

# \$100M Filtration Plant in Westchester On Path to Begin Construction in 2022

By JOHN JORDAN

HARRISON, NY—A recent ruling by the New York State Department of Environmental Conservation has officials with the Westchester Joint Water Works hopeful that it can break ground in early 2022 on a much-delayed \$100-million water filtration plant, which will be built on 13+ acres at Westchester County Airport here.

The New York State Department of Environmental Conservation has designated Westchester Joint Water Works, a nonprofit public benefit corporation, as “lead agency” in the SEQRA process for the construction of the 30-million-gallon-per-day (mpg) water filtration plant. “This designation of WJWW to serve as lead agency is based on my findings that WJWW, as project sponsor, has broader jurisdiction than the [Harrison] Planning Board to investigate the environmental impacts,” State DEC Commissioner Basil Seggos wrote in his decision on March 10.

The new filtration plant is necessary because both the New York State Department of Health and U.S. EPA have ordered WJWW to provide filtration for its raw water source at Rye Lake to comply with surface water treatment requirements and control harmful levels of disinfection by-products, including HAA5 (haloacetic acids). Long-term exposure to high levels of HAA5 has been linked to an increased risk for cancer, although WJWW officials note that the concentrations of HAA5 detected in WJWW’s water system does not constitute an immediate health hazard.

“Westchester Joint Water Works understands the urgency to construct a water filtration plant to protect the health and safety of the approximately 120,000 Westchester County residents that we serve,” said Paul Kutzy, WJWW Manager. “We will ensure that a thorough environmental review is completed for the filtration plant in collaboration with an expert team of environmental engineers, scientists, planners, architects, government agencies and legal specialists.”

He added, “The recent NYS-DEC ruling clears the way, without further delay, for WJWW to move forward with the SEQRA process and towards construction of the water filtration plant to protect the health and safety of the approximately 120,000 Westchester County residents that we serve.” Mr. Kutzy told CONSTRUCTION NEWS that WJWW hopes construction can begin on the new water filtration plant in early 2022.

The WJWW is under the gun and is now mandated by both New York State and the U.S. Environmental Protection Agency to build the plant. WJWW is currently facing state fines accruing at \$13,750 a day that has

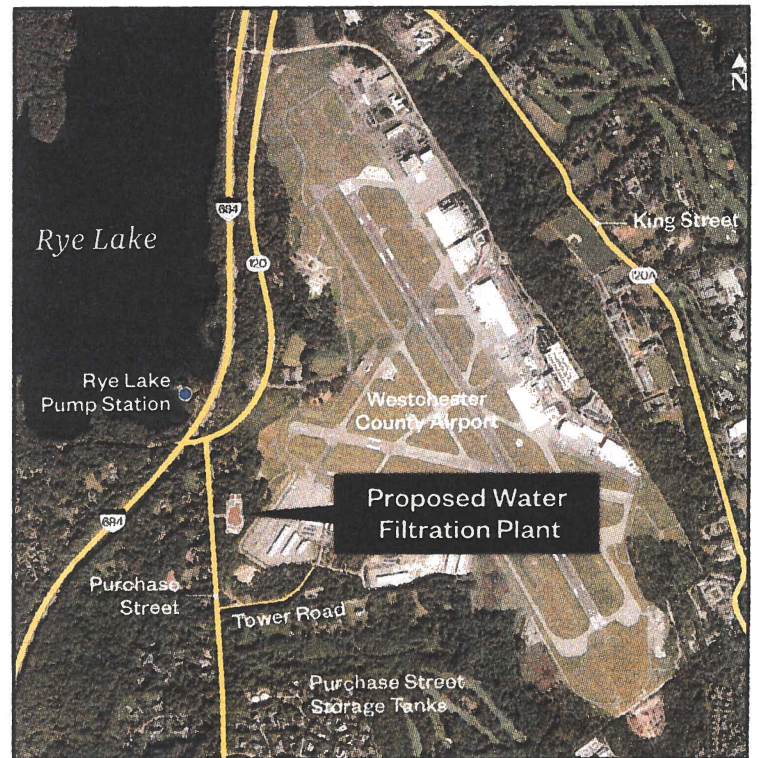
thus far accrued to a total of \$60 million, and risks federal fines of an additional \$35,000 per day for noncompliance.

The original project was delayed due to litigation. WJWW sought to build a water filtration plant when the need for one was identified in the early 1990s. In 2004 when the goal could not be accomplished to the satisfaction of New York State, WJWW was ordered by the court to construct a plant. Following the issuance of the court’s order, WJWW eventually decided the construction of a water filtration plant was the best option and purchased approximately 13.4 acres of land in the Town of Harrison on which to build. It also took steps to comply with disinfection treatment requirements, including the use of new and modified water tanks. WJWW completed the water filtration project design

in a timely manner and received approvals from the New York State Department of Health. Shovels hit the ground in 2006, but litigation and permitting issues blocked the project, for which the Town/Village of Harrison Planning Board was the Lead Agency.

Site preparation at the original project location began on Aug. 29, 2006, but all construction was halted on Sept. 8, 2006, when, faced with challenge by local parties, the Planning Board rescinded its original approvals and retracted its “negative declaration” determination under SEQRA. The Planning Board then undertook the role of Lead Agency under SEQRA, made a “positive determination” and required preparation of a full Environmental Impact Statement. WJWW issued a final EIS in July 2008. The final

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A map of the proposed site for the new water filtration plant on the grounds of Westchester County Airport in Harrison, NY.

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EIS was never formally adopted by the Planning Board. Without completion of the SEQRA review process, no further action could be taken to complete the filtration plant, WJWW officials stated.

The revised plan now being pursued by WJWW is a new site closer to the Rye Lake Water supply and its existing infrastructure that it would acquire from Westchester County in what would basically be a land swap of same-sized parcels. The initial site, although nearby, is located in a residential zone. The site of the current proposed plant is on 13.4 acres of land at the Westchester County Airport that is zoned for non-residential use.

WJWW is working with the county toward a purchase/sale transaction between the county and WJWW involving an equal exchange of the two parcels.

“This is the most effective method of protection for WJWW to provide safe, clean drinking water,” Mr. Kutzy said. “The plant will not only provide a current solution, but will ensure WJWW’s water supply is

well-positioned to meet future demands.”

WJWW has completed a project feasibility study and a detailed project design is underway. Mr. Kutzy said that WJWW is looking to enter into a Project Labor Agreement (PLA) for the project with a single general contractor encompassing all the trades.

“The PLA is expected to provide more efficiencies in the contract procurement process as well as help WJWW save money, and ensure a timely completion of the water filtration plant,” he said. “The PLA is a win-win in that the project will also create hundreds of well-paying construction jobs with benefits.”

Some of the details of the project according to its preliminary design call for a ground-up construction of a three-floor building totaling approximately 80,000 square feet. The building will consist of primarily concrete, masonry and steel and would be built on a site totaling between three to five acres that would include parking, access and storm water controls. The remainder of the

site would be left undisturbed, Mr. Kutzy noted.

The WJWW is a nonprofit public benefit corporation formed in 1927 by its three-member municipalities: the Village of Mamaroneck, the Town of Mamaroneck, and the Town/Village of Harrison pursuant to the provisions of Chapter 654, Laws of 1927, State of New York to acquire, construct and provide a joint water works. WJWW supplies water to its member municipalities and to portions of the cities of Rye and New Rochelle, serving 59,629 consumers through 14,682 service connections. WJWW also supplies water on a wholesale basis to the Village of Larchmont and Suez Water Westchester, which supplies water to the City of Rye, Village of Rye Brook and Village of Port Chester, which collectively represent approximately another 60,000 consumers.

To educate the public about the details of the water filtration plant, WJWW has launched a website—[wjwwfiltration.org](http://wjwwfiltration.org)—that includes information about the project and the SEQRA process.