

RESOLUTION NO. 468

AUTHORIZING THE EXECUTION OF A NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION ORDER ON CONSENT TO FINALIZE TERMS, CONDITIONS AND SCHEDULE OF THE ALBANY POOL COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN

Introduced: 11/12/13
By Law Committee:

WHEREAS, The Executive Director for the Albany County Sewer District has requested an Executive Order on Consent from the New York State Department of Environmental Conservation (NYS DEC) regarding the terms, conditions and schedule of the Albany Pool Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP), and

WHEREAS, This Honorable Body passed Resolution No. 213 for 2009 authorizing an agreement with the Albany Pool Joint Venture Team regarding North and South Plant Effluent Disinfection Engineering Services, to begin moving forward with the North and South Plant Effluent Disinfection Project to improve the water quality in the Hudson River, and

WHEREAS, On December 5, 2012, NYS DEC disapproved the LTCP and asserted that the Albany Pool was in violation of the Federal Clean Water Act, NY Environmental Conservation Law and the provisions for each of the communities State Pollutant Discharge Elimination System (SPDES) permit, and

WHEREAS, The Executive Director has indicated that the Albany Pool retained special environmental counsel, Beveridge & Diamond from Washington D.C., and after negotiating with the NYS DEC have resulted in an Order on Consent including a Compliance Schedule to resolve the violations asserted by the NYS DEC, and

WHEREAS, By the execution of this order and implementation of the approved LTCP, the culmination of numerous years of work will ultimately provide major improvement to the water quality in the Hudson River, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute an Order on Consent with the NYS Department of Environmental Conservation pertaining to the Albany Pool Combined Sewer Overflow Long Term Control Plan, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 11/12/13