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**To:** [Mahoney, Eileen](#); [Tsiamis, Christos](#)  
**Cc:** [Licata, Angela](#); [Carr, Brian](#); "[BRochlen@schiffhardin.com](#)"; [Greene, Daniel \(Law\)](#); "[gekline@gw.dec.state.ny.us](#)"; "[htwillem@gw.dec.state.ny.us](#)"; [Singerman, Joel](#); [LaPadula, John](#); [Greenberg, Marc](#); [Leissing, Theodore O.](#); [Prophete, Andrew A.](#); [Hecht, Allen M.](#); [Selman, Russell B.](#)  
**Subject:** RE: CSO sampling update  
**Date:** Tuesday, February 05, 2013 4:54:56 PM

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Hi Christos,

I just wanted to respond to you by clarifying the points raised in Eileen's recent email regarding the January 31 CSO sampling event.

**Item 1.**

During the sampling event, we mobilized to collect the fractionated sample described in our approved workplan as we had discussed in my email to you of October 19 (excerpted here, copied to Eileen Mahoney):

"Looking forward to the next event, we are planning to collect the first of our fractionated samples using a 2-inch collection hose, pump and polyethylene tanks. This sample is discussed on page 6 of the workplan. We will be sampling one location to make sure the method works in the field. As discussed during our coordination calls, we will need the City's cooperation at the beginning of the event to lower the collection hose into the manhole. Our current plan is to collect this sample at location OH-007."

Unfortunately, we did have a piece of equipment (the 2 inch intake hose) get stuck in one of the regulators. I have discussed this with my field crew. They worked with the City's representative to attempt to free the hose. When those efforts failed, they took measures to secure the hose in a way to minimize impacts to the operation of the tide gate.

We regret this occurrence and will continue to coordinate our sampling efforts with them in the future.

**Item 2.**

The large volume fractionated sample was collected for gross measurement purposes and was not submitted for a full set of analyses. We will not be using it to represent the chemical makeup of the CSO discharge.

The earlier event discussed by Eileen was described in my email of October 19<sup>th</sup> as well. We will make note of any deviations in our report.

Best regards,

Tracey

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**From:** Mahoney, Eileen [mailto:[EMahoney@dep.nyc.gov](mailto:EMahoney@dep.nyc.gov)]  
**Sent:** Tuesday, February 05, 2013 1:47 PM

**To:** Tsiamis.Christos@epamail.epa.gov  
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**Subject:** CSO sampling update

Christos,

This is to provide you an update regarding two unfortunate incidents that were experienced during the Jan 31 CSO sampling event.

1. Grid's Field Team Leader arrived for sampling at OH-007 with a large piece of sampling equipment that was not consistent with the City's protocol and not in our approved work plan. The City was not notified in advance of their plans to do this. Grid's stated purpose for using this equipment was to collect a "large volume sample". This equipment could not be securely anchored in place. As a result it was swept away by the CSOs and was left behind in our infrastructure, where it became trapped in the tide gate. This is a serious incident with the potential to cause harm to our personnel as it places our personnel at risk in having to retrieve this equipment by performing a confined space entry. It is also a serious threat to damage the treatment plant, due to infiltration of salt water because the tide gate was obstructed and could not close. Our first responsibility is to protect our workers, and we believe Grid's actions placed our team at risk of harm. Our second responsibility is to protect DEP's infrastructure, which was seriously impacted by Grid's action. As a result of this we will be requiring Grid to submit in writing any request to deviate from the City's approved protocol. The City will review any requests. Unless the City has provided written approval in advance absolutely no changes to protocol will be accommodated. The City is reviewing our protocol internally and will make revisions to it as we deem appropriate in order to prevent anything untoward from happening in the future. Grid will be required to agree in writing to any changes we require. This is a demonstration of the concerns the City has expressed repeatedly regarding permitting access to our infrastructure to any 3<sup>rd</sup> party.
2. The City field crew observed Grid's field team as they continued sampling after the tide had infiltrated the sampling chamber. This continued for an extended time even after they were told that was not consistent with the sampling protocol. This was intended to represent a "large volume sample". Therefore, this sample is contaminated with canal water and cannot be used as part of this analysis. This is the second occasion when the City has observed Grid sampling canal water. We notified you of a similar incident during the Sept 28 event. This causes us to question whether the Grid field team understands the sampling protocol, and places in question the validity of any data they have collected. The City has been co-sampling, but not providing oversight of Grid's activities in the field. These observations were simply random and does not preclude similar errors on other occasions.

Regards,  
Eileen

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