

Robert P. Astorino
County Executive

Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

January 26, 2016

VIA UPS

EES Case Management Unit
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611

Chief, Water Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency, Region II
290 Broadway, 20th Floor
New York, NY 10007

Chief, Water and General Law Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 16th Floor
New York, NY 10007

Re: DJ # 90-5-1-1-10536

To Whom Ever This May Concern:

Enclosed herewith is Westchester County's Quarterly Report No. 2 for the time period of October – December 2015.

Sincerely,



Anthony Della Valle, P.E.
Director, Wastewater Treatment

cc: Andrew E. Krause, via e-mail
Cristine Irvin Phillips, via email
EES Case Management Unit, via email

Division of Solid Waste
Wastewater Treatment
Water Agency

270 North Avenue
New Rochelle, New York 10801

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Robert P. Astorino
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Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

January 26, 2016

Re: Westchester County Water District No. 1
CONSENT DECREE 13 Civ. 5475 (NSR)
Safe Drinking Water Act and Long Term 2 Enhanced Surface Water Treatment Rule
Quarterly Report – October to December 2015

To Whom Ever This May Concern:

Enclosed is the quarterly report for Westchester County Water District No. 1 for October to December 2015. The status and progress of the Compliance Measures are summarized below.

Interim Measures and Supplemental Environmental Project status for the previous quarter, October 1 thru December 31, 2015 and to be performed in the next quarter January 1 thru March 31, 2016:

Provision of Compliant Water:

During the previous quarter, the back feed of compliant water from Shaft 22 to the Crisfield Pump Station was continued from October 1 thru December 31, 2015. Also, the back feed of compliant water from Shaft 22 to the Reeves-Newsom Pump Station was initiated on October 20, 2015, 12 days in advance of the November 1, 2015 consent order schedule.

During the next quarter, the back feed of compliant water from Shaft 22 to the Crisfield Pump Station and Reeves-Newsom Pump Station will continue.

During the previous quarter and continuing through the next quarter, compliant water will be provided from Shaft 22 to K-B pipeline connections south of Shaft 22.

Public Notice Requirements:

The public notice and executed Consent Order were transmitted to the District #1 members on September 14, 2015 and posted to the Westchester County web site on October 8, 2015. The District members informed the County that the public notice was distributed to their customers. During the next quarter, the public notice was provided to the Water District Members, the Westchester County Health Department and posted on the Westchester County website on January 11, 2016. As of January 26, 2016, the County has been contacted by 92 residents

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requesting additional explanation concerning the public notice. In general, most of the calls were in reference to health related issues and the residents were satisfied with the additional information provided by the Westchester County Department of Environmental Facilities.

The Public Notice will be updated on a quarterly basis, provided to the District Members and Westchester County Health Department and posted on the Westchester County website.

Cryptosporidium Action Plan and Enhanced Monitoring:

Prior to the previous quarter, weekly monitoring of water from Kensico Reservoir was initiated on April 14, 2015 in advance of the May 21, 2015 Consent Order schedule. The weekly results have been published on the Westchester County web site since initiation thru the previous quarter. The results indicate no presence of Cryptosporidium or Giardia in the source water. During the next quarter, the water monitoring will continue and results will be posted on a weekly basis.

Supplemental Environmental Projects:

During the previous quarter, the Supplemental Environmental Projects (SEPs) described below were offered to residents of Water District No. 1; refer to attached Table 1 for detailed information.

Enhanced Pharmaceutical Take Back Collection:

During the previous quarter, the H-MRF was opened two days per week for the exclusive use of Water District No. 1 residents to dispose of expired and unwanted medications. During this period, 57 Water District No. 1 households disposed of 246 lbs. of medications at a total cost to the County of \$17,250.00 for handling and disposal. Since the SEPs were implemented on July 1, 2015, 162 Water District No. 1 households disposed of 443 lbs. of medications at a total cost to the County of \$36,750.00 for handling and disposal. (The Consent Order requires an expenditure of \$252,700).

Enhanced Hazardous Household Chemical Collection:

During the previous quarter, the County's Household-Material Recovery Facility (H-MRF) was open two days per week for the exclusive use of Water District No. 1 residents to dispose of hazardous household wastes. During this period, 223 Water District No. 1 households disposed of 5,669 lbs. of hazardous household materials at a total cost to the County of \$38,817.18 for handling and disposal. Since the SEPs were implemented on July 1, 2015, 484 Water District No. 1 households disposed of 11,199 lbs. of hazardous household materials at a total cost to the County of \$82,435.46 for handling and disposal. (The Consent Order requires an expenditure of \$338,529).

Rain Barrel Distribution Program:

During the previous quarter, DEF distributed rain barrels free of charge to 38 residents of Water District No. 1. The cost of these rain barrels totaled \$1,653.00. Since the SEPs were implemented on July 1, 2015, DEF distributed rain barrels free of charge to 64 residents of Water District No. 1. The cost of these rain barrels totaled \$2,784.00. (The Consent Order requires the County to spend \$100,000 toward the distribution of rain barrels to Water District No. 1 residents).

The SEP's will continue during the next quarter.

Section VII and VIII Milestones:

The UV Treatment Systems received design approval from NYS DOH on August 21, 2015. The projects were advertised for bids on September 4, 2015 in advance of the October 20, 2015 Consent Order Schedule. Bids were received on October 7, 2015 for the Construction Project and on October 14, 2015 for the Purchase Contract. The bids were determined to be acceptable. The Purchase Contract was awarded with Notice to Proceed on October 29, 2015. The County cleared the sites in preparation for construction. During the previous quarter, the equipment vendor submitted shop drawings for the UV equipment which have been approved by the Engineer. In the next quarter, the UV equipment fabrication and associated equipment will be started. The Construction Project was awarded on December 22, 2015 with a scheduled Notice to Proceed date of January 26, 2016, 20 days in advance of the Consent Order Schedule. During the next quarter, shop drawings for the construction contract will be submitted for approval.

The Section VII and VIII milestones for the previous and next quarters are identified on attached Table 2. All milestones in the previous and next quarter were completed in accordance with or in advance of the Consent Order Schedule.

I certify under penalty of law, pursuant to 28 U.S.C. §1746, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on personal knowledge or my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Anthony Della Valle, P.E.
Director, Wastewater Treatment

AD:lal
Enclosure

**Westchester County Water District #1 - Consent Decree 13 Civ. 5475 (NSR)
Supplemental Environmental Projects Summary - Table 1 - 2nd Quarterly Report**

Supplemental Environmental Projects	July 1 thru September 30, 2015				October 1 thru December 31, 2015				Totals and Consent Order Requirements		
	Collection Periods				Collection Periods				Total to date	Consent Order Requirement	Total Remaining
	7-1-15 to 7-31-15	8-5-15 to 8-28-15	9-2-15 to 9-25-15	7-1-15 to 9-25-15	10-2-15 to 10-30-15	11-4-15 to 11-25-15	12-2-15 to 12-30-15	10-2-15 to 12-30-15			
Enhanced Pharmaceutical Take Back Collection											
Increased number of collection days at H-MRF	9	8	9	26	9	6	8	23	49	312	263
Increased collection days per week (1)	2.25	2.00	2.25		2.25	1.50	2.00				
Participating Households	44	31	30	105	18	17	22	57	162		
# of RX	798	595	642	2035	562	1170	1329	3061	5096		
OTC - lbs	1	12	10		14	18	63				
RX - lbs	64	49	61		65	76	10				
Total - lbs	65	61	71	197	79	94	73	246	443		
Medication Disposal at Resco (\$250 per day)	\$2,250	\$2,000	\$2,250		\$2,250	\$1,500	\$2,000				
Law Enforcement Supervision (\$500 per day estimate)	\$4,500	\$4,000	\$4,500		\$4,500	\$3,000	\$4,000				
Total Monthly Expenditures	\$6,750	\$6,000	\$6,750	\$19,500.00	\$6,750	\$4,500	\$6,000	\$17,250.00	\$36,750.00	\$252,700.00	\$215,950.00
Enhanced Hazardous Household Chemical Collection											
Increased number of collection days at H-MRF	9	8	9	26	9	6	8	23	49	220	171
Increased collection days per week (1)	2.25	2.00	2.25		2.25	1.50	2.00				
Participating Households	71	96	94	261	117	56	50	223	484		
Shredder Service	36	40	38	114	45	42	38	125	239		
Hazardous Waste - lbs	850	2730	1950	5530	1568	1934	2167	5669	11199		
Chemical Disposal and Handling (\$0.30 per lb)	\$255.00	\$819.00	\$585.00		\$470.40	\$580.20	\$650.10				
NCHW fee (\$4.75 per ton)	\$0.00	\$1.52	\$0.00		\$0.00	\$0.00	\$0.00				
Mobilization fee (\$1,300 per day)	\$11,700.00	\$10,400.00	\$11,700.00		\$11,700.00	\$7,800.00	\$10,400.00				
DEF staffing (\$313.76/day)	\$2,823.84	\$2,510.08	\$2,823.84		\$2,823.84	\$1,882.56	\$2,510.08				
Total Monthly Expenditure	\$14,778.84	\$13,730.60	\$15,108.84	\$43,618.28	\$14,994.24	\$10,262.76	\$13,560.18	\$38,817.18	\$82,435.46	\$338,529.00	\$256,093.54
Rain Barrels Distribution Program											
# Purchased	0	0	100		0	0	0				
Value of Purchased Barrels	\$0.00	\$0.00	\$4,350.00	\$4,350.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,350.00		
Cumulative Value of Purchased Barrels	\$0.00	\$0.00									
# Distributed	0.00	11.00	15.00	26	13	20	5	38	64		
Value of Distributed barrels (\$43.5 per barrel)	\$0.00	\$478.50	\$652.50	\$1,131.00	\$565.50	\$870.00	\$217.50	\$1,653.00	\$2,784.00	\$100,000.00	\$97,216.00

Notes: 1. based on 4 weeks per month
Rev Date: 1-25-16



EPA - Westchester County - Consent Decree 13 Civ. 5475 (NSR) - Safe Drinking Water Act
Table 2 - Second Quarterly Report for October 1, 2015 to December 31, 2015
Consent Order Effective Date: September 2, 2015
 Update: January 25, 2016

Summary of Actions, Schedule and Milestones

Page #	Paragraph	Action	Schedule Requirements	Required Date	Actual Date	Notes
Paragraph VII. COMPLIANCE REQUIREMENTS						
9	VII.20	Interim measures	required until completion of VII.19			
9	VII.20.a	Back feed from Shaft 22: Crisfield Pump Station	October 1 thru April 30, starting October 2015	October 1, 2015	September 28, 2015	
		Reeves-Newsom Pump Station	November 1 thru March 31, starting November 2015	November 1, 2015	October 20, 2015	scheduled date
10	VII.20.b	Public Notice of failure to comply with treatment	provide on a quarterly basis to Members in writing publish on WC website until Consent Order termination	First Quarter Second Quarter First Quarter Second Quarter	September 14, 2015 January 8, 2016 October 8, 2015 January 8, 2016	from October 1 through December 31, 2015, date emailed to WCWD#1 members and WC HD from January 1 through March 31, 2016, date emailed to WCWD#1 members and WC HD from October 1 through December 31, 2015, date posted to County Web site from January 1 through March 31, 2016, date posted to County Web site
10	VII.20.b	provide EPA with draft of Public Notice for review and approval	within 14 days after effective Consent Order	September 16, 2015	August 5, 2015	Comments on draft notice received from EPA on August 21, 2015, comments accepted by DEF on August 24, 2015.
11	VII.20.c	Cryptosporidium Action Plan - weekly water monitoring from Kensico	within 90 days of Consent Order submission to BOL (April 7, 2015) or within 10 days from date of Lodging (May 21, 2015) whichever is later	June 5, 2015 May 31, 2015	May 21, 2015	Published weekly results on WC website
11	VII.20.d	Publish water monitoring results	weekly on WC website	June 5, 2015	May 21, 2015	
11	VII.21	UV Facilities				
11	VII.21.a	Obtain Construction Bonding Authorization	May 15, 2015	May 15, 2015	April 27, 2015	
11	VII.21.b	submit Final Design of UV treatment systems to NYSDOH, WCDOH and EPA submit timely responses to requests or questions from NYSDOH	May 15, 2015	May 15, 2015	April 3, 2015 August 21, 2015	Responses to NYS DOH and WC DOH comments provided on June 23, July 20 and August 13, 2015. NYSDOH approval received on August 21, 2015.
11	VII.21.c	Advertise UV treatment systems for bid	no later than 60 days from receipt of NYSDOH design approval	October 20, 2015	September 4, 2015	Installation contract bids received on October 7, 2015, purchase contract bids received on October 14, 2015
12	VII.21.d	issue Notice to Proceed for OSPS UV Facility	February 16, 2016	February 16, 2016	October 29, 2015 January 26, 2016	The NTP for the Purchase Contract includes both UV Facilities. The NTP for the Construction Contract is scheduled for January 26, 2016.
13	VII.22	(i) obtain NYSDOH approval of final design (ii) obtain NYSDOH completed works approval as referenced in paragraphs 21 (i) and (m)	August 15, 2015 is included in the Consent Order, see note	August 21, 2015	August 21, 2015	Section VII.24 allows for automatic extension based on timely and complete application submission to NYSDOH which was accomplished, therefore the required date has been updated to August 21, 2015
Paragraph VIII. SUPPLEMENTAL ENVIRONMENTAL PROJECTS						
14	VIII.26.a	Enhanced pharmaceutical take back collection schedule increase by an additional 2 day per week	within 30 days after effective Consent Order Date	October 2, 2015	July 1, 2015	enhanced schedule will remain in place for 3 years or completion of 312 additional collection days, whichever occurs first
15	VIII.26.b	Enhanced hazardous household chemical collection schedule increase by one or two additional days per week	within 30 days after effective Consent Order Date	October 2, 2015	July 1, 2015	enhanced schedule shall remain in place for 3 years or completion of 220 additional collection days, whichever occurs first
15	VIII.26.c	Rain barrel distribution program - \$100,000 worth of 55 gallon rain barrels	within 30 days after effective Consent Order Date	October 2, 2015	July 1, 2015	educate public about purpose, installation and maintenance - program complete when all rain barrels are distributed