New York State Department of Environmental Conservation
Division of Water
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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,

[Signature]

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. IV. F.
is hereby approved subject to the provisions of the Environmental Conservation Law and Order on consent (CSO Order) DEC Case # C02 - 20000/07-8
Date 2/1/2007. By: [Signature] P.E.
New York State Commissioner of Environmental Conservation
Designated Representative
Recommended by: [Signature]

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