for the program has also been developed in both languages. The program targeted neighborhoods with a history of high numbers of complaints including Washington Heights and Inwood in Manhattan and Highbridge, Fordham, Morris Heights and Concourse (Community Boards 4 and 5) in the Bronx.

Beginning in the third quarter, BCIA will review all agency publications. These documents will be reviewed to determine the need for translations into the six top LEP languages. This initiative will continue on an ongoing basis. Each of these documents will be reviewed and edited to conform to plain language guidelines and standards.

The Bureau of Environmental Compliance (BEC) has two “walk-in” windows where the public may come to pick up or drop off applications. One is the Asbestos Window and the other is the Records Control Window.

The purpose of the Asbestos Window is to allow members of the asbestos industry and the general public to tender applications, notifications, and written requests relating to asbestos abatement projects. Applications are presented for certification as asbestos handler, asbestos supervisor, and asbestos investigator. Notifications are provided as directed by regulation for proposed asbestos abatement. Written requests are delivered for consideration of variances to the regulations as they apply to specific asbestos abatement projects.

The Asbestos Unit has bilingual personnel available to handle the clients they serve. Initially, the demographics trended toward Eastern European individuals. The Asbestos Unit had on staff for 15 years a woman who was fluent in Russian and Polish. As the demographics of the asbestos work force shifted to Hispanic speaking workers, the Asbestos Unit has shifted a number of personnel who voluntarily serve as interpreters in the required language.

At the Records Control Window, the LEP customer base is Spanish and Chinese. To date, there have been no instances where translation to another language has been necessary. However, the LAC will work with BEC to monitor the customer base.

Other customers may come to the window to ask questions about air permits, to drop off permit applications and checks, or to speak to someone about a Notice of Violation (NOV).

DEP will develop and produce signage that will be posted at the two public service windows, located on the 8th and 9th floors at 59-17 Junction Boulevard, Queens, NY, that will offer language assistance in the LEP languages, as required by the customer base.

Signage for the records control window will be developed in Spanish and Chinese, to serve its customer base. Signage for the Asbestos window will be developed in Spanish, Korean, Polish, Russian and Serbian, to serve its respective customer base. This signage will be developed and posted by the fourth quarter of 2009.

Presently BEC's Asbestos Unit offers the test for Asbestos Handlers in English, Spanish, Korean, Polish, Russian and Serbian. Owners of companies and investigators take the test in English only.

Documents produced by the Bureau of Water and Sewer Operations have been identified as "essential" under EO 120 and will be translated into the six required languages. These documents are:

- Water Shut-Off Notices for Repair/Maintenance as well as Water Main Breaks
- Three Day Notices (presently in English & Spanish)
- Ten Day Notices
- Emergency Shut Off Notices (presently in English & Spanish)

All BWSO documents requiring translation will include all six LEP languages. Translations for the above documents will be accomplished within the third quarter. Each of these documents will be reviewed and edited to conform to plain language guidelines and standards.

The Bureau of Wastewater Treatment (BWT) produces two brochures, distributed widely to restaurants and citizens: "Grease Disposal Tips," presently available in English, Spanish and Chinese; and "Preventing Grease Discharges in Sewers," presently available in English, Spanish, Chinese and Russian. DEP's LAC will evaluate the need to translate this print material into all six required languages. This will be done by the fourth quarter. Each of these documents will be reviewed and edited to conform to plain language guidelines and standards.

Public Awareness/Outreach Strategies

DEP has begun to inform its Bureaus and offices of the Mayor's Executive Order No. 120, ordering each City agency to create and distribute a Language Access Policy and Implementation Plan that will ensure meaningful access to the services the agency provides.

Information about the DEP Language Access Plan will appear on our website.

The Bureau of Communications and Intergovernmental Affairs will work with the Bureau of Customer Services to develop a bill insert to promote the availability of language access at both the BCS Borough Offices and Call Center. The insert will mention our Language Access program and will have a tear-off similar to the “I Speak” card, listing the six languages for the LEP person to check indicating the language for which interpretation is needed. It is expected that this bill insert will be designed and developed by the fourth quarter.

The bill insert will also be distributed at all DEP outreach events, as well as given to staff attending community-based meetings or hearings.

MILESTONES			
Task	Timeline	Meeting Projected Target	Completed
Voluntary Language Bank (VLB) updates	yearly	yes	yes
Language Access Coordinator/311 Liaison data review	semi annually	Yes	no
Language Access Coordinator bureau meetings	semi annually	Yes	no
BCS Interactive Voice Response (IVR) system upgrade	2 nd half of 2010	Yes	2%
BCS Service Termination Notice for Non Payment translation	end of 2 nd quarter	Yes	50%
Introduction of new DEP water bill	4 th quarter 2009	Yes	75%
BCS implementation of Language Line pilot	4 th quarter 2009	Yes	50%
QMatic implementation in BCS	2 nd half of 2010	New date set	40%
“I Speak” cards and Guidelines of Interpreting Services	4 th quarter 2009	Not yet started	no
BCIA review of non-essential documents for future translation	3 rd quarter 2009	Yes	no
BCS professional trainers internal training of staff	3 rd quarter 2009	Yes	no
BCS Call Center and Borough Office implementation of database	1 st half of 2010	New date set	20%
BCIA start of reviewing all agency documents	3 rd quarter 2009	Yes	no
Translation of all BWSO essential documents	completed 3 rd qtr.	Yes	25%
Translation of BWT Grease brochures to all 6 LEP languages	4 th quarter 2009	Yes	no
BCS bill insert tear off design	4 th quarter 2009	Yes	no