

Drought Emergency Variance Board
New York City Department of Environmental Protection

**APPLICATION FOR A VARIANCE FROM THE
DROUGHT EMERGENCY RULES:
INSTRUCTIONS**

If you prefer, you can present your application as a letter, rather than use the application form, as long as all requested information is provided. Even if you use the application form, you may need to attach additional sheets explaining your potential hardship and the alternative actions you have taken to reduce water use.

1. **Name, Addresses and Phone Number** - Please provide your name, home address, work phone and fax number(s), business name and address.
2. **Variance Request** - Indicate the specific water use restriction you are seeking relief from. Include the section number from the Drought Emergency Regulations (15 RCNY Chapter 21; regulations are posted on www.nyc.gov/dep) if you can.
3. **Description of Undue Hardship** - Describe the undue hardship that will result if a variance is not granted. Please be as specific as possible. General statements such as “this will cost me more money” or “this will close my business” are not sufficient and are grounds for rejection of an application. You might indicate how much revenue would be lost to your business, what percent of your business’s revenue might be lost, contractual obligations which might be violated, the size of your workforce, and any layoffs that might be necessary. If any health or safety problems would be created or increased, please include that as well.
4. **No Other Alternatives** - Explain why there are no alternatives available. If the use of water for which you seek a variance does not seem to require potable (drinking) water, you must explain why non-potable water from a well, reclaimed water from a wastewater treatment plant or some other non-potable source is not acceptable. Please include cost estimates of the alternatives you have considered and determined are not feasible.

Also describe what other actions you have already taken to reduce your use of potable (drinking) water, and any other actions you plan to take in the immediate future.

5. **Non-City Sources (If applicable)** - If you are bringing in water from areas that are not restricting water use, or you are using non-potable sources, please indicate the name, location, and telephone number of the outside source, if the area is under any drought restrictions, and specify the type and source of the non-potable water.

Note: I understand and agree if a variance is granted, it may, at the sole discretion of the New York City Department of Environmental Protection (NYCDEP), be modified or rescinded if a further Stage of Drought Emergency is declared (e.g., if a variance is granted during a Stage I Drought Emergency, it may be modified or rescinded by NYCDEP if a Stage II, Stage III or Stage IV Drought Emergency is subsequently declared).

Notarization: The applicant’s signature must be notarized and dated.

Mail application to:

NYC Department of Environmental Protection
Drought Emergency Variance Board
59-17 Junction Blvd., 13th Floor Tower
Flushing, New York 11368-5107

or, **drop off** at one of the following locations:

Bureau of Customer Services
Bronx Borough Office
1932 Arthur Avenue, Room 601
Bronx, New York

Bureau of Customer Services
Queens Borough Office
96-05 Horace Harding Expwy
Flushing, New York

Bureau of Customer Services
Brooklyn Borough Office
250 Livingston Street, 8th Floor
Brooklyn, New York

Bureau of Customer Services
Staten Island Borough Office
60 Bay Street, 6th Floor
Staten Island, New York

Bureau of Customer Services
Manhattan Borough Office
1250 Broadway, 8th Floor
New York, New York

(4. Continued) and that the applicant has taken and will take ALL POSSIBLE MEASURES TO CONSERVE WATER

in that _____
(complete description of all such conservation measures)

and such variance is not inconsistent with the purposes of this emergency regulation in that: _____

(set forth why there would be no inconsistency)

5. (Answer this question if applicable.) My business uses water from non-City sources, or non-potable sources. I will post signs stating this information.

Sources: _____
(indicate name, location, telephone number of this source and whether the source is under any drought restrictions)

NOTE: I understand and agree that if a variance is granted, it may, at the sole discretion of the New York City Department of Environmental Protection (NYCDEP), be modified or rescinded if a further Stage of Drought Emergency is declared (e.g., if a variance is granted during a State I Drought Emergency, it may be modified or rescinded by NYCDEP if a Stage II, Stage III or Stage IV Drought Emergency is subsequently declared).

(applicant's signature (and title if applicable))

(print applicant's name)

Contact Information:

Telephone: Day: _____

Evening: _____

Fax: _____

Email: _____

DEP Water & Sewer

Billing Account #: _____

(if applicable)

Sworn to before me this _____ day of _____, 2002

Notary Public