



Progress in efforts to build WJWW's water filtration plant

New York City approves WJWW's Stormwater Pollution Prevention Plans

By Dick Hubert

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The legal, political, and media battle to get the Westchester Joint Water Works' (WJWW) court-mandated water filtration plant approved for construction and built at its proposed Purchase Street site, against bitter opponents of its construction, just made some progress—but a close reading of where the process stands is necessary.

On Friday, May 26, in the afternoon, the Westmore News received a copy of a finding by the New York City Department of Environmental Protection (NYCDEP) that approved the WJWW's Stormwater Pollution Prevention Plans (SWPPP).

As WJWW Manager Paul Kutzy explained in a May 27 e-mail:

"Hazen and Sawyer, our project engineer, had been working collaboratively with the NYCDEP since July 2021 to understand and comply with their needs relative to siting the filtration plant on the NYCDEP watershed. In responding to comments in the NYSDEC letter dated 10/14/22 relative to the State Pollutant Discharge Elimination System (SPDES) permit application, Hazen and Sawyer had to make revisions to the SWPPP application which was submitted to the NYCDEP on January 19, 2023. There was never any doubt that approval would be secured from the NYCDEP despite the letter from NYCDEP dated October 10, 2022 which included a subjective opinion by an individual NYCDEP staff person who did not even copy any DEP senior officials in her letter."

Next up: New York State approvals

Kutzy and his team now must deal with the New York State Department of Environmental Conservation (NYSDEC):

As Kutzy elaborated again on May 27: "Eileen Feldman of Hazen and Sawyer, our engineering design consultant, spoke earlier this week with Rebecca Crist at NYSDEC and inquired about the status of our application. NYSDEC staff continue to work with Eileen towards approval of a NYSDEC State Pollutant Discharge Elimination System (SPDES) Permit and that Rebecca's team is pulling together information to assist Eileen in responding to outstanding comments needed to finalize our application. This is a routine permit that just takes time and noting that subsequent to the NYSDEC letter dated October 14, 2022, where the DEC stated that the "DEC has no records of receiving notification of the Scoping, the acceptance of the Draft EIS, nor the Final EIS and did not receive copies of any of those documents," the NYSDEC has since acknowledged that they had in fact received all records and that it was their mix up."

Approvals for land swap needed

from County Exec Latimer

With the environmental agency approvals in hand, the spotlight on what happens next falls on County Executive George Latimer.

As Kutzy sees it: "This past October 2022 with letters from the NYCDEP and NYSDEC, the County Executive issued a statement in a Journal News article dated October 26, 2022...where the CE stated, "It has recently come to our attention, by the NYSDEC and NYCDEP, that there are significant concerns about locating the facility on airport property ... Since hearing about these concerns, the county is fully evaluating the land swap, and will discuss these issues further with our environmental partners." With the NYCDEP approval issued on May 26, 2023, it should be expected that the County will feel comfortable and confident in entering into a Contract at this time for the land swap. NYSDEC approval can be made a condition of the Contract before closing along with all other routine permits and approvals required."

Meanwhile, on Apr. 17, Kutzy and his team filed a "progress report" on their years long effort to get the filtration plant built with the U.S. Environmental Protection Agency's Section Two (New York City based) Office Chief, Nicole Foley Kraft.

Reaction over a holiday weekend

Rye Brook Mayor Jason Klein, whose day job is as head of the County's Department of Conservation, had this reaction in response to an e-mail asking for comment:

"...the WJWW obligation to filter public water has been ongoing since 1991, and hopefully this action will help lead to the desired result, which is the proper filtration of the drinking water for Rye Brook and other communities. We also implore all regulating officials to remain diligent in considering the impact of stormwater on downstream properties and communities when considering development approvals."

This is an ongoing story, and for future issues the Westmore News will be reaching out for comment to local County legislators whose constituents will be affected by the eventual supply of clean drinking water; the Latimer Administration, whose approval for the land swap, along with the Legislature's, is necessary for the plant's construction; and the Purchase Friends Meeting House opponents and others on Purchase Street who have campaigned against the land swap the County Executive and County Legislature must approve.

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Worship, WJWW, WJWW
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