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You are to be commended for the setting up the long awaited meeting on LTCP -- “NYC Department of Environmental Protection (DEP) is kicking off its program to develop Long Term Control Plans (LTCPs) for NYC waterbodies impacted by combined sewer overflows (CSOs) with a Public Open House[[1]](#footnote-1).” This letter serves as a reminder to your agency that public participation is one of the required nine elements of a LTCP.

The public expects to see and looks forward to becoming involved with the development of your Public Participation Plan as required by Federal CSO Policy. By this we mean that future meetings should not be scheduled at inconvenient locations and dates.[[2]](#footnote-2) The EPA documents are provided here for your convenience: (Sources: <http://www.epa.gov/npdes/pubs/owm0272.pdf> and <http://www.epa.gov/npdes/pubs/owm0030.pdf>).

We are watching how you plan to comply with the CSO policy, in particular, in the development of an adequate Public Participation Plan.[[3]](#footnote-3) The plan should include meetings at convenient locations and date, with adequate notice to stakeholders, especially if held in the summer months.[[4]](#footnote-4) These meetings should be an organized a syllabus of information so as to allow the public to choose issues of interest, presentation of technical explanations, and/or agency interactions.[[5]](#footnote-5) There should be several meetings and hearings in order to obtain input from interested individuals and organizations.[[6]](#footnote-6) One meeting in NYC is not sufficient.

Perhaps you could schedule a series of meetings in each borough so the public could make arrangements to get to them. You could also arrange for translations where necessary.

Please respond with your comments as soon as possible.

c: EPA, DEC

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Of the nine elements of the LTCP, number 2 is “*A public participation process that actively involves the affected public in the decision-making to select long-term CSO controls.*” We expect that the LTCP should *“ensure public involvement during the decision-making process.”* That activity should be interactive, that is, *“emphasizes the role of public participation and agency interaction.”* The policy clearly proposes technical explanations, and more than one meeting and hearing, stating that *“Public meetings and public hearings can provide an effective forum to present technical information and obtain input from interested individuals and organizations.”*

Public notification under the Federal CSO Policy should be reasonable, but informative. *“The most appropriate mechanism for public notification will probably vary with local circumstances, such as the character and size of the use area and means of public access. The measure selected should be the most cost-effective measure that provides reasonable assurance that the affected public is informed in a timely manner.”*

Sources: <http://www.epa.gov/npdes/pubs/owm0272.pdf> and

<http://www.epa.gov/npdes/pubs/owm0030.pdf>

A long term control plan consists of a comprehensive evaluation of long term solutions to reduce CSOs and improve water quality in NYC's waterways and waterbodies. The goal of the LTCP is to identify appropriate CSO controls necessary to achieve waterbody – specific water quality standards, consistent with Federal CSO Policy and subsequent guidance.

HOW CAN YOU GET INVOLVED?

At the Open House, you will be able to learn about DEP's current and upcoming efforts to reduce CSOs and how you can provide input on possible solutions. Also, DEP staff will be available throughout the session to answer any questions you may have. Please extend this invite to your friends and colleagues.

It does say that DEP is “kicking off its program” …with an “open house” so it’s not at the same level as a meeting or hearing but nonetheless you may want to remind them now that you’re watching and that public participation is one of the required nine elements of a LTCP that we expect to see and look forward to becoming involved with – and that they shouldn't schedule future meetings at inconvenient locations and dates

Some ammunition from the links below:

Ensure public involvement during the decision-making process.

…emphasizes the role of public participation and agency interaction

the nine elements of the LTCP are: 2. A public participation process that actively involves the affected public in the decision-making to select long-term CSO controls

Public meetings and public hearings can provide an effective forum to present technical information and obtain input from interested individuals and organizations. [note use of plural for meetings and hearings)

The most appropriate mechanism for public notification will probably vary with local circumstances, such as the character and size of the use area and means of public access. The measure selected should be the most cost-effective measure that provides reasonable assurance that the affected public is informed in a timely manner.

Sources:

http://www.epa.gov/npdes/pubs/owm0272.pdf

http://www.epa.gov/npdes/pubs/owm0030.pdf

1. On Tuesday, June 26, 2012 from 3:00pm to 8:00pm (with presentations at 4 and 6:30 pm) at the Newtown Creek Wastewater Treatment Plant Visitor Center (329 Greenpoint Avenue, Brooklyn, NY 11222). [↑](#footnote-ref-1)
2. Public notification under the Federal CSO Policy should be reasonable, but informative. “The most appropriate mechanism for public notification will probably vary with local circumstances, such as the character and size of the use area and means of public access. The measure selected should be the most cost-effective measure that provides reasonable assurance that the affected public is informed in a timely manner.” [↑](#footnote-ref-2)
3. Of the nine elements of the LTCP, number 2 is “A public participation process that actively involves the affected public in the decision-making to select long-term CSO controls.” [↑](#footnote-ref-3)
4. We expect that the LTCP should “ensure public involvement during the decision-making process.” [↑](#footnote-ref-4)
5. That activity should be interactive, that is, *“emphasizes the role of public participation and agency interaction.”* [↑](#footnote-ref-5)
6. The policy clearly proposes technical explanations, and more than one meeting and hearing, stating that *“Public meetings and public hearings can provide an effective forum to present technical information and obtain input from interested individuals and organizations.”* [↑](#footnote-ref-6)