



May 28, 2020

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Re: CSO Order on Consent (DEC Case No. C02-20140314-01,
modification of DEC Case No. CO2-20000107-8)
Modification request for submittal of Open waters/Citywide LTCP

Dear Ms. vonWergers:

On March 19, 2020, the New York City Environmental Protection (“DEP”) notified the Department of Environmental Conservation (“DEC”) of a Force Majeure event and potential milestone delays resulting from the recent outbreak of COVID-19 and associated emergency declarations. As part of the Force Majeure notice, DEP requested an extension of the milestone for submittal of the Open waters/Citywide Long Term Control Plan (“LTCP”) from March 31, 2020 until May 30, 2020. On March 27, 2020, DEC granted DEP’s extension request.

While DEP appreciates the additional time already granted by DEC, delays in finalizing the LTCP persist. New York City has not yet qualified to begin reopening under New York State guidelines and as reported on March 19 a majority of DEP key staff assigned to LTCP development and review have had to prioritize functions affected by the COVID-19 pandemic. Further, DEP has had to take a close look at prioritizing critical services and operations to ensure ongoing protection of public health and safety and the environment. The need to reprioritize staff functions and operations in response to COVID-19 has persisted and has impacted DEP’s ability to finalize the LTCP. DEP hereby requests a further extension until September 30, 2020.

If you have any questions or would like to discuss further please contact me at meckels@dep.nyc.gov or at (347) 244-5226.

Sincerely,

/s/

Marcella R. Eckels

Copy:

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