

New York State Department of Environmental Conservation

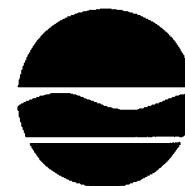
Division of Water

Bureau of Water Compliance, 4th Floor

625 Broadway, Albany, New York 12233-3506

Phone: (518) 402-8177 • FAX: (518) 402-8082

Website: www.dec.state.ny.us



February 1, 2007

Mr. James G. Mueller, P.E.
Director
Facilities Planning and Design
Bureau of Engineering Design and Construction
NYC Department of Environmental Protection
59-17 Junction Boulevard
Flushing, New York 11373-5108

Dear Mr. Mueller:

Re: Order on Consent (CSO Order), DEC Case #CO2-20000107-8
Appendix A, IV. Paerdegat Basin CSO, F. Submit Approvable Drainage Basin
LTCP for Paerdegat Basin

The Department has reviewed the revised Paerdegat Basin Long Term Control Plan (LTCP) and accompanying comment letter, dated June 30, 2006, submitted in response to Department comments dated April 12, 2006. The Draft Paerdegat Basin LTCP was originally submitted on November 30, 2005, in accordance with the above referenced CSO Order, Appendix A, IV.F.

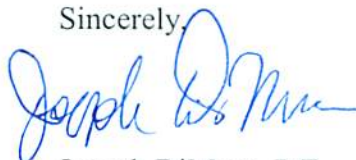
The Department acknowledges that a public meeting was held at the Hudson River Yacht Club in Bergen Beach, NY on September 26, 2006, to present the Paerdegat Basin LTCP and a Responsiveness Summary was issued on January 10, 2007 to address public comments and questions. In light of these steps, and the revisions made to the Paerdegat report, the Paerdegat Basin LTCP is hereby approved. Please find enclosed a DEC stamped copy of the cover of the approved document. All components of the LTCP, including implementation schedules, are now enforceable under the above referenced CSO Order per Section III.C.2. and will be so until the Coney Island WPCP SPDES permit is renewed or modified. At that time, the approved Paerdegat Basin LTCP will be incorporated into the issued permit. Your next milestone under the approved LTCP is Submittal of a Dredging Permit Application by December 31, 2008.

It is anticipated that the City will submit an application for a SPDES variance under 6NYCRR Part 702.17 to operate the CSO facility. The application shall include an operating plan for the Paerdegat Basin CSO facility with two monitoring plans, one for SPDES monitoring of the overflow effluent and one for a post-construction water quality monitoring program. The Department may propose a modification the SPDES permit for the Coney Island WPCP. This

proposed modification to the permit would require monitoring and reporting of measurable operations (already contained in the permit) at the Paerdegat Basin CSO Facility to ensure that the facility operates in accordance with the design approved by the Department. The modified permit would also incorporate the post-construction water quality monitoring program specified in the approved Paerdegat Basin LTCP. The monitoring requirements will become effective upon startup of the Paerdegat Basin CSO Facility. During each 5-year long term control planning cycle, the City will continue to review and evaluate the causes of water quality impairment for the waterbody/watershed. Post-construction monitoring results will be reviewed by the Department annually to determine whether the LTCP is adequately protecting water quality in Paerdegat Basin.

Should you have any questions, please feel free to call Mr. Gary E. Kline, P.E., at (518) 402-9655.

Sincerely,



Joseph DiMura, P.E.

Director

Bureau of Water Compliance

Enclosure

cc w/encl.: G. Kline, P.E.
S. Crisafulli, Esq.
A. Fuchs, P.E.
R. Elburn, P.E., DEC Region 2
T. Rudolph, P.E., DEC Region 2
T. Burns, P.E., NYS EFC
J. Olander, USEPA
M. Klein, P.E., NYCDEP
K. Mahoney, P.E., NYCDEP
P. Young, P.E., Hazen & Sawyer

New York State Department of Environmental Conservation
This report for Paerdegat Basin CSO Long Term Control
Plan per Appendix A, IV., F.

is hereby approved subject to the provisions of the
Environmental Conservation Law and Order on consent
(CSO Order) DEC Case # C02 - 20000107/8

Date 2/1/2007 By: Joseph P. Murr P.E.
New York State Commissioner of
Environmental Conservation
Designated Representative

Recommended by: Ray E. Blum P.E.

City-Wide Long-Term CSO Control Planning Project

**Paerdegat Basin Watershed-Specific Long-Term CSO Control
Plan Report**

Prepared by

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

**NOVEMBER 2005
REVISED JUNE 2006**

