

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Compliance
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March 29, 2017

SENT VIA EMAIL

Mr. Keith Mahoney, P.E.
Acting LTCP Program Manager
Bureau of Wastewater Treatment
New York City Department of Environmental Protection
96-05 Horace Holding Expressway
Corona, NY 11368

Re: Order on Consent (“CSO Order”), DEC Case #CO2-20110512-25 modification to DEC
Case #CO2-20000107-8, Appendix A
III. Inner Harbor CSO, I. Submit Approvable Drainage Basin Specific LTCP for Gowanus
Canal
DEPARTMENT APPROVAL

Dear Mr. Mahoney:

Pursuant to the referenced Order on Consent, the New York State Department of Environmental Conservation (Department) hereby approves the New York City Department of Environmental Protection’s (City) June 2015 Gowanus Canal Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP), however, this approval is contingent upon continued operation of the Flushing Tunnel in accordance with its operational plan, and implementation of a project to mitigate foam generated from the Flushing Tunnel. Please find enclosed a stamped copy of the cover of the approved June 2015 Gowanus Canal CSO LTCP.

On June 30, 2015, the City submitted the Gowanus Canal CSO LTCP to the Department in accordance with CSO Consent Order milestone Appendix III.I. The Department provided comments on the submittal on August 5, 2015 and the City submitted the Gowanus Canal LTCP Supplemental Documentation on September 8, 2015 with responses to the

Department's comments as well as some corrections to the original CSO LTCP. The August 2015 LTCP Supplemental Documentation is incorporated by reference into the June 2015 Gowanus Canal CSO LTCP.

The City has implemented numerous CSO abatement projects to minimize adverse impacts to water quality, aquatic biota, and human health attributed to CSO discharges. Under the approved 2008 Gowanus Canal Waterbody/Watershed Facility Plan, the City implemented upgrades to the Gowanus pump station and refurbishment of the Flushing Tunnel. In addition, the City is constructing, as part of the Gowanus Canal CSO LTCP baseline conditions, green infrastructure and high level sewer separation in the Gowanus Canal sewershed to further reduce CSOs to the waterbody.

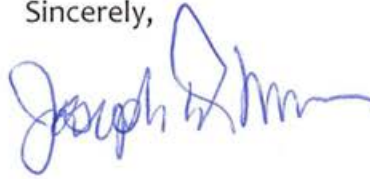
The June 2015 Gowanus Canal CSO LTCP proposed "no further action" for mitigating CSOs to the Gowanus Canal because the waterbody is projected to attain Class SD and Class I water quality standards with existing and proposed future infrastructure. With respect to the dissolved oxygen standards, the CSO discharges to the waterbody are projected to be in attainment 95 percent to 100 percent of the time on an annual basis. With respect to the bacterial water quality standard, CSO discharges to the waterbody are projected to be in attainment 100 percent of the time during the recreational season based on a monthly geometric mean of 200 organisms/100 ml. The LTCP projected that the waterbody will return to compliance with bacterial water quality standards within 14 hours following intermittent CSO discharges.

The Department acknowledges that a public meeting was held at the PS 32, 317 Hoyt Street, Brooklyn, NY on November 19, 2014 to present background on the Gowanus Canal CSO LTCP. A second public meeting was held on May 14, 2015 at the PS 32 to present LTCP alternatives. The public participation requirements have been met. A Responsiveness Summary has been prepared by the City and will be appended to the approved Gowanus CSO LTCP in the appendices.

The Post-Construction Compliance Monitoring Plan (PCMP) specified in Section 9.5 of the approved June 2015 Gowanus Canal CSO LTCP has already commenced and shall continue as part of the implementation of this LTCP. Monitoring results will be reviewed by the Department to determine if existing facilities are achieving a level of water quality that is protective of the highest attainable use of Gowanus Canal. Consistent with EPA CSO Policy, the SPDES permit will require the City to evaluate the efficacy of the CSO program at the 5-year interval to assess performance of the approved CSO controls and whether water quality objectives have been achieved. The Department may determine that additional CSO controls are necessary.

If you have any questions regarding this letter, please contact Mr. Gary Kline, P.E., Section Chief at 518-402-9655 or gary.kline@dec.ny.gov.

Sincerely,



Joseph DiMura, P.E.
Director, Bureau of Water Compliance
Division of Water

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Capital Project No. WP-169
Long Term Control Plan II

Combined Sewer Overflow Long Term Control Plan for Gowanus Canal

June 2015

New York State Department of Environmental Conservation

This report for APPENDIX A III.I SUBMIT
APPROVABLE DRAINAGE BASIN SPECIFIC
LTCP FOR GOWANUS CANAL

is hereby approved subject to the provisions of the
Environmental Conservation Law and Order on consent
(CSO Order) DEC Case # CO2 - 20000107-8.

Date 3/31/2017 By: [Signature] P.E.

New York State Commissioner of
Environmental Conservation
Designated Representative

Recommended by:



Keith W. Beckmann, P.E.
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The City of New York
Department of Environmental Protection
Bureau of Wastewater Treatment

Prepared by: AECOM USA, Inc.