

New York City Council

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**Hearing on the Mayor's Fiscal Year 2012 Preliminary Budget &
the Fiscal Year 2011 Preliminary Mayor's Management Report**

Department of Environmental Protection

March 21, 2011

Committee on Environmental Protection

Hon. James F. Gennaro, Chair

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Summary and Highlights

Department of Environmental Protection

Dollars in Thousands

	2009 Actual	2010 Actual	2011 Adopted	2011 Feb. Plan	2012 Feb. Plan	Difference, 2011 – 2012*
Personal Services	\$424,346	\$684,280	\$452,710	\$458,095	\$452,646	(\$64)
Other Than Personal Services	609,749	786,650	564,112	577,925	534,655	(29,457)
Table Total	\$1,034,095	\$1,470,930	\$1,016,822	\$1,036,020	\$987,301	(\$29,521)

*Difference refers to the variance between the Fiscal 2011 Adopted Budget and the Projected Fiscal 2012 Budget.

The Department of Environmental Protection's (DEP) Fiscal 2012 Preliminary Budget totals \$987.3 million, which is \$29.5 million (or 2.9 percent) less than the agency's Fiscal 2011 Adopted Budget of approximately \$1.02 billion. The proposed Fiscal 2012 Preliminary Budget includes \$927 million in City funds—a decrease of 3.1 percent from the Fiscal 2011 Adopted Budget of \$956.3 million. The Preliminary Budget includes \$286,000 in Programs to Eliminate the Gap (PEGs), \$1.9 million in new needs for landfill remediation, and a net of \$52,000 in other adjustments. DEP is unique in that it is funded by revenues from water and sewer charges, and because of this DEP is not subject to the City-wide Program to Eliminate the Gap (PEG) program. However, DEP did voluntarily identify PEGs in the Fiscal 2012 November Plan budget which are:

- **Asbestos Program Fee Increase:** DEP proposes to generate \$528,000 in additional revenue in Fiscal 2011 and \$1,056,000 in Fiscal 2012 by increasing the fees for asbestos filings from \$25 to \$47.
- **ECB Technical Adjustment:** In 2008 a law was passed to transfer the Environmental Control Board from DEP to the Office of Administrative Trials and Hearings (OATH). The February Plan removes the annual sum of \$21,000 from DEP's budget to continue the budgeting transfer to OATH.
- **SARA Right-to-Know Fees:** DEP will realize additional revenue of \$100,000 in Fiscal 2011 and 2012 from the reporting of hazardous materials storage under the Superfund Amendments Reauthorization Act (SARA) of 1986. The fees are paid by companies storing hazardous materials. The fees were not raised; the increased revenue is due to better reporting and more companies entering the program.
- **Reduction to DERTA - Vacancy:** The Division of Emergency Response and Technical Assessment (DERTA) program budget is reduced by \$88,000 in Fiscal 2011 and \$89,000 in Fiscal 2012 through the reduction of one staff member through attrition.
- **Reduction to DERTA - Part-Time Budget:** The DERTA program budget is anticipated to decrease by \$70,000 in Fiscal 2011 and \$145,000 in Fiscal 2012 through an adjustment in the funding for part-time staff members.
- **Fiscal 2011 Personal Services (PS) Reduction:** A surplus in the longevity differentials budget for the Bureau of Environmental Compliance administrative staff is anticipated in the amount of \$29,000 for Fiscal 2011.

Department of Environmental Protection

The Department of Environmental Protection (DEP) protects the environmental health, welfare, and natural resources of the City and its residents. The Department manages the City's water supply, which provides more than one billion gallons of quality drinking water daily and serves more than half the population of New York State, and manages fourteen in-City wastewater treatment plants, as well as eight treatment plants upstate. DEP also implements federal Clean Water Act rules and regulations, handles hazardous materials emergencies and toxic site remediation, oversees asbestos monitoring and removal, enforces the City's air and noise codes, bills and collects on approximately 835,000 water and sewer accounts, and manages citywide water conservation programs.

- Key Public Services Areas**
- Ensure the sufficiency, quality, and security of the City's water supply.
 - Repair and maintain in-City water delivery and sewer collection systems.
 - Treat wastewater and sewage to maintain and enhance water quality in the receiving waters surrounding the City.
 - Bill and collect revenue for water and sewer usage.
 - Improve public safety and quality of life through enforcement of City laws and rules in the areas of air pollution, asbestos, noise pollution, and hazardous materials.

- Critical Objectives**
- Monitor water to ensure compliance with federal and State water quality standards.
 - Protect and secure the watershed area.
 - Maintain the integrity of the water supply and distribution systems.
 - Maintain the integrity of the storm water and wastewater sewer collection system.
 - Respond to water and wastewater system emergencies and perform repairs in a timely manner.
 - Comply with federal and State standards for the treatment of wastewater.
 - Ensure that customer billing is accurate and transparent.
 - Respond to complaints in a timely manner.
 - Enforce the administrative code provisions that regulate asbestos, air, noise, and hazardous materials.
 - Respond to asbestos and hazardous materials emergencies in a timely manner.

SOURCE: Mayor's Management Report

Department of Environmental Protection Financial Summary

Dollars in Thousands

	2009 Actual	2010 Actual	2011 Adopted	2011 Feb. Plan	2012 Feb. Plan	Difference 2012-2011
Budget by Program Area						
Water & Sewer Maintenance & Operations	\$250,733	\$428,530	\$198,143	\$194,586	\$178,606	(\$19,536)
Wastewater Treatment Operations	367,104	606,446	389,300	393,076	383,870	(5,431)
Upstate Water Supply	231,988	254,959	255,508	256,415	253,152	(2,356)
Customer Services & Water Board Support	47,020	46,322	49,575	49,658	48,039	(1,536)
Engineering Design and Construction	30,278	31,769	31,774	31,716	31,774	0
Environmental Management	15,373	16,211	14,660	14,320	14,458	(202)
Environmental Control Board	7,988	92	58	10	10	(48)
Agency Administration & Support	80,020	79,538	76,709	78,128	76,423	(286)
Miscellaneous	3,590	7,062	1,095	18,110	969	(126)
TOTAL	\$1,034,095	\$1,470,930	\$1,016,822	\$1,036,020	\$987,301	(\$29,521)

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb. Plan	2012 Feb. Plan	Difference 2012-2011
Funding						
City Funds	N/A	N/A	\$956,280	\$958,455	\$926,953	(\$29,327)
Capital - IFA	N/A	N/A	59,119	59,119	59,073	(46)
State	N/A	N/A	-	73	-	0
Federal - Other	N/A	N/A	240	17,192	123	(117)
Intra-City	N/A	N/A	1,182	1,181	1,151	(31)
TOTAL	N/A	N/A	\$1,016,822	\$1,036,020	\$987,301	(\$29,521)
Positions						
Fulltime Positions	5,785	5,749	5,968	6,007	5,967	(1)
TOTAL	4,348	4,423	5,968	6,007	5,967	(1)

*Continuation from previous page

Fiscal 2012 Preliminary Contracts Budget

The New York City Charter mandates the preparation of a Contract Budget to identify expenditures for contractual services, which are defined as any technical, consultant or personal service provided to the City by means of a contract. The Contract Budget is actually a subset of the Other Than Personal Services (OTPS) portion of the City's Expense Budget. The Administration prepares a Contract Budget twice each fiscal year. In January, it is prepared with the Departmental Estimates, and in late April it is submitted to the Council with the Executive Budget.

Category	Number	Budgeted	Pct. of DEP Total	Pct. of City Total	Pct. Change from 2011 ADP
Contractual Services General	32	\$58,456,402	60.8%	0.6%	0.0%
Telecommunications Maintenance	8	274,380	0.3%	0.0%	0.0%
Maintenance & Repair of Motor Vehicle Equipment	25	1,037,325	1.1%	0.0%	0.0%
Maintenance & Repair, General	139	19,720,669	20.5%	0.2%	-6.2%
Office Equipment Maintenance	13	585,858	0.6%	0.0%	0.0%
Data Processing Equipment	14	3,147,378	3.3%	0.0%	0.0%
Printing Contracts	9	483,308	0.5%	0.0%	0.0%
Community Consultant Contracts	2	13,500	0.0%	0.0%	0.0%
Security Services	3	5,996,890	6.2%	0.1%	-13.9%
Temporary Services	6	42,764	0.0%	0.0%	0.0%
Cleaning Services	18	1,007,328	1.0%	0.0%	0.0%
Economic Development	1	500	0.0%	0.0%	0.0%
Training Programs for City Employees	41	780,138	0.8%	0.0%	0.0%
Maintenance & Operation of Infrastructure	39	1,579,512	1.6%	0.0%	0.0%
Professional Services: Engineer & Architect	1	2,000	0.0%	0.0%	0.0%
Professional Services: Computer Services	5	209,003	0.2%	0.0%	-13.3%
Professional Services: Other	16	2,739,480	2.9%	0.0%	-9.8%
Preliminary Budget	372	\$96,076,435	100.0%	0.9%	-2.6%

Capital Program

Capital Budget Summary

The February 2011 Capital Commitment Plan includes \$7.7 billion in Fiscal 2011-2014 for the Department of Environmental Protection (including City and Non-City funds). This represents 23 percent of the City's total \$33.2 billion February Plan for Fiscal 2011-2014. The agency's February Commitment Plan for Fiscal 2011-2014 is 24 percent more than the \$6.2 billion scheduled in the September Commitment Plan, an increase of \$1.5 billion.

Over the past five years (2006-2010) the Department of Environmental Protection has only committed an average of 79 percent of its annual Capital Plan. Therefore, it is assumed that a portion of the agency's Fiscal 2011 Capital Plan will be rolled into Fiscal 2012, thus increasing the size of the Fiscal 2012-2015 Capital plan. Since adoption last June, the Capital Commitment Plan for Fiscal 2011 has increased from \$2.3 billion to \$2.5 billion, an increase of \$128.7 million or 5.5 percent.

Currently, the Department of Environmental Protection appropriations total \$5.9 billion in City-funds for Fiscal 2011. These appropriations are to be used to finance the agency's \$2.2 billion City-funded Fiscal 2011 Capital Commitment Program. The agency has \$3.7 billion, or 168 percent more funding than it needs to meet its entire Capital Commitment Program for the current fiscal year.

DEP's Capital Program relating to the City's water and sewer systems is entirely financed by the New York City Municipal Water Finance Authority (Authority) and paid for by water and sewer charges collected through the New York City Water Board.

DEP is in the process of completing many significant Capital projects in order to comply with State and Federal mandates. The Ten-Year Capital Strategy for the City's water and sewer system seeks to balance necessary investment in this vital service with as moderate an impact on City water and sewer rate payers as can be achieved.

2011-2014 Commitment Plan: Adopted and Preliminary Budget

Dollars in Thousands

	FY11	FY12	FY13	FY14	Total
Adopted					
Total Capital Plan	\$2,330,197	\$1,345,604	\$1,247,956	\$1,309,672	\$6,233,429
Prelim					
Total Capital Plan	\$2,452,940	\$1,717,839	\$1,944,678	\$1,612,712	\$7,728,169
Change					
Level	\$122,743	\$372,235	\$696,722	\$303,040	\$1,494,740
Percentage	5.27%	27.66%	55.83%	23.14%	23.98%

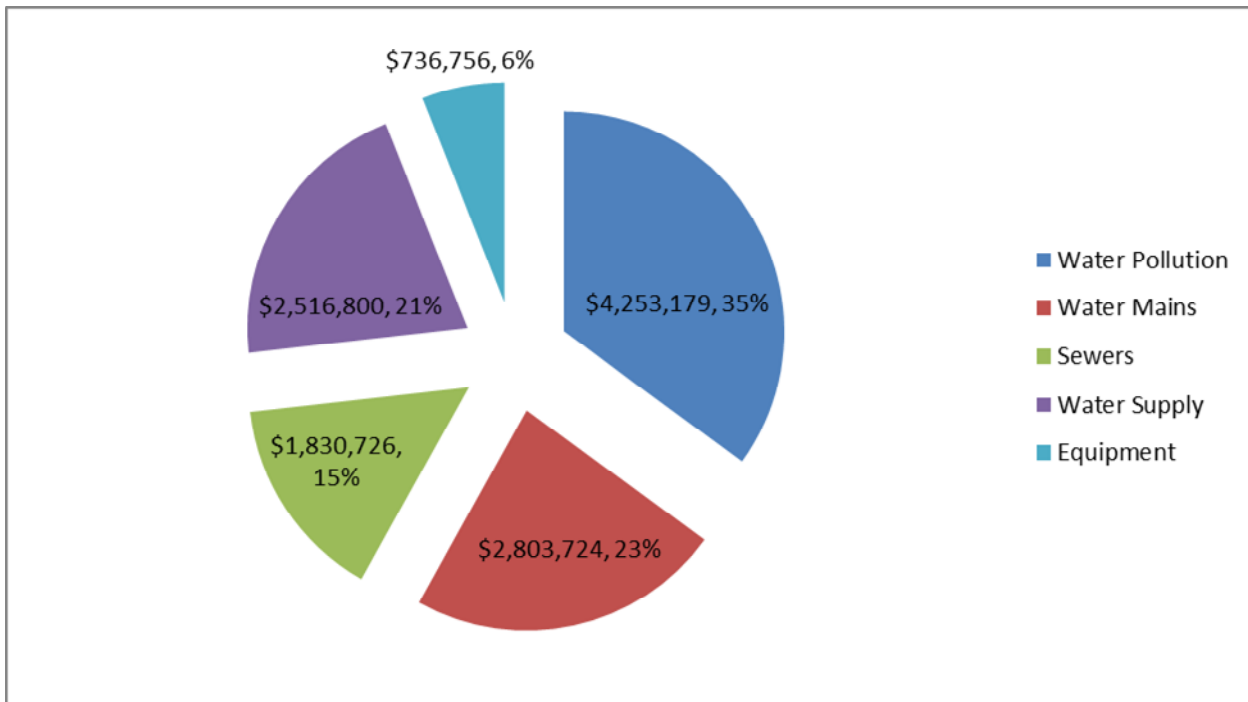
2011-2014 Commitment Plan by Capital Program Area

Dollars in thousands

	2011	2012	2013	2014	2011-2014
Equipment (EP)	\$160,839	\$87,330	\$108,892	\$175,912	\$532,973
Sewers (SE)	550,679	467,536	172,180	195,312	1,385,707
Water Mains, Sources and Treatment (WM)	1,097,170	574,874	512,209	261,619	2,445,872
Water Pollution Control (WP)	639,199	398,355	473,017	657,476	2,168,047
Water Supply (W)	5,053	189,744	678,380	322,393	1,195,570
TOTAL	\$2,452,940	\$1,717,839	\$1,944,678	\$1,612,712	\$7,728,169

2012-2021 Ten-Year Capital Strategy

Dollars in Thousands



Preliminary Budget Highlights

In the Preliminary Capital Plan, DEP’s planned commitments for Fiscal 2011- 2014 increase by \$1.5 billion, or 24 percent, to a total of \$7.7 billion when compared to the Department’s 2010 September plan. Of the increase, \$1.2 billion is City-funded commitments while \$256 million is non-City commitments.

The Department’s Preliminary Ten-Year Capital Strategy increases to \$12.1 billion with \$4.3 billion going towards Water Pollution, \$2.5 billion for Water Supply, \$2.8 billion towards Water Mains, \$1.8 billion for Sewers, and \$737,000 towards Equipment.

Major changes in the Preliminary Capital Plans for Fiscal 2011-2014 and Fiscal 2011- 2021 that resulted in the 24 percent increase include:

- **Delaware Aqueduct:** Due to a leaking portion of the Delaware Aqueduct, also known as Rondout West Branch Tunnel (RWBT), a new 3-mile tunnel is being built to bypass the leak. Funding for this project increased by \$707.9 million to \$965.8 million through Fiscal 2015. This funding increase is due to the Department reassessing the seriousness of the leak and consequently raising its priority level. During construction, when the bypass is being connected, the entire Delaware Aqueduct will need to be shut down from the City's water supply for an extended period of time. Currently the aqueduct carries approximately half of New York City's (NYC) drinking water to more than eight million people daily—approximately 500 million gallons per day. Its capacity is up to 900 million gallons of water a day. There are other costs associated with this project as the Department takes action to ensure that there will not be service impacts.
- **New Jersey Interconnections:** The sum of \$290 million has been added through Fiscal 2015 as one measure to ensure continuity of the City's water supply during the construction of the RWBT bypass tunnel. This project will connect Staten Island with the New Jersey Middlesex Water Company and New Jersey American Water.
- **Plant Upgrading and Reconstruction:** The sum of \$630.3 million was cut from Plant Upgrading and reconstruction in the Plan through Fiscal 2015. The budget line in question consisted of upgrading components of plants that are aged and obsolete. Funds were reallocated to other plant reconstruction projects.
- **Shaft 17B, Shaft 18B, and Valve Chamber:** There is a reduction of \$300.2 million in the Preliminary Capital budget through Fiscal 2015 due to a revised project schedule that pushed these funds to Fiscal 2021. This important project will connect the City's 3rd Water Tunnel to the existing distribution network. Shafts 17B and 18B are located in the borough of Queens.
- **Adaptive Management Strategy for Green Infrastructure:** A significant number of Capital Plan funding items have been reprioritized due to the creation of the Green Infrastructure Program (GIP) which incorporates a lot of different techniques to handle Combined Sewer Overflows (CSOs) without building massive tanks and tunnels (grey infrastructure) that the City had previously relied on. Through Fiscal 2015, \$187.8 million has been reallocated and consolidated into GIP, and another \$544.2 million was allocated through Fiscal 2021. As projects are identified, available funding will be available. Some examples of projects underway now are the rain barrel giveaway program, street-side swales and enhanced tree pits, and rooftop detention, including green and blue roofs.

The GIP reflects the City's goal to improve water quality outlined in PlaNYC 2030 by reducing CSOs into waterways by 40% by 2030, and many of the pilot programs already under way in Jamaica Bay are in accordance with Local Law 71 of 2005 (as amended in 2006). Additionally, Local Law 5 of 2008 required the Administration to develop and implement a sustainable storm water management plan with the goal of reducing the approximately 27 billion gallons of untreated sewage and storm water that is discharged into the City's waters in a typical year.

- **Jamaica Bay Watershed Protection Plan:** First issued in 2007, the Jamaica Bay Watershed Protection Plan focuses on water quality improvements, ecological restoration and enhancing valuable natural resources. The plan was undertaken in accordance with Local Law 71, which requires DEP to assess the technical, legal, environmental and economic feasibility of protection measures for Jamaica Bay and produce a report every three years. An Updated plan was issued in October 2010 that includes wastewater treatment plant upgrades, oyster and eelgrass pilot restoration projects, a wetlands restoration at Paerdegat Basin, green infrastructure projects such as streetside swales and enhanced tree pits, and wetlands mapping. These pilot programs are already under way and are funded under GIP as outlined above.

Another example of the protection plan's prioritization in the Preliminary Capital Budget is the addition of \$105 million through fiscal 2015 for the rebuilding of the 26th Ward primary settling tank. This project will lead to reduced CSO from the wastewater treatment plant.

- **Job Order Contracting Program Citywide at Various WPCPs:** Funds were reallocated and consolidated into the Job Order Contracting (JOC) project in the amount of \$196 million for critical Capital upgrades and repairs at the City's 14 Water Pollution Control Plants (WPCPs) and other collection facilities in the Plan through 2015, and an additional \$402 million has been made available through Fiscal 2021. These funds were taken from projects focused on individual plants. Optimizing the operating systems at the wastewater treatment plants so they can handle more flow is one technique that helps minimize CSOs. The JOC program is a contracting tool that gives DEP more flexibility and is more efficient. This marks a revamping of the Agency's old planning strategies, and is complimentary to the GIP.

Program Areas

Water & Sewer Maintenance & Operations

The Bureau of Water and Sewer Operations (the Bureau) operates, maintains, and protects the City's drinking water and wastewater collection systems, protects adjacent waterways, and develops and protects the Department's Capital Water and Sewer Design Program. This program includes approval and inspection of water and sewer connections performed by licensed plumbers and/or authorized contractors. Additionally, the Bureau is responsible for the approval and inspection of all public and private construction projects.

<i>Dollars in thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb. Plan	2012 Feb. Plan	Difference 2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$82,249	\$82,451	\$88,399	\$87,865	\$87,902	(\$497)
Other Salaried and Unsalaries	220	196	50	50	50	0
Additional Gross Pay	7,199	12,933	5,957	5,957	5,957	0
Overtime - Civilian	7,626	7,493	5,184	5,184	5,184	0
Fringe Benefits	0	0	24	24	24	0
Subtotal, PS	\$97,295	\$103,074	\$99,613	\$99,079	\$99,116	(\$497)
Other Than Personal Services						
Supplies and Materials	\$36,814	\$23,683	\$24,006	\$23,658	\$15,810	(\$8,196)
Property and Equipment	629	428	847	849	847	0
Other Services and Charges	48,889	45,235	64,399	63,296	55,084	(9,316)
Contractual Services	7,439	7,019	7,175	6,524	5,962	(1,212)
Fixed and Misc. Charges	59,668	249,091	2,102	1,181	1,787	(315)
Subtotal, OTPS	\$153,439	\$325,455	\$98,529	\$95,507	\$79,490	(\$19,039)
TOTAL	\$250,733	\$428,530	\$198,143	\$194,586	\$178,606	(\$19,536)
Funding						
Capital IFA	N/A	N/A	\$9,384	\$9,384	\$9,384	\$0
City Funds	N/A	N/A	188,758	185,202	169,222	(19,536)
TOTAL	N/A	N/A	\$198,143	\$194,586	\$178,606	(\$19,536)

The Bureau's Preliminary Fiscal 2012 Expense Budget is \$19.5 million less than its Adopted Fiscal 2011 Budget. The \$8.2-million savings in Supplies and Materials is due to the price reduction of orthophosphate. The drop in Other Services and Charges of \$9.3 million in Fiscal 2012 is due to one-time charges in Fiscal 2011 and charges that were deferred from Fiscal 2010 to Fiscal 2011 for a backhoe contract increase and various sewer cleaning contracts.

Performance Measures

	FY 08	FY 09	FY 10	4-Month Actual FY 11	Target FY 12
Sewer backup complaints received	21,797	16,977	14,883	4,714	*
Sewer backup resolution time (hours)	6.7	5.6	5.8	5.3	7.0
Percent of sewer backups recurring locally within 2 years	48.3%	48.8%	47.2%	46.9%	*
Leak complaints received	4,275	4,583	3,908	1,228	*
Leak resolution time (days)	13.4	13.8	15.1	17.1	17.0
Water main surveyed for leak detection (% linear feet)	56.6%	59.7%	59.2%	19.3%	56.0%
Water main breaks	429	513	360	74	575
Average time to restore water to customers after confirming breaks (hours)	12.1	9.1	5.5	6.7	*
Repairs to distribution system	20,166	18,765	17,777	5,074	1,9000
Catch basin complaints received	18,305	12,943	11,330	4,246	*
Catch basin backup resolution time (days)	6.5	7.0	8.4	5.0	9.0
Percent of catch basin backups recurring locally within 2 years	31.4%	29.6%	27.9%	25.4%	*
Catch basins surveyed/inspected (%)	36.5%	40.5%	35.1%	9.6%	33.3%
Street cave-in complaints received	56.6%	59.7%	59.2%	19.3%	56.0%
Street cave-in complaints resolved	19,272	9,545	6,302	2,207	*
Average time to street cave-in complaints and make safe (days)	8.7	10.4	8.3	3.3	*
Broken and inoperative hydrants (%)	0.39%	0.45%	0.52%	0.63%	1.00%
Average time to repair or replace high-priority broken or inoperative hydrants (days)	14.8	15.2	7.5	7.3	*
Average backlog of broken and inoperative hydrants	421	492	572	601	*

Wastewater Treatment Operations

The Bureau of Wastewater Treatment (the Bureau) maintains the chemical and physical integrity of the New York Harbor and other local water bodies. It sustains the continued use and viability of the New York water environment through: the removal of organic and toxic pollutants from the City's wastewater; control of discharges from Combined Sewer Overflows and dry weather bypassing; optimum operation of treatment plant collections system; integration of watershed management concepts into facilities' planning and design; and enforcement of a city-wide industrial pre-treatment and pollution prevention program. Also, the Bureau operates the 14 water pollution control plants, 89 wastewater pump stations, eight dewatering facilities, 490 sewer regulators, and 6,000 miles of intercepting sewers as well as the management and testing of the local waterways.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$109,128	\$140,318	\$155,138	\$154,138	\$154,179	(\$959)
Full-Time Salaried - Uniformed	0	1	0	0	0	0
Other Salaried and Unsalariated	387	271	45	45	45	0
Additional Gross Pay	9,083	204,423	7,558	7,558	7,558	0
Overtime – Civilian	18,913	40,629	11,097	11,097	11,097	0
Fringe Benefits	2,887	3,077	2,225	3,225	3,225	1,000
Subtotal, PS	\$140,398	\$388,720	\$176,063	\$176,063	\$176,104	\$41
Other Than Personal Services						
Property and Equipment	\$1,775	\$777	\$2,246	\$2,059	\$2,246	\$0
Other Services and Charges	66,079	62,345	84,410	85,170	80,168	(4,242)
Supplies and Materials	48,060	44,968	56,252	58,082	56,080	(172)
Contractual Services	110,352	108,988	69,732	71,109	68,674	(1,058)
Fixed and Misc. Charges	439	649	597	592	597	0
Subtotal, OTPS	\$226,705	\$217,727	\$213,237	\$217,013	\$207,765	(\$5,472)
TOTAL	\$367,104	\$606,446	\$389,300	\$393,076	\$383,870	(\$5,431)
Funding						
Capital IFA	N/A	N/A	\$5,900	\$5,900	\$5,900	\$0
City Funds	N/A	N/A	383,400	387,175	377,969	(5,431)
TOTAL	N/A	N/A	\$389,300	\$393,076	\$383,870	(\$5,431)

The Bureau's Preliminary Fiscal 2012 Expense Budget is \$5.4 million less than its Fiscal 2011 Adopted Budget. This includes \$4.2 million that was deferred from Fiscal 2010 in Other Services and Charges, and \$1 million in Contract Services that were deferred to Fiscal 2011 due to the delayed start of an emergency spill response contract. The drop in funding does not reflect a cut in services in Fiscal 2012.

Performance Measures

	FY 08	FY 09	FY 10	FY 11 4- Month Actual	Target FY 12
Wastewater treatment plant (WWTP) effluent meeting federal standards (%)	99.90%	99.90%	100.00%	100.00%	100.00%
WWTPs - Critical equipment days below minimum	1,360	1,158	1,941	594	*
Percent of out-of-service critical equipment that is attributable to planned work	NA	NA	NA	44%	*
Percent of harbor survey stations meeting the swimmable standard of 5mg/L for dissolved oxygen	90%	89%	88%	68%	89%

Upstate Water Supply

The Bureau of Water Supply (the Bureau) manages, operates, and protects New York City's upstate water supply to ensure the delivery of a sufficient quantity of high quality drinking water. Additionally, it is responsible for the overall management and implementation of the provisions of the City's \$1.5 billion Watershed Protection Program, and for ensuring the City's compliance with the provisions of the Filtration Avoidance Determination.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried – Civilian	\$58,377	\$62,416	\$60,959	\$61,322	\$61,688	\$730
Other Salaried and Unsalariated	421	428	116	116	116	0
Additional Gross Pay	2,852	5,258	2,044	2,044	2,044	0
Overtime – Civilian	2,672	2,309	1,864	1,864	1,864	0
Fringe Benefits	41	42	20	20	20	0
Subtotal, PS	\$64,363	\$70,453	\$65,002	\$65,366	\$65,732	\$730
Other Than Personal Services						
Property and Equipment	\$4,074	\$2,643	\$1,962	\$1,676	\$1,174	(\$787)
Other Services and Charges	23,075	32,242	28,826	25,778	26,348	(2,477)
Supplies and Materials	13,523	13,915	13,251	14,670	13,619	368
Contractual Services	12,013	12,909	9,638	11,902	9,449	(189)
Fixed and Misc. Charges	114,938	122,796	136,829	137,023	136,829	0
Subtotal, OTPS	\$167,625	\$184,506	\$190,506	\$191,049	\$187,420	(\$3,086)
TOTAL	\$231,988	\$254,959	\$255,508	\$256,415	\$253,152	(\$2,356)
Funding						
Capital IFA	N/A	N/A	\$5,849	\$5,849	\$5,849	\$0
City Funds	N/A	N/A	249,660	250,566	247,303	(2,356)
TOTAL	N/A	N/A	\$255,508	\$256,415	\$253,152	(\$2,356)

The Bureau's Preliminary Fiscal 2012 Expense Budget is \$2.4 million less than its Fiscal 2011 Adopted Budget. The majority of the Bureau's OTPS reduction is the result of deferrals from Fiscal 2010 to Fiscal 2011, such as \$2.5 million in Other Services and Charges for security services and a watershed chemicals Environmental Impact Statement.

Performance Measures

	FY 08	FY 09	FY 10	FY 11 4- Month Actual	Target FY 12
In-City samples meeting water quality standards for coliform (%)	100%	100%	100%	100%	*
Percent of samples testing positive for coliform bacteria	0.2%	0.2%	0.3%	0.9%	*
Number of drinking water analyses above maximum contaminant level	53	130	15	3	*
Completed applications for work to comply with Watershed Rules and Regulations	866	678	646	290	*
Notices of Violation and Notices of Warning issued in the watershed	165	205	275	152	*
Patrol hours for Environmental Police and watershed protection staff (000)	298.9	286	304.2	108.3	*
Percent of reservoir capacity filled (end of month)	89.9%	99.1%	91.0%	79.8%	*
Average daily in-City water consumption (millions of gallons)	1,115	1,039	1,017	1,108	*

Customer Services & Water Board Support

The Bureau of Customer Services (the Bureau) is responsible for all functions related to water and sewer billing for residents of New York City and certain upstate communities. In addition, the Bureau is responsible for water meter contracts and to test and validate the accuracy of water meters installed by private plumbers prior to installation. The Water Board is a public benefit corporation created by the New York State Legislature to primarily fix, revise, charge, collect, and enforce water and sewer rates and other charges for New York City.

<i>Dollars in thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb. Plan	2012 Feb. Plan	Difference 2012 vs.2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$26,867	\$27,679	\$28,917	\$28,917	\$28,917	\$0
Other Salaried and Unsalariad	2,907	3,347	2,301	2,301	2,301	0
Additional Gross Pay	816	769	480	480	480	0
Overtime – Civilian	2,631	2,643	1,703	1,703	1,703	0
Subtotal, PS	\$33,222	\$34,439	\$33,401	\$33,401	\$33,401	\$0
Other Than Personal Services						
Property and Equipment	\$550	\$427	\$1,188	\$823	\$1,188	\$0
Other Services and Charges	1,384	1,346	7,338	4,592	5,580	(1,758)
Supplies and Materials	2,691	2,630	2,080	2,830	2,303	223
Contractual Services	9,174	7,481	5,568	8,014	5,568	0
Fixed and Misc. Charges	0	0	0	0	0	0
Subtotal, OTPS	\$13,799	\$11,883	\$16,174	\$16,258	\$14,638	(\$1,536)
TOTAL	\$47,020	\$46,322	\$49,575	\$49,658	\$48,039	(\$1,536)
Funding						
Capital IFA	N/A	N/A	\$131	\$131	\$131	\$0
City Funds	N/A	N/A	49,444	49,528	47,908	(1,536)
TOTAL	N/A	N/A	\$49,575	\$49,658	\$48,039	(\$1,536)

The Bureau's Preliminary Fiscal 2012 Budget is \$1.5 million less than its Fiscal 2010 Adopted Budget. This largely relates to a one-time new need of \$1.8 million in Fiscal 2011 for a water/sewer billing system upgrade in Other Services and Charges.

Performance Measures

	FY 08	FY 09	FY 10	FY 11 4- Month Actual	Target FY 12
Estimated bills (%)	16%	17%	17%	13%	15%
Total revenue collected (\$ millions)	\$2,173	\$2,333	\$2,552	\$1,314	\$3,108
Total revenue as percent of plan	97.7%	95.0%	95.2%	102.2%	*
Percent of billed amount collected in 30 days	54.8%	56.8%	56.4%	55.7%	*
Accounts receivable - Total balance (\$ millions)	\$1,046	\$1,131	\$1,242	\$662	*
Delinquent for more than 180 days (\$ millions)	\$323	\$287	\$313	\$333	*
Delinquent for more than 1 year (\$ millions)	\$233	\$204	\$220	\$227	*
Meters repaired/replaced	29,240	29,719	18,891	3,401	5600

Engineering Design and Construction

The Bureau of Environmental Design and Construction (the Bureau) handles the planning, design, and construction of major water quality related capital projects. Funding in this program area supports the creation of projects that focus on the continued delivery of high quality drinking water to the City and the continued improvement of water quality within the New York Harbor and estuaries.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$27,403	\$28,915	\$29,246	\$29,246	\$29,246	\$0
Other Salaried and Unsalariated	118	121	11	11	11	0
Additional Gross Pay	1,464	1,441	1,424	1,424	1,424	0
Overtime - Civilian	910	902	639	639	639	0
Subtotal, PS	\$29,895	\$31,379	\$31,319	\$31,319	\$31,319	\$0
Other Than Personal Services						
Property and Equipment	\$93	\$48	\$128	\$70	\$128	0
Other Services and Charges	100	118	198	137	198	0
Supplies and Materials	156	154	101	149	101	0
Contractual Services	34	50	28	42	28	0
Fixed and Misc. Charges	0	20	0	0	0	0
Subtotal, OTPS	\$383	\$390	\$455	\$397	\$455	\$0
TOTAL	\$30,278	\$31,769	\$31,774	\$31,716	\$31,774	\$0
Funding						
Capital IFA	N/A	N/A	\$31,319	\$31,319	\$31,319	\$0
City Funds	N/A	N/A	455	397	455	0
TOTAL	N/A	N/A	\$31,774	\$31,716	\$31,774	\$0

The Bureau's Preliminary Fiscal 2012 Expense Budget is the same as its Fiscal 2011 Adopted Budget.

Environmental Management

The Bureau of Environmental Compliance (the Bureau) regulates air, noise, and hazardous materials, performs inspections, issues licenses and permits, and reviews technical plans related to asbestos control, air quality, and noise abatement laws. Funding in this program area supports the self-regulation of DEP's employees for testing, keeping up with federal regulations, and disposal of materials as well as the overall outside regulation and control of these areas.

Responsibilities include responding to 1,360 hazardous material emergency incidents annually; maintaining a comprehensive database of 3,700 facilities containing hazardous and toxic materials, managing environmental investigations and assessments of contaminated sites, overseeing the remediation of four active hazardous waste municipal landfills, conducting 24,000 field inspections in response to 15,000 air and noise code complaints in a year, helping implement the requirements of the Clean Air Act Amendments of 1990, meeting with community and various public interest associations regularly to provide general information and promote compliance, and operating a New York State approved environmental laboratory to perform analysis of asbestos, air pollutant and hazardous materials samples.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$10,759	\$11,085	\$11,418	\$11,221	\$11,221	(\$197)
Other Salaried and Unsalaries	248	231	324	260	190	(135)
Additional Gross Pay	734	634	381	378	407	27
Overtime - Civilian	2,391	2,395	710	710	710	0
Subtotal, PS	\$14,131	\$14,346	\$12,833	\$12,568	\$12,528	(\$305)
Other Than Personal Services						
Property and Equipment	\$289	\$106	\$298	\$278	\$298	\$0
Other Services and Charges	177	219	473	346	576	103
Supplies and Materials	203	219	220	284	220	0
Contractual Services	573	1,322	\$835	844	835	0
Subtotal, OTPS	\$1,243	\$1,865	\$1,827	\$1,752	\$1,930	\$103
TOTAL	\$15,373	\$16,211	\$14,660	\$14,320	\$14,458	(\$202)
Funding						
Capital IFA	N/A	N/A	\$66	\$66	\$66	\$0
City Funds	N/A	N/A	14,208	13,899	14,037	(171)
Intra City	N/A	N/A	385.852	354.984	354.984	(31)
TOTAL	N/A	N/A	\$14,660	\$14,320	\$14,458	(\$202)

The Preliminary Fiscal 2012 Environmental Management budget is \$200,000 less than its Fiscal 2011 Adopted Budget with \$300,000 worth of PEGs in Fiscal 2012 including Intra-City with DEP, and Reduction to DERTA both Part-time and Full-time budgets including the reduction of one staff position through attrition.

Performance Measures

	FY 08	FY 09	FY 10	FY 11 4- Month Actual	Target FY 12
Air complaints received	12,625	11,692	9,699	3,439	*
Air complaints responded to within seven days (%)	82%	79%	76%	69%	85%
Average days to close air quality complaints	13.8	13.1	10.8	8.7	*
Noise complaints received	49,221	39,371	31,778	10,644	*
Noise complaints not requiring access to premises responded to within seven days (%)	85%	85%	86%	85%	85%
Average days to close noise complaints	18.7	17.7	15.3	11.5	*
Asbestos complaints received	2,350	1,391	1,180	457	*
Asbestos complaints responded to within three hours (%)	99%	99%	100%	100%	90%
Average days to close asbestos complaints	0.29	0.23	0.27	0.19	*
Emergencies responded to within one hour (%)	100%	100%	100%	100%	100%
DEP - issued violations	8,577	7,412	9,466	4,233	*
Air violations	4,657	4,346	4,983	2,013	*
Noise violations	3,420	2,559	2,446	987	*
Asbestos violations	500	507	2,037	1,233	*
Notices of Violation (all categories) upheld at the Environmental Control Board (%)	NA	77.6%	77.1%	78.8%	*

Environmental Control Board

The Environmental Control Board (ECB) is an administrative tribunal that provides hearings on notices of violations issued by other City agencies for various “quality of life” infractions of the City’s laws and rules. On August 12, 2008 Mayor Bloomberg signed legislation into law consolidating ECB under the jurisdiction of the Office of Administrative Trials and Hearings (OATH).

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$2,709	\$0	\$0	\$0	\$0	\$0
Other Salaried and Unsalared	2,964	2	0	0	0	0
Additional Gross Pay	239	90	37	10	10	(27)
Overtime - Civilian	83	0	0	0	0	0
Subtotal, PS	\$5,994	\$92	\$37	\$10	\$10	(\$27)
Other Than Personal Services						
Property and Equipment	\$22	\$0	\$0	\$0	\$0	\$0
Other Services and Charges	205	0	0	0	0	(0)
Supplies and Materials	646	0	21	0	0	(21)
Contractual Services	1,122	0	0	0	0	0
Subtotal, OTPS	\$1,994	\$0	\$21	\$0	\$0	(\$21)
TOTAL	\$7,988	\$92	\$58	\$10	\$10	(\$48)
Funding						
City Funds	N/A	N/A	58	10	10	(\$48)
TOTAL	N/A	N/A	\$58	\$10	\$10	(\$48)

Agency Administration & Support

Funding in this program area supports administrative staff that manages and directs the Department, sets policies, and creates agency strategic plans. The administrative bureau provides support services for the entire Department. The functions include personnel, budgeting, payroll, purchasing, auditing, building and vehicle maintenance, computer services, and community and intergovernmental relations.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$32,976	\$34,891	\$31,637	\$31,763	\$31,640	\$3
Other Salaried and Unsalari ed	1,474	1,402	826	809	826	0
Additional Gross Pay	1,305	1,066	602	602	602	0
Overtime - Civilian	1,111	1,237	400	400	400	0
Fringe Benefits	1	0	0	0	0	0
P.S. Other	(60)	(71)	0	0	0	0
Subtotal, PS	\$36,807	\$38,526	\$33,464	\$33,573	\$33,467	\$3
Other Than Personal Services						
Supplies and Materials	\$4,502	\$4,784	\$4,568	\$5,476	\$4,774	\$206
Property and Equipment	817	863	1,290	1,068	1,170	(120)
Other Services and Charges	28,477	25,659	31,768	30,884	31,425	(343)
Contractual Services	7,421	8,452	5,592	7,100	5,560	(32)
Fixed and Misc. Charges	1,997	1,255	27	26	27	0
Subtotal, OTPS	\$43,214	\$41,013	\$43,244	\$44,555	\$42,955	(\$289)
TOTAL	\$80,020	\$79,538	\$76,709	\$78,128	\$76,423	(\$286)
Funding						
Capital IFA	N/A	N/A	\$6,470	\$6,470	\$6,424	(\$46)
City Funds	N/A	N/A	69,443	70,832	69,202	(240)
Intra City	N/A	N/A	796	826	796	0
TOTAL	N/A	N/A	\$76,709	\$78,128	\$76,423	(\$286)

The Preliminary Fiscal 2012 Agency Administration & Support Budget is \$286,000 less than its Fiscal 2011 Adopted Budget. The combined reduced expenses of \$500,000 in the other OTPS object codes is due to deferrals from Fiscal 2010 to Fiscal 2011 and so are not cuts that would affect services in Fiscal 2012.

Miscellaneous

Funding in this program area provides for any personal or other than personal services expenses that receive one-time funding. It also includes Homeland Security and Brownfield grants.

	2009	2010	2011	2011	2012	Difference
<i>Dollars in thousands</i>	Actual	Actual	Adopted	Feb. Plan	Feb. Plan	2012 vs. 2011
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$1,715	\$2,739	\$978	\$5,218	\$969	(\$10)
Additional Gross Pay	59	67	0	0	0	0
Overtime - Civilian	467	445	0	0	0	0
Fringe Benefits	1	1	0	1,498	0	0
Subtotal, PS	\$2,242	\$3,251	\$978	\$6,716	\$969	(\$10)
Other Than Personal Services						
Property and Equipment	\$148	\$1,282	\$0	\$2,296	\$0	\$0
Other Services and Charges	80	184	0	292	0	0
Supplies and Materials	66	55	0	417	0	0
Contractual Services	1,054	2,290	117	8,382	0	(117)
Fixed and Misc. Charges	0	0	0	8	0	0
Subtotal, OTPS	\$1,348	\$3,810	\$117	\$11,394	\$0	(\$117)
TOTAL	\$3,590	\$7,062	\$1,095	\$18,110	\$969	(\$126)
Funding						
City Funds	N/A	N/A	\$855	\$845	\$845	(\$10)
Federal – Other	N/A	N/A	240	17,192	123	(117)
State	N/A	N/A	0	73	0	0
TOTAL	N/A	N/A	\$1,095	\$18,110	\$969	(\$126)

Appendix A: Budget Actions in the November and February Plans

<i>Dollars in thousands</i>	FY 2011			FY 2012		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as of June 2010 Plan	\$956,280	\$60,541	\$1,016,821	\$925,255	\$60,378	\$985,633
Programs to Eliminate the Gap (PEGs)						
ECB - Technical Adjustment	(\$21)	\$0	(\$21)	(\$21)	\$0	(\$21)
FY 2011 PS Reduction	(29)	0	(29)	0	0	0
Intra-City with DEP	0	(31)	(31)	0	(31)	(31)
Reduction to DERTA- Part-Time Budget	(70)	0	(70)	(145)	0	(145)
Reduction to DERTA- Vacancy	(88)	0	(88)	(89)	0	(89)
Total, PEGs	(\$209)	(\$31)	(\$240)	(\$255)	(\$31)	(\$286)
New Needs						
Landfill Remediation	\$2,336	\$0	\$2,336	\$1,901	\$0	\$1,901
Total, New Needs	2,336	\$0	\$2,336	\$1,901	\$0	\$1,901
Other Adjustments						
Biowatch	\$0	\$4,687	\$4,687	\$0	\$0	\$0
Brownsfields	0	17	17	0	0	0
Buffer Zone- Police	0	318	318	0	0	0
Bzpp chem grant	0	654	654	0	0	0
DEP- DOI Technical Adjustment	24	0	24	24	0	24
Igrmif	0	73	73	0	0	0
Reduction to DERTA - Part Time	5	0	5	10	0	10
Reduction to DERTA - Vacancy	17	0	17	18	0	18
Remed - Rodm. Neck Fir. Range	0	30	30	0	0	0
Shsg'07	0	1,161	1,161	0	0	0
Shsg'08	0	1,398	1,398	0	0	0
Uasi'07	0	494	494	0	0	0
Water Security Initiative	0	8,223	8,223	0	0	0
Total, Other Adjustments	\$46	\$17,055	\$17,101	\$52	\$0	\$52
Agency Budget as of February 2011 Plan	\$958,454	\$77,565	\$1,036,019	\$926,953	\$60,347	\$987,300

Appendix B: Reconciliation of Program Areas to Units of Appropriation

Dollars in thousands

U/A	PS				OTPS				Grand Total
	001	002	003	004	005	006	007	008	
Agency Administration & Support	\$29,460,625					\$42,955,343	\$4,006,718		\$76,422,686
Customer Services & Water Board Support				\$14,638,445			\$33,400,557		\$48,039,002
Engineering Design and Construction				\$455,204			\$31,318,942		\$31,774,146
Environmental Control Board	\$10,301								\$10,301
Environmental Management	\$308,242	\$11,557,532		\$626,800	\$1,303,540		\$662,186		\$14,458,300
Miscellaneous		\$968,500	\$0	\$0	\$0	\$0			\$968,500
Upstate Water Supply			\$65,413,636	\$187,419,682			\$318,313		\$253,151,631
Wastewater Treatment Operations				\$204,320,405	\$3,445,017			\$176,104,417	\$383,869,839
Water & Sewer Maintenance & Operations			\$99,116,299	\$79,490,086					\$178,606,385
Grand Total	\$29,779,168	\$12,526,032	\$164,529,935	\$486,950,622	\$4,748,557	\$42,955,343	\$69,706,716	\$176,104,417	\$987,300,790