

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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In the Matter of the Violations of Articles 17
of the Environmental Conservation Law and Part 750
et seq., of Title 6 of the Official Compilation of Codes, Rules
and Regulations of the State of New York (6 NYCRR);

**ORDER ON
CONSENT**
(CSO Order
Modification to CO2-
20000107-8 and CO2-
20070101-1)

-by-

The City of New York, and the New York City Department
of Environmental Protection,

DEC Case #
CO2-20090318-30

Respondents.

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WHEREAS:

1. The Department of Environmental Conservation (the "Department" or "DEC") is a Department of the State of New York with jurisdiction to enforce the environmental laws of the State, pursuant to the Environmental Conservation Law ("ECL"), Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York ("NYCRR"), and Orders issued thereunder.
2. The Department has jurisdiction over the abatement and prevention of pollution to the waters of the State pursuant to Article 17 of the ECL and 6 NYCRR Part 750, *et seq.* This jurisdiction also authorizes DEC, as a State agency with an approved program per Sections 318, 402 and 405 of the federal Clean Water Act ("CWA"), 33 U.S.C. Section 1251, *et seq.*, to regulate the discharge of pollutants from point sources into the waters of the State in conformity with the CWA.
3. Pursuant to its authority to protect the waters of the State, the Department administers the State Pollutant Discharge Elimination System ("SPDES") permit program, ECL §17-0801, *et seq.* In general, the SPDES program prohibits any discharge of pollutants to the waters of the State without a permit establishing pollutant limitations and treatment requirements. Thus, SPDES permits set certain effluent limitation parameters ("parameters"), determined according to ECL §17-0809 and 6 NYCRR §750-1.11, in order to avoid contravention of mandated water pollution control requirements and water quality standards ("WQS"). Those conditions address not only the allowable range of parameters for discharge of pollutants to the waters of the State, but also the manner in which the permittee is to operate, maintain, monitor, and report on its regulated facilities and activities.
4. Combined sewer overflows ("CSOs") are discharges of untreated domestic sewage, and industrial wastewaters, combined with stormwater. CSOs occur when wet weather flows are

in excess of the capacity of combined sewer systems and/or the Water Pollution Control Plants they serve. CSO discharges may contribute to violations of State WQS. CSOs are "point sources" subject to NPDES permit requirements, including both water quality-based and technology-based requirements of the CWA.

5. The New York City Department of Environmental Protection ("DEP"), a municipal agency, and the City of New York ("the City") (collectively referred to herein as "Respondents") own, operate, and are responsible for the City's 14 Municipal Water Pollution Control Plants (collectively referred to as the "WPCPs"), which process most of the sewage generated within the City, as well as the City's combined sanitary sewage system, related pump stations, sewer regulators, CSO outfalls, and other appurtenances related thereto. Respondents discharge wastewater combined with stormwater from approximately 450 CSO outfalls within the City of New York.

6. In 1974, pursuant to Section 208 of the CWA, 33 U.S.C. §1288, Respondent DEP began a program to evaluate abatement of CSOs and improve water quality conditions. The program included development of a water quality model based on monitoring of CSOs and their impacts. The program concluded that the CSOs had a minimal impact on dissolved oxygen in the open waters of the City such as the Hudson and East Rivers. The program further concluded that CSOs had a measurable adverse impact in the confined tributary waters around the City.

7. Previously the Department and Respondents entered into Orders on Consent dated June 26, 1992 (Case No. R2-3351-90-12)(the "1992 CSO Order"), September 19, 1996 (Case No. R2-3351-90-12)(the "1996 CSO Order"), January 14, 2005 (Case No. CO2-20000107-8) ("the 2005 CSO Order"), and April 14, 2008 (Case No. 2007-0101-1)("the 2008 CSO Order"). The 2005 Order was issued to address numerous violations of the 1992 and 1996 CSO Orders, and to require the implementation of CSO Long Term Control Plans. The 2005 CSO Order superseded the 1992 and 1996 CSO Orders. The 2008 CSO Order specifically modified certain construction milestone dates contained within the 2005 CSO Order to address pending Notices of Violations, Notices of Force Majeure, and Milestone Modification Requests. The 2008 CSO Order also included the transfer of work at Tallman Island and Rockaway from the Omni IV Order.

8. Pursuant to the 2005 CSO Order, Paragraph III.H.3, construction completion requires that all process-related equipment and facilities are constructed in accordance with the approved plans and specifications, and placed into operation to meet the applicable SPDES permit requirements. Respondents certified construction completion at the Flushing Bay CSO Retention Facility ("Flushing"), excluding the odor control system from the certification, on May 17, 2007, in advance of the revised May 31, 2007 milestone date contained within the 2008 CSO Order. The Department issued Respondents a Notice of Violation ("NOV") on July 15, 2008 for the violation of the construction completion milestone, identifying the following four items as incomplete: influent/effluent flow meters, bar screens, regulator 9, and the odor control system.

Respondents timely contested the NOV. Respondents and the Department conducted a compliance conference on September 16, 2008 to address the NOV and held a technical meeting

on November 20, 2008 to discuss technical matters associated with the NOV. The Flushing Bay CSO Retention Facility has been accepting wet weather flow since May 2007.

9. Respondents have violated the terms of Revised Appendix A of the 2008 CSO Order as follows:

-Revised Appendix A- Due Date May 31, 2007- V.F.4 Flushing Bay CSO, CS4-4 Mechanical Structures, Construction Completion.

10. The Department and Respondents have agreed to resolve the Flushing NOV referenced by DEC Case Number CO2-20070101-1, as set forth herein.

11 Pursuant to ECL §71-1929, a person who violates any of the provisions of, or who fails to perform any duty imposed by, ECL Article 17 or the rules or regulations of the Department promulgated pursuant thereto, or the terms of any certificate, permit or order issued thereunder, shall, *inter alia*, be liable for a penalty not to exceed thirty-seven thousand, five-hundred dollars (\$37,500) per day for each violation, and may also be enjoined from conducting such activity.

12. The Department and the Respondents have each consented to the making of this Order, which modifies the 2005 CSO Order and the 2008 CSO Order, without further action, litigation, hearing or adjudication of any issues of fact or law, being duly advised, and it being in the public interest and advantageous to the State;

IT IS HEREBY ORDERED:

I. EFFECT ON PREVIOUS ORDERS

Respondents are bound by, and agree to follow and comply with, the terms, provisions and requirements set forth in this Order, including the revised construction completion date in Appendix A and the Flushing compliance schedule in Appendix B, which are incorporated herein. This Order modifies and replaces only those portions of the 2005 CSO Order and the 2008 CSO Order set forth in paragraph III below and Appendix A. All other provisions of the 2005 CSO Order and 2008 CSO Order, including its Appendix B, shall remain in full force and effect. The requirements set forth in this Order are additional to, and do not affect any requirements set forth in, any Orders on Consent between DEC and Respondents other than the limited provisions of the 2005 CSO Order and the 2008 CSO Order, as specifically set forth in paragraph III below, and Appendices A and B to this Order.

II. CIVIL PENALTY

In settlement of all violations set forth in the Flushing NOV, and paragraph 9 above, Respondents shall pay a civil penalty in the sum of one hundred seventy-five thousand dollars (\$175,000). The civil penalty shall be paid within 45 days of DEC's execution of this Order, by check made payable to the order of the "New York State Department of Environmental

Conservation," which shall be forwarded to the Department of Environmental Conservation, 625 Broadway, 14th Floor, Office of General Counsel, Albany, NY 12233-1500, attention: Elissa Armater, with a copy to Robyn Adair, Esq., at the same address.

III. COMPLIANCE SCHEDULE

A. Respondents are permanently enjoined and directed to complete and/or implement the construction projects set forth in Appendices A and B attached to this Order, in accordance with the specified project descriptions and schedules set forth therein.

B. Regarding the former 2008 CSO Order construction completion milestone for the Flushing Bay CSO Retention Facility, as most recently set forth in Revised Appendix A, other than the modification to the dates of those milestones in accordance with the Appendices A and B attached to this Order, there shall be no other changes to the activities required by those milestones pursuant to the 2005 CSO Order or 2008 CSO Order. The activities required for compliance with those milestones, and the enforcement of those milestones, shall be addressed by the terms of the 2005 CSO Order.

C. Respondents shall strictly comply with all the milestones set forth in the Appendices A and B attached to this Order. The implementation and enforcement of the activities required by these milestones shall be governed by the terms of the 2005 CSO Order.

D. Upon the effective date of this Order modification, Appendix A of the 2005 CSO Order and Revised Appendix A of the 2008 CSO Order, as related to the Flushing Bay CSO Retention Facility, shall be modified by the page set forth in Appendix A of this Order. The page of Appendix A attached to this Order shall be substituted for the corresponding page of Revised Appendix A of the 2008 CSO Order, insomuch as it relates only to the construction completion milestone for the Flushing Bay CSO Retention Facility.

E. Appendix B of this Order, which is not intended to supersede Appendix B of the 2008 CSO Order or having any bearing on such, details a facility-specific compliance schedule for the Flushing Bay CSO Retention Facility, which outlines the requirements Respondents must complete by dates-certain to address the four items identified by the Department as incomplete (e.g., influent/effluent flow meters, bar screens, regulator 9, and odor control system).

IV. CSO INDEPENDENT ENVIRONMENTAL MONITORS

A. As per paragraphs VIII.C and VIII.D of the 2005 CSO Order, the role of the CSO Independent Environmental Monitors shall be expanded to include the ability to work on all elements of the Long Island Sound Consent Judgment (Index No. 04-402174, Sup. Ct., New York County) ("the Judgment"), in accordance with paragraph XI of the Judgment and the Annual Work Plan provided by DEC to DEP and the City of New York by February 1st of every year in accordance with Section XI.B.6 of the Judgment.

V. RELEASE

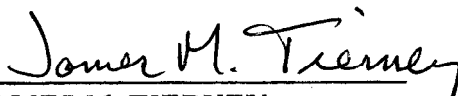
In consideration of Respondents' payment of \$175,000.00 and agreement to fulfill its obligations under this Order, the Department hereby releases Respondents from any further penalties or sanctions for any violation of Milestone V.F.4 that may have occurred as of the effective date of this Order on Consent.

VI. EFFECTIVE DATE

The effective date of this Order modification is the date it is signed by the DEC Commissioner or his/her designee.

DATED: *Sept 3*, 2009
ALBANY, NEW YORK

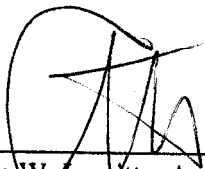
**New York State Department of
Environmental Conservation by:**


**JAMES M. TIERNEY,
ASSISTANT COMMISSIONER FOR
WATER RESOURCES**

EDMS# 337710

CONSENT BY RESPONDENTS

The New York City Department of Environmental Protection hereby consents to the issuance and entry of the foregoing Order, waives its right to a hearing herein as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.



Steven W. Lawitts, Acting Commissioner
New York City Department of
Environmental Protection

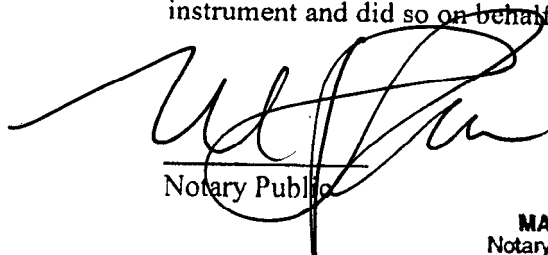
8/14/09

DATE

ACKNOWLEDGMENT

State of New York)
County of Queens) ss.:

On the 14th day of Aug, 2009 before me personally came Steven W. Lawitts to me known, who being by me duly sworn did depose and say that he maintains an office at 59-17 Junction Blvd. in the County of Queens and that he was duly authorized to execute the foregoing instrument and did so on behalf of the Respondents of New York.



Notary Public

MARCELLA R. ECKELS
Notary Public, State of New York
No. 02EC6064658
Qualified in Kings County
Commission Expires Sept. 26, 2009

CONSENT BY NEW YORK CITY CORPORATION COUNSEL

The New York City Corporation Counsel hereby consents to the issuance and entry of the foregoing Order without further notice, waives its right to a hearing herein, and agrees to be bound by the terms, conditions and provisions hereof.

Michael A. Cardozo,
Corporation Counsel of the
City of New York

BY: WMSER
Title: ASSISTANT CORPORATION COUNSEL

Date: July 16, 2009

ACKNOWLEDGMENT

State of New York)
County of NY) ss. :

On this 16 day of July, 2009, before me personally came William Plache, to me known, who being duly sworn, deposed and stated that (s)he maintains an office at 100 Church Street, NY, NY that (s)he is an Assistant Corporation Counsel, Environmental Law Section of The New York City Corporation Counsel, and that (s)he was authorized by said Department to execute the foregoing instrument.

Hilary Meltzer
Notary Public

HILARY MELTZER
Notary Public, State of New York
No. 02ME5010465
Qualified in New York County
Commission Expires ~~June 5~~ 20 11
March 29

DEC Case No. CO2-20090318-30

Appendix A

1. The milestone date set forth in this Appendix replaces the construction completion milestone date for the Flushing Bay CSO Retention Facility, as set forth in the 2008 CSO Order.
2. The page set forth herein shall replace the corresponding pages of the 2008 CSO Order upon the effective date of this Order.

APPENDIX A
Revised March 2009

V. Flushing Bay CSO

	Milestone Date	Revised Milestone Date
A. Facility Plan Development		
1. Submit Modified Facility Plan Report	Completed	
2. Submit Additional Modified Facility Plan Report	February 2004	
3. Submit Form 2A SPDES Application	June 2003	
B. Comprehensive Watershed Planning		
1. Submit Approvable Flushing Bay Waterbody/Watershed Facility Plan Report	June 2007	
2. Submit Approvable Flushing Creek Waterbody/Watershed Facility Plan Report	June 2007	
C. CS4-1 Reroute and Construct Effluent Channel		
1. Initiate Final Design	October 1992	
2. Final Design Completion Including CPM Analysis	September 1994	
3. Notice to Proceed to Construction	June 1995	
4. Construction Completion	June 1996	
D. CS4-2 Relocate Ballfields		
1. Initiate Final Design	October 1992	
2. Final Design Completion Including CPM Analysis	September 1994	
3. Notice to Proceed to Construction	April 1995	
4. Construction Completion	August 1995	
E. CS4-3 Storage Tank		
1. Initiate Final Design	December 1993	
2. Final Design Completion Including CPM Analysis	September 1996	
3. Notice to Proceed to Construction	July 1997	
4. Construction Completion	August 2001	

<p>F. CS4-4 Mechanical Structures</p> <ol style="list-style-type: none"> 1. Initiate Final Design 2. Final Design Completion Including CPM Analysis 3. Notice to Proceed to Construction 4. Construction Completion 	<p>December 1993 February 2000 March 2002 May 2007</p>	<p>September 1, 2009</p>
<p>G. CS4-5 Tide Gates</p> <ol style="list-style-type: none"> 1. Initiate Final Design 2. Final Design Completion Including CPM Analysis 3. Notice to Proceed to Construction 4. Construction Completion 	<p>August 1998 November 1999 December 2000 April 2002</p>	
<p>H. CD-8 Manual Sluice Gates</p> <ol style="list-style-type: none"> 1. Final Design Completion Including CPM Analysis 2. Notice to Proceed to Construction 3. Construction Completion 	<p>May 2003 February 2004 June 2005</p>	
<p>I. Drainage Basin Specific LTCPs</p> <ol style="list-style-type: none"> 1. Submit Approvable Drainage Basin Specific LTCP for Flushing Bay 2. Submit Approvable Drainage Basin Specific LTCP for Flushing Creek 	<p>6 months after approval of V.B.1. 6 months after approval of V.B.2.</p>	
<p>J. Tallman Island WPCP and associated sewer system are capable of delivering, accepting and treating influent at or above twice the plant's design flow during any storm event</p> <ol style="list-style-type: none"> 1. Initiate Final Design 2. Final Design Completion Including CPM Analysis 3. Notice to Proceed to Construction 4. Construction Completion 	<p>December 2007 December 2010 December 2011 July 2015</p>	

DEC Case No. CO2-20090318-30
Appendix B
SCHEDULE OF COMPLIANCE

Required Corrective Action- Flushing Bay CSO Retention Facility	Deadline
<p><u>1. Flow Meters:</u></p> <p>a) Submit to DEC a letter with detailed description/figures outlining the methodology to be used for measuring effluent overflow from the tanks including the results of the testing of the methodology. Include descriptions of the computer programs being used, calculations being made, frequency of calculations, how the pressure transducers operate, how pump back from influent sewers can be measured/calculated separately from pump back from the tanks, how flow rates thru the tanks are calculated, and what happens to tank effluent overflow when an ultra-high tide occurs.</p> <p>b) DEP will begin submitting to DEC monthly operating reports containing effluent overflow volumes, in accordance with the methodology proposed in (a), pursuant to the Tallman Island SPDES permit. After submittal of the first report using the methodology in (a), this requirement will continue in accordance with the Tallman Island SPDES permit.</p>	<p>1(a) Due 30 days after completion of testing of the methodology, but no later than July 31, 2009.</p> <p>b) First submittal due with SPDES monthly operating report, 60 days after DEC approval of the methodology</p>
<p><u>2. Odor Control System:</u></p> <p>a) Apply to register all chemical bulk storage tanks with the DEC. Apply for variance on daily inspections.</p> <p>b) Submit certification of completion of start-up and testing of full odor control system using water.</p> <p>c) Demonstrate to DEC, during final inspection of the facility, the operation of the odor control system with water. Operation of the system with water includes the odor control fans, scrubbers, and dilution water pumps.</p> <p>d) Submit to DEC a P.E. stamped certification of construction completion of the odor control system in accordance with the approved design.</p>	<p>2(a) No later than September 1, 2009</p> <p>2(b) June 30, 2009</p> <p>2(c) No later than September 1, 2009</p> <p>2(d) No later than September 1, 2009</p>

<p>3. <u>Bar Screens:</u></p> <p>a) Submit report with description of repairs and modifications completed for bar screens and P.E. certification of construction completion of such repairs and modifications.</p> <p>b) Demonstrate to DEC, during final inspection of the facility, the full operation of all five bar screens.</p>	<p>3(a) June 30, 2009</p> <p>3(b) No later than September 1, 2009</p>
<p>4. <u>Tallman Island Regulator 9:</u></p> <p>a) Submit to DEC a letter explaining how, when and what telemetry/SCADA systems have been installed at Regulator 9. Include a detailed discussion on the operation of the telemetry and the ability to control flow and operations of the pump back pumps at the Flushing Bay CSO Tank to the Tallman Island WPCP and what the future plans (scope and schedule) are for installing permanent power to Regulator 9.</p>	<p>4(a) May 31, 2009</p>

**New England Interstate Water Pollution Control Commission
and
New York City Department of Environmental Protection**

WORK PLAN

Prepared in accordance with the 2005 CSO Consent Order,
DEC Case #CO2-20000107-8

As per Paragraphs VIII.C. and VIII.D. of the 2005 CSO Order, the role of the CSO Independent Environmental Monitors (IEM) shall be expanded to include the ability to work on all elements of the Long Island Sound Consent Judgment (Index No. 04-402174, Sup. Ct., New York County), in accordance section XI of the Nitrogen Consent Judgment and the Annual Nitrogen OEM Work Plan provided by DEC to DEP and the City by February 1st of every year in accordance with section XI.B.6 of the Nitrogen Consent Judgment.

The DEP and New England Interstate Water Pollution Control Commission (NEI) have entered into an agreement for IEM services for the above-referenced CSO Order. In accordance with the CSO Order at paragraph VIII.D., the DEP and NEI have developed this work plan for these services.

1. **Construction Monitoring:** The IEM will provide construction monitoring at the DEP facilities listed in Appendix A of the CSO Order during the construction phases. The purpose of the monitoring is to ensure the facilities are constructed in accordance with the New York State Department of Environmental Conservation (DEC) approved Plans and Specifications and the requirements of the SPDES permits in accordance with the 2005 CSO ACO Section VIII. D.1. The IEM will make best efforts to provide the DEP with at least two business days notice prior to site visits and inspections. However, the IEM reserves the right to conduct unannounced inspections.
2. **Subsurface Investigation Monitoring:** The IEM will monitor the conduct of subsurface investigations, including the taking of soil borings and installation of monitoring wells associated with the projects listed in Appendix A of the CSO Order. The DEP will provide the IEM with at least three business days notice prior to the commencement of such activities. Provided that such notice is given by DEP, attendance by the IEM is not required for such activities to proceed.
3. **Monitoring of DEP CSO Facilities During Operation:** The IEM will monitor the DEP's facilities during operation for the duration of the CSO Order to ensure compliance with the requirements of the CSO Order in accordance with the 2005 CSO ACO Section VIII. D.3. The IEM will make best efforts to provide the DEP with at least two business days notice prior to site visits.

4. **Construction Inspection Reports:** The IEM has developed a Construction Inspection Report that has been approved by the DEC. A Construction Inspection Report will be prepared for every site visit/inspection the IEM makes. The Report will note major activities occurring the day of inspection and will document any violations of the CSO Order at a minimum. The IEM will endeavor to consult with DEP to clarify any questions prior to the submittal of the Inspection Report. Inspection Reports will be submitted to DEP and DEC within 30 days of the site visit/inspection. A copy of the generic construction inspection report is attached.
5. **Meeting Attendance:** For each construction project, the IEM will attend Construction Issues and Tasks meetings, meetings concerning start-up and operation of CSO facilities, CSO Order quarterly meetings and meetings to which the IEM is invited by DEP. The IEM may also attend Construction Progress Meetings when there is no regularly scheduled Construction Issues and Tasks meeting, pre-bid, post bid, and other informational meetings requested by the IEM. DEP reserves the right to meet with its consultants and contractors without the IEM present.
6. **Additional IEM Reporting:** In addition to the Construction Inspection Report, the IEM will prepare reports and written material as needed to document the construction progress, subsurface investigations, operation of CSO Order facilities and CSO Order compliance. A monthly report will be prepared for the DEC outlining the activities of the IEM and the DEP's compliance progress under the CSO Order for that month. A quarterly report will be prepared by the IEM and sent to the DEC and DEP within 60 days of the end of each quarter (March 30, June 30, September 30, and December 31). The IEM will copy DEP on all written materials provided to DEC that are not confidential. All documents will be submitted in a timely manner.
7. **Review of DEP Submittals:** The IEM will review and comment on reports/documents submitted by the DEP to the DEC within 60 days of receipt. These may include, but are not limited to, facility plans, design reports, plans and specifications, construction reports, watershed/waterbody plans, use attainability analyses, long term CSO monitoring plans, water quality standards development reports, quarterly progress meeting reports, and any other submittals made by the DEP that pertain to compliance with the CSO Order. The IEM comments will be forwarded to the DEC in a confidential memorandum.
8. **Additional IEM Site Visits/Inspections:** The IEM will visit each site in Appendix A of the CSO Order during the construction and operation phases as follows:
 - a. IEM will make best efforts to visit each site a minimum of twice per month during construction.
 - b. IEM will make best efforts to visit each site a minimum of once a month during operation.
 - c. IEM will make best efforts to visit each site during a wet weather event at least four times per year.
 - d. IEM will make best efforts to visit each site during major construction activities/milestones.
 - e. IEM will make best efforts to visit each site during equipment start-up phase.

- f. IEM will conduct final inspections of all sites upon notice by the DEP that construction is substantially complete.
 - g. IEM will conduct follow-up inspections at sites that have CSO Consent Order violations as often as needed until the violation is resolved.
9. **Administrative Duties between the IEM and DEC:** The IEM will coordinate administrative activities associated with the CSO Order. This coordination will include, but not be limited to, oversight of the DEC contractor hired to provide technical services; administrative activities which may include taking of minutes at meetings of the DEC, DEP and IEM; development of procedures for tracking all document/reports submitted by the DEP to the DEC; tracking of all CSO Order milestones in an electronic database; development and maintenance of electronic and hard copy files for all CSO projects; preparing quarterly reports for the DEC and DEP of IEM activities; coordination with the USEPA PCS database; coordination with DEC staff on CSO related SPDES permit development and technical issues; preparation for and attendance at appropriate public meetings associated with the CSO Order; and provision of technical support to the DEC for enforcement issues under the CSO Order.
10. **Health and Safety Compliance:** While present at DEP facilities, the IEM will abide by all of the City's health and safety and operational requirements and policies provided, however, that this paragraph shall not result in the IEM being less protected than if he or she were to abide by State and Federal health and safety requirements. Health and safety plans are available at each CSO site and the IEM will make arrangements with DEP to review such plans.
11. **Notice:** Sufficient notice as referenced herein shall be by letter or email to the following parties.

For Notice to DEP:

Roy Tysvaer
NYCDEP
59-17 Junction Blvd.
Corona, NY 11368
Email: rtysvaer@dep.nyc.gov

and

Keith Mahoney
NYCDEP
59-17 Junction Blvd.
Corona, NY 11368
Email: kmahoney@dep.nyc.gov

For Notice to IEM:

Gary E. Kline, P.E.
NYSDEC
625 Broadway
Albany, NY 12233-3506
Email: gekline@gw.dec.state.ny.us

and

Susan McCormick, P.E.
NYSDEC
625 Broadway
Albany, NY 12233-3506
Email: sdmccorm@gw.dec.state.ny.us

This work plan will be in effect for the duration of the CSO Order. This work plan will be reviewed on an annual basis by NEIWPCC, the DEP and the DEC and modified as needed at that time to insure it continues to meet the intent of the CSO Order.

Date: _____