

By Legislators Boyce and Drawe

Intro. No. ____

RESOLUTION NO. ____ OF 2017

AUTHORIZING ORDER ON CONSENT FOR THE FRANK E. VAN LARE WASTEWATER TREATMENT PLANT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND AUTHORIZING CONTRACT WITH MONROE COUNTY SOIL AND WATER CONSERVATION DISTRICT

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute an Order on Consent for the Frank E. Van Lare Wastewater Treatment Plant with the New York State Department of Environmental Conservation, providing for payment of \$20,000 to the New York State Department of Environmental Conservation, and any amendments thereto.

Section 2. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Monroe County Soil and Water Conservation District, for completion of an Environmental Benefit Project, in amount not to exceed \$35,000.

Section 3. Funding for this Order on Consent is included in the 2017 operating budget of the Department of Environmental Services, fund 9007, funds center 8572010000, Pure Waters Administration.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; November 27, 2017 - CV: 7-0
Ways and Means Committee; December 7, 2017 - CV: 11-0
File No. 17-0313

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

November 9, 2017

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

OFFICIAL FILE COPY
No. 170313
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment ENV. & PUB. WORKS
WAYS & MEANS

Subject: Authorize an Order on Consent for the Frank E. Van Lare Wastewater Treatment Plant with the New York State Department of Environmental Conservation and Authorize a Contract with the Monroe County Soil and Water Conservation District

Honorable Legislators:

I recommend that Your Honorable Body authorize an Order on Consent (Order) for the Frank E. Van Lare Wastewater Treatment Plant (Van Lare WWTP) with the New York State Department of Environmental Conservation (NYSDEC) and authorize a contract with the Monroe County Soil and Water Conservation District, in an amount not to exceed \$35,000, for completion of an Environmental Benefit Project.

The Monroe County Department of Environmental Services has previously reported to Your Honorable Body on performance issues at the Van Lare WWTP. The system was converted from a complete-mix, surface-mechanical aeration system to a fine-bubble, diffused-air system between 2012 and 2015. During and after the conversion, the Van Lare WWTP experienced permit violations.

Recent activities have begun to improve system performance and permit compliance. These include: increasing laboratory testing and retaining national experts on microbiology; conducting full-scale trials; constructing and testing a pilot plant; and evaluating chemical enhancements to improve sludge performance. These activities take time to evaluate and implement and are expected to continue into 2018.

NYSDEC acknowledges that the County has diligently reported and monitored the exceedances and excursions, has reacted promptly and has taken a number of measures that are improving plant operations at Van Lare WWTP and reducing the incidence of exceedances and excursions. To address past exceedances and excursions and to avoid litigation, NYSDEC has proposed the Order which has the following general terms:

- A payment of \$20,000 to NYSDEC.
- Implementation of an Environmental Benefit Project in an amount no less than \$35,000. The County intends to execute a contract with the Monroe County Soil and Water Conservation District to complete an Environmental Benefit Project.
- Operate the Van Lare WWTP in compliance with the County's Rapid Response Plan to reduce the incidence and duration of exceedances and excursions.

- Continue to implement the County's Pure Waters Inflow and Infiltration Reduction Strategy.
- Submit a schedule for completing design and construction of an alternative method of aeration and clarifier enhancements at Van Lare WWTP.
- Implement a project to improve the capture and storage of used de-icing chemicals at the Greater Rochester International Airport and control the release of the stored chemicals to Van Lare WWTP.

The Order will become effective when executed by a representative of the Commissioner of the NYSDEC and will remain in effect for no more than three (3) years.

The specific legislative actions required are:

1. Authorize the County Executive, or her designee, to execute an Order on Consent for the Frank E. Van Lare Wastewater Treatment Plant with the New York State Department of Environmental Conservation, providing for payment of \$20,000 to the New York State Department of Environmental Conservation, and any amendments thereto.
2. Authorize the County Executive, or her designee, to execute a contract, and any amendments thereto, with the Monroe County Soil and Water Conservation District, 145 Paul Road, Bldg. 5, Rochester, New York 14614, for completion of an Environmental Benefit Project, in an amount not to exceed \$35,000.


Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this Order on Consent is included in the 2017 operating budget of the Department of Environmental Services, fund 9007, funds center 8572010000, Pure Waters Administration.

The Monroe County Soil and Water Conservation District is a not-for-profit agency, and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Cheryl Dinolfo
Monroe County Executive

CD:db