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January 2006

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# IBO's Programmatic Review of the 2006 Budget as of the November Financial Plan

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*Department of  
Environmental Protection  
(DEP)*

IBO

New York City  
Independent Budget Office

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## Introductory Note

IBO's programmatic reviews of the 2006 budgets of selected city agencies are intended to assist the public and elected officials better understand the allocation of budgetary resources to city services by presenting agency budgets in a way that is more closely aligned with the actual programs, functions, and services of major city agencies.

The current city budget presentation inhibits understanding and participation in three ways.

First, agency budgets, organized into broad *units of appropriation*, do not easily allow users to understand how much money is being spent from one year to the next on the programs and services that citizens and their elected representatives care about—programs such as job training, childhood lead-poisoning prevention, HIV/AIDS prevention and treatment, after-school programs, immigrant services, affordable housing construction, and recreation programs.

Second, budget proposals are presented in terms of Financial Plan changes, rather than in terms of year-to-year comparisons. A proposed cut, or “PEG,” of \$1 million in a program is presented without information on how much was previously projected for spending on that program in previous Financial Plans, and whether the \$1 million “cut” would leave spending lower, higher, or the same as previous years’ spending levels. This presentation often manifests itself in annual debates over “hidden cuts” and what has been “baselined” in the Financial Plan. This manner of presenting the budget makes it difficult to understand the consequences for agency programs of budgetary decisions.

Finally, it is virtually impossible to link spending decisions to program results. Although at one time the city was a trailblazer in performance reporting, the lack of linkage between performance data reported in the Mayor's Management Report and elsewhere, and clear spending information, makes it difficult for citizens, elected officials, and even agency managers to know what they are getting for their money and to evaluate alternatives. Our programmatic budget presentations integrate existing performance data from the Mayor's Management Report, Capstat, and other sources produced by the Mayor's office alongside spending figures, to provide a unified presentation of both spending and performance.

Our goal in preparing these budget reviews has been to hew as closely as possible to how the agencies themselves present their organization, programs, and services, on their official Web sites and other sources, including using the agencies' own language to describe programs in most cases. While we have sought, and in most cases received, considerable input from agencies in the preparation of the program budget reviews, our presentations are not necessarily how the Mayor's budget office or the agencies themselves would present their budgets, were they to do so in programmatic terms. Nonetheless, we think that our presentations can be instructive and point the way toward how to improve understanding of the city's budget in a way that enhances public participation in the budget process.

IBO will periodically update our program budgets. We will continue to separately issue our analysis of the Preliminary Budget, including of selected agency budgets, as we have every year as required by City Charter section 246.

We welcome your comments or questions, which you may direct to IBO at (212) 442-0632, or by e-mail to [ibo@ibo.nyc.ny.us](mailto:ibo@ibo.nyc.ny.us).

# Department of Environmental Protection

## MISSION

The mission of the Department of Environmental Protection (DEP) is to protect the environmental health, welfare, and natural resources of the city and its residents by ensuring a sufficient and high-quality drinking water supply, treating wastewater and sewage to maintain water quality in the receiving waters around the city, and improving public safety and quality of life through enforcement of city laws regarding air pollution, asbestos, noise pollution, and hazardous materials.

## AGENCY DESCRIPTION

Major functions of the Department of Environmental Protection include the collection, storage and delivery of the City's water; the conveyance and treatment of stormwater and sanitary flow; the enforcement of air, noise and water use regulations; compliance with federal and state water quality and wastewater treatment standards; water use billing, revenue collection and customer service; the timely response to public complaints and hazardous materials emergencies; the management of environmental issues and natural resource protection; and the construction and reconstruction of the related infrastructure.

## FIVE-YEAR EXPENDITURE TRENDS BY PROGRAM AREA

<b>Department of Environmental Protection</b>					
<i>Dollars in millions</i>	2002	2003	2004	2005	2006 Current Modified Budget
	Actual Expenses	Actual Expenses	Actual Expenses	Actual Expenses	
<b>Spending by Program Area</b>					
Water & Sewer System	\$576.8	\$597.8	\$616.5	\$657.3	\$705.6
Environmental Compliance	10.6	10.6	13.3	13.8	14.6
Environmental Control Board	13.0	13.4	13.5	14.3	16.9
Agency Administration & Support	67.8	79.9	66.0	70.1	84.1
<b>TOTAL</b>	<b>\$668.2</b>	<b>\$701.6</b>	<b>\$709.2</b>	<b>\$755.6</b>	<b>\$821.2</b>
<b>Spending by Object</b>					
Personal Services	\$320.2	\$323.4	\$341.0	\$354.9	\$358.9
OTPS	348.0	378.2	368.3	400.6	462.3
<b>Full-time Personnel*</b>	5,430	5,478	5,781	5,644	5,639
<b>Capital Commitments</b>	\$1,870.9	\$1,380.2	\$1,713.3	\$2,338.2	\$2,717.8
SOURCE: IBO.					
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.					

**Department of Environmental Protection****PROGRAM CHART**

<b>Program Area</b>	<b>Programs</b>
<b>Water &amp; Sewer System</b>	Water & Sewer Operations Water Supply Wastewater Treatment Environmental Engineering Water Board Customer Service
<b>Environmental Compliance</b>	Air/Asbestos/Noise Hazardous Materials Remediation and Enforcement
<b>Environmental Control Board</b>	
<b>Agency Administration &amp; Support</b>	Building & Vehicle Maintenance & Admin. Env't'l Health and Safety Program Other Admin, Support & Planning

**PROGRAM AREA: WATER AND SEWER SYSTEM**

Between 85 percent and 87 percent of DEP's annual operating budget is spent for the operation of the water supply and distribution, and wastewater collection and treatment systems. In addition to the three bureaus directly responsible for these activities—the Bureaus of Water and Sewer Operations, of Water Supply, and of Wastewater Treatment—the Bureau of Engineering Design and Construction carries out the planning, design and construction of major water quality related capital projects indispensable to the long-term dependability of the system. The Water Board and the Bureau of Customer Service perform the financing and revenue-collecting duties that are necessary to pay for the system.

<b>Water and Sewer System</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$616,452</b>	<b>\$657,339</b>	<b>\$705,592</b>
Personal services	290,019	299,833	300,468
Other than personal services	326,432	357,506	405,124
<b>Funding</b>			
City	n.a.	n.a.	\$660,762
State	n.a.	n.a.	1,645
IFA	n.a.	n.a.	43,185
<b>Full-time Positions</b>	4,956	4,816	4,791
<b>Programs</b>			
Water & Sewer Operations	\$118,112	\$129,554	\$142,047
Water Supply	162,457	181,391	200,888
Wastewater Treatment	264,673	280,601	290,305
Environmental Engineering	29,815	24,997	25,491
Water Board	834	843	901
Customer Service	40,561	39,953	45,961
<b>Capital Commitments</b>	<b>\$ 1,675,555</b>	<b>\$2,286,460</b>	<b>\$2,355,251</b>
Water Mains	480,552	497,977	744,051
Sewers	216,098	186,790	234,160
Water Supply	38,854	745,748	138,263
Water Pollution Control	935,183	838,971	1,200,812
Equipment – Water Metering	4,868	16,974	37,965
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Key Performance Measures</b>	Type of Indicator	2002	2003	2004	2005
Average daily in-city water consumption (millions of gallons)	Demand	1,146	1,102	1,095	1,093
SOURCE: Mayor's Management Report.					

## Water and Sewer Operations

The Department operates and maintains over 6,400 miles of sanitary, storm, and combined sewers that carry both storm and wastewater to the City's 14 WCPS's. The sewage collection system, designed to prevent flooding and sewer backups, is divided into 14 drainage areas, 131,243 catch basins, and approximately 5,000 seepage basins.

The primary responsibilities of the Bureau of Water and Sewer Operations are: the operation, maintenance and protection of the City's drinking water and wastewater collection (sewer) systems; the protection of adjacent waterways; and the development and protection of the Department's Capital Water and Sewer Design Program. The Bureau also approves and inspects water and sewer connections performed by licensed plumbers and/or authorized contractors. In addition, the Bureau has overall responsibility for the approval and inspection of all public and private construction projects which could impact on the City's water or sewer systems.

The Bureau is also responsible for the operation of the Staten Island Bluebelt. This is an ecologically sound, cost effective natural alternative to storm sewers, which occupies approximately 15 square miles of land in the South Richmond area of Staten Island. This project preserves streams, ponds and other wetland ("bluebelt") areas, allowing them to perform their natural function of conveying, storing and filtering storm water. These areas also provide important community open spaces and a diverse wildlife habitat.

<b>Water and Sewer Operations</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$118,112</b>	<b>\$129,554</b>	<b>\$142,047</b>
PS	74,799	78,428	77,505
OTPS	43,312	51,126	64,542
<b>Funding</b>			
City	n.a.	n.a.	\$134,070
IFA	n.a.	n.a.	7,977
<b>Full-time Positions</b>	1,275	1,247	1,253

SOURCE: IBO.  
NOTE: \*Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.

### Performance Results:

<b>Water and Sewer Operations Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Sewer backup resolution time (hours)	Service Quality	3.3	4.2	4.7	5.8
Percent of sewer backup complaints resolved within 24 hours	Service Quality	99.5%	99.7%	99.7%	99.0%
Leak resolution time (days)	Service Quality	13.3	10.1	11.6	12.7
Water main breaks	Demand	494	594	607	515
Water main surveyed for leak detection (% linear feet)	Output	60.3%	58.4%	63.3%	64.0%
Repairs to distribution system	Output	17,541	18,647	18,732	19,959
Broken and inoperative hydrants	Outcome	0.4%	0.4%	0.5%	0.5%
Catch basin backup resolution time (days)	Service Quality	5.2	3.9	4.5	6.5

SOURCES: Mayor's Management Report; DEP Citywide Accountability Program Indicators.

**Department of Environmental Protection**  
Water and Sewer System

**Water Supply**

DEP provides water for the City and many upstate communities by maintaining 18 reservoirs and three controlled lakes in three watersheds, with a storage capacity of about 550 billion gallons.

The Bureau of Water Supply manages, operates and protects New York City's upstate water supply system to ensure the delivery of a sufficient quantity of high quality drinking water. The Bureau is also responsible for the overall management and implementation of the provisions of the City's \$1.5 billion Watershed Protection Program resulting from the Watershed Memorandum of Agreement (MOA) and for ensuring the City's compliance with the provisions of the Filtration Avoidance Determination. The Bureau conducts extensive monitoring of water quality, both within the City's distribution system and throughout the upstate watersheds. In addition, the Bureau has responsibility for system planning, engineering, management and acquisition of lands, enforcement of watershed regulations, and security.

<b>Water Supply</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$162,457</b>	<b>\$181,391</b>	<b>\$200,888</b>
PS	50,342	51,395	51,526
OTPS	112,114	129,995	149,362
<b>Funding</b>			
City	n.a.	n.a.	\$194,139
State	n.a.	n.a.	1,645
IFA	n.a.	n.a.	5,104
<b>Full-time Positions</b>	955	919	913
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Water Supply</b> <b>Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
In-city samples meeting water quality standards for coliform	Outcome	100%	100%	100%	100%
Completed applications for work to comply with Watershed Rules and Regulations	Output	761	803	963	830
Notices of Violation and Notices of Warning issued in the watershed	Output	209	279	210	191
Patrol hours for Environmental Police and watershed protection staff	Output	233,400	239,200	292,300	333,600
SOURCE: Mayor's Management Report.					

## Wastewater Treatment

The City's 14 Water Pollution Control Plants play a crucial role in DEP's ongoing efforts to improve water quality in New York Harbor and its surrounding areas by treating approximately 1.3 billion gallons of wastewater from homes, businesses, schools, and streets in the five boroughs daily.

The Bureau of Wastewater Treatment maintains the chemical and physical integrity of NY Harbor and other local water bodies and sustains the continued use and viability of the NY 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.

To achieve these water quality goals, the Bureau operates: 14 water pollution control plants treating and average of 1.5 billion gallons of wastewater a day; 89 wastewater pump stations; 8 dewatering facilities; 490 sewer regulators; and 6,000 miles of intercepting sewers. The Bureau also operates a skimmer vessel to retrieve floatable debris from local waters and manages the Harbor Survey Program for the routine sampling and analysis of the waters in NY Harbor.

<b>Wastewater Treatment</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$264,673</b>	<b>\$280,601</b>	<b>\$290,305</b>
PS	112,803	118,188	117,114
OTPS	151,870	162,413	173,191
<b>Funding</b>			
City	n.a.	n.a.	\$285,354
IFA	n.a.	n.a.	4,951
<b>Full-time Positions</b>	1,823	1,776	1,760
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

## Performance Results:

<b>Wastewater Treatment Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Wastewater treatment plant effluent meeting federal standards	Outcome	100.0%	99.9%	100.0%	100.0%
Harbor survey stations in compliance with State standard for dissolved oxygen	Outcome	84%	86%	88%	85%
Scheduled preventive maintenance completed each month	Efficiency	69.3%	69.6%	72.6%	73.3%
SOURCE: Mayor's Management Report.					



## Environmental Engineering

The primary responsibility of the Bureau of Engineering Design and Construction is the planning, design and construction of major water quality related capital projects. These projects focus on two important issues for the City — 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. These two important environmental goals create three important mandates for the Bureau of Environmental Engineering. These are the completion of City Tunnel No. 3, the upgrade of the Newtown Creek Water Pollution Control Plant, and the abatement of combined sewer overflows into the water bodies surrounding the City.

<b>Environmental Engineering</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$29,815</b>	<b>\$24,997</b>	<b>\$25,491</b>
PS	24,366	24,038	25,036
OTPS	5,449	959	455
<b>Funding</b>			
City	n.a.	n.a.	\$455
IFA	n.a.	n.a.	25,036
<b>Full-time Positions</b>	<b>367</b>	<b>363</b>	<b>357</b>
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

## Performance Results:

<b>Environmental Engineering Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Plant reconstruction					
Designs started	Output	2	21	4	1
Construction started	Output	45	30	19	40
Construction completed	Output	41	61	23	4
Pumping stations reconstructed					
Designs started	Output	0	0	2	5
Construction started	Output	3	0	1	2
Construction completed	Output	8	11	5	0
SOURCE: Mayor's Management Report.					

**Department of Environmental Protection**  
Water and Sewer System

**Water Board**

The Water Board is a public benefit corporation created by the New York State Legislature. The primary responsibility of the Board is to fix, revise, charge, collect, and enforce rates and other charges for the water system. The Water Board has the power to levy water and sewer rates and to collect the resulting revenue.

<b>Water Board</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$834</b>	<b>\$843</b>	<b>\$901</b>
PS	834	843	901
<b>Funding</b>			
City	n.a.	n.a.	\$783
IFA	n.a.	n.a.	118
<b>Full-time Positions</b>	14	12	13
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** No reported performance statistics.

**Department of Environmental Protection**  
Water and Sewer System

**Customer Service**

The Bureau of Customer Services is responsible for all functions related to water and sewer billing for residents of NYC and certain upstate communities. Additionally, the Bureau contracts for the installation of water meters in unmetered buildings and tests and validates the accuracy of water meters installed by private plumbers prior to installation. It also manages the Toilet Rebate Program and other water conservation programs. The Department's outreach effort offers customers an opportunity to learn about billing policies and water conservations programs.

DEP is required by the New York State Department of Environmental Conservation and the New York City Water Board to progress toward a goal of universally metering all properties. The major goals of universal metering include water conservation, improved water supply system management and rate equity. The Department services approximately 824,000 water and sewer customer accounts, of which 36,000 are unmetered and 788,000 are metered accounts.

<b>Customer Service</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$40,561</b>	<b>\$39,953</b>	<b>\$45,961</b>
PS	26,875	26,940	28,387
OTPS	13,686	13,014	17,574
<b>Funding</b>			
City	n.a.	n.a.	\$45,961
<b>Full-time Positions</b>	522	499	495
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Customer Service</b> <b>Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Number of water/sewer accounts subject to surcharge	Outcome Service	19,892	16,617	14,436	12,443
Estimated bills (%)	Quality	22.0%	19.2%	17.9%	18.9%
Total revenue collected (\$ millions)	Outcome	\$1,539	\$1,594	\$1,701	\$1,776
Meters installed	Output	18,331	11,784	14,518	10,162
Meters repaired	Output	40,625	45,106	35,694	35,799
SOURCE: Mayor's Management Report.					

**Department of Environmental Protection**  
Environmental Compliance

**PROGRAM AREA: ENVIRONMENTAL COMPLIANCE**

The Bureau of Environmental Compliance 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.

<b>Environmental Compliance</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$13,298</b>	<b>\$13,775</b>	<b>\$14,601</b>
Personal services	9,966	11,122	10,665
Other than personal services	3,332	2,653	3,935
<b>Funding</b>			
City	n.a.	n.a.	\$13,824
Intracity	n.a.	n.a.	436
Federal	n.a.	n.a.	13
IFA	n.a.	n.a.	328
<b>Full-time Positions</b>	194	193	192
<b>Programs</b>			
Air/Asbestos	\$7,447	\$8,125	\$7,970
Hazardous Materials	2,937	3,024	2,704
Remediation & Enforcement	2,915	2,626	3,926
<b>Capital Commitments</b>			
Equipment – Landfill Remediation	\$2,077	\$5,170	\$170,512
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Key Performance Measures</b>	Type of Indicator	2002	2003	2004	2005
DEP-issued violations	Output	6,823	4,635	4,890	4,369
Asbestos violations	Output	541	476	750	1,037
Air violations	Output	4,771	2,720	2,691	1,766
Noise violations	Output	1,511	1,439	1,449	1,566
Case resolution rate at the ECB	Service Quality	77.0%	99.2%	71.0%	66.0%
SOURCE: Mayor's Management Report.					

### Air/Asbestos/Noise

The BEC monitors emissions and environmental impacts from alternative fuel vehicles, reviews and inspects asbestos abatement projects, investigates air quality complaints, and maintains four air monitoring stations on Staten Island. The Asbestos Control Program certifies asbestos handlers, provides telephone response service to contractors and the public, laboratory analysis of asbestos materials, and inspects asbestos remediation projects. The BEC also investigates and issues summonses regarding noise complaints, which have escalated in recent years, with the advent of 311. Legislation overhauling the New York City Noise Code for the first time in 30 years was enacted in December 2005.

<b>Air/Asbestos/Noise</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$7,447</b>	<b>\$8,125</b>	<b>\$7,970</b>
PS	7,447	8,125	7,970
<b>Funding</b>			
City	n.a.	n.a.	\$7,266
Intracity	n.a.	n.a.	436
IFA	n.a.	n.a.	269
<b>Full-time Positions</b>	<b>147</b>	<b>150</b>	<b>148</b>
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

### Performance Results:

<b>Air/Asbestos Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Asbestos complaints responded to within three hours	Service Quality	88%	92%	94%	98%
Air complaints responded to within seven days	Service Quality	93%	96%	89%	74%
Complaints received (includes DEP-initiated)		25,634	27,237	43,301	54,463
Air					
DEP Help Center	Demand	6,657	7,370	11,515	13,600
DEP-initiated	Output	5,925	3,067	2,072	533
Noise					
DEP Help Center	Demand	10,931	14,546	27,987	38,293
DEP-initiated	Output	1,333	1,609	776	500
Asbestos	Demand	788	645	951	1,437
Complaints responded to	Service Quality	96%	97%	98%	98%
Air	"	96%	99%	98%	96%
Noise	"	92%	96%	97%	98%
Asbestos	"	100%	100%	100%	100%
Inspections conducted					
Air	Output	12,227	10,437	12,621	11,064
Noise	Output	9,837	13,844	16,823	18,520
Asbestos	Output	4,073	3,476	3,034	4,416
Noise complaints not requiring access to premises responded to within seven days	Service Quality	86%	94%	87%	80%
SOURCE: Mayor's Management Report.					

**Department of Environmental Protection**  
Environmental Compliance

**Hazardous Materials**

The BEC responds to hazardous material emergencies and maintains a Citywide database of facilities containing hazardous materials under its Right-to-Know Program.

<b>Hazardous Materials</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$2,937</b>	<b>\$3,024</b>	<b>\$2,704</b>
PS	1,696	2,185	2,075
OTPS	1,241	840	630
<b>Funding</b>			
City	n.a.	n.a.	\$2,692
Federal	n.a.	n.a.	13
<b>Full-time Positions</b>	37	35	35
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Hazardous Materials Performance Statistics</b>	Type of Indicator	2002	2003	2004	2005
Emergencies responded to within one hour	Service Quality	100%	100%	100%	100%
Right-to-Know Program					
Inspections conducted	Output	6,190	3,076	7,096	6,036
Violations issued	Output	752	757	634	595
Case resolution rate	Service Quality	54%	64%	68%	73%
Incidents involving hazardous materials cleanup	Demand	1,600	1,695	2,325	2,557
Cost to city of cleanup	Efficiency	\$143,546	\$22,331	\$55,660	\$65,379
SOURCE: Mayor's Management Report.					

**Department of Environmental Protection**  
Environmental Compliance

**Remediation and Enforcement**

The BEC manages environmental investigations and assessments of contaminated sites and oversees the remediation of four hazardous waste municipal landfills formerly operated by the Department of Sanitation. As a result of past illegal dumping which occurred at these sites, they have been placed on the State list of inactive hazardous waste sites.

<b>Remediation and Enforcement</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$2,915</b>	<b>\$2,626</b>	<b>\$3,926</b>
PS	824	812	621
OTPS	2,091	1,813	3,306
<b>Funding</b>			
City	n.a.	n.a.	\$3,867
IFA	n.a.	n.a.	60
<b>Full-time Positions</b>	10	8	9
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** No reported performance statistics.

**PROGRAM AREA: ENVIRONMENTAL CONTROL BOARD**

The Environmental Control Board (ECB) is an administrative tribunal that provides hearings on notices of violation issued by other City agencies for various "quality of life" infractions of the City's laws and rules. As a judicial entity, ECB does not issue notices of violation, does not establish enforcement policies, does not employ inspectors or agents, and does not direct, control or otherwise influence where, when or to whom notices are to be issued. Once a notice of violation is issued, however, the matter may only be resolved through the adjudication process at the Board.

<b>Environmental Control Board</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$13,508</b>	<b>\$14,343</b>	<b>\$16,874</b>
Personal services	10,561	11,026	12,204
Other than personal services	2,947	3,318	4,670
<b>Funding</b>			
City	n.a.	n.a.	\$16,861
IFA	n.a.	n.a.	13
<b>Full-time Positions</b>	<b>110</b>	<b>113</b>	<b>112</b>
SOURCE: IBO. NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

***Performance Results:***

<b>Key Performance Measures</b>	Type of Indicator	2002	2003	2004	2005
Case input (violations issued)	Demand	649,751	660,828	594,634	576,935
Number of Decisions	Output	168,533	201,635	181,896	173,466
Revenue collected (million)	Efficiency	\$49.2	\$54.7	\$63.8	\$63.9
Case resolution rate	Service	68.6%	72.4%	75.6%	77.9%
Average yield per violation issued	Quality	\$75.74	\$82.72	\$107.33	\$110.68
SOURCE: Mayor's Management Report.					



**Department of Environmental Protection**  
Agency Administration and Support

**PROGRAM AREA: AGENCY ADMINISTRATION AND SUPPORT**

This program area funds all administrative functions including, but not limited to: public and community affairs, personnel services, legal affairs, intergovernmental affairs, budgeting, engineering audits, management of information services, and the Office of the Agency Chief Contracting Officer (ACCO).

DEP's Environmental Health and Safety (EH&S) program addresses health and safety concerns for DEP employees through a series of agency-wide initiatives.

Lastly, the management and upkeep of the Department's facilities and fleet of vehicles is funded in this program area.

<b>Agency Administration and Support</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$65,972</b>	<b>\$70,128</b>	<b>\$84,124</b>
Personal services	30,414	32,959	35,590
Other than personal services	35,558	37,169	48,534
<b>Funding</b>			
City	n.a.	n.a.	\$73,604
Intracity	n.a.	n.a.	530
Federal	n.a.	n.a.	5,063
IFA	n.a.	n.a.	4,928
<b>Full-time Positions</b>	521	522	544
<b>Programs</b>			
Building & Vehicle Maint. and Administration	\$13,093	\$13,820	\$14,110
Environmental Health and Safety Program	9,206	11,008	14,330
Other Admin, Support, and Planning	43,673	45,300	55,683
<b>Capital Commitments</b>			
Equipment – Agency Support	\$35,669	\$46,538	\$192,068
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** See program sections.

**Department of Environmental Protection**  
Agency Administration and Support

**Building and Vehicle Maintenance and Administration**

This program supports the Department's primary functions through the administration and maintenance of Department vehicles and facilities.

<b>Building and Vehicle Maintenance and Administration</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$13,093</b>	<b>\$13,820</b>	<b>\$14,110</b>
PS	8,634	8,797	8,599
OTPS	4,459	5,023	5,511
<b>Funding</b>			
City	n.a.	n.a.	\$13,973
IFA	n.a.	n.a.	138
<b>Full-time Positions</b>	128	123	124
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** No reported performance statistics.

### **Environmental Health and Safety Program**

The Environmental Health and Safety (EH&S) program began in response to a federal investigation into certain aspects of DEP's water supply operations, specifically, the alleged release of mercury and other contaminants from DEP facilities into surrounding waters, and the alleged use and operation of certain machinery and equipment at various DEP facilities which may have been contaminated with mercury and/or PCB's. In August of 2001, DEP plead guilty to two criminal violations of federal environmental laws, paid a \$50,000 fine, and was placed on probation for three years, with the possibility of two one-year extensions. A federal monitor was appointed by the court to oversee certain DEP activities during its probationary period.

DEP is a large agency with many diverse workplaces containing risks to employee health and safety as well as presenting the potential for harmful releases to the environment. The EH&S program involves every aspect of the agency, and expenditures are occurring throughout DEP.

A key component of the plea agreement was the establishment of an Environmental Health and Safety Compliance program—including the establishment of a permanent compliance office—to prevent and detect violations of environmental rules and regulations.

The department hired outside consultants to assist with the formulation of a Compliance Action Program that identifies activities DEP performs that could be subject to various EH&S laws. Examples of these regulatory areas include personal protective equipment, respiratory protection, and storage tanks. Under the action program, the agency is writing standard operating procedures, training employees in EH&S, and implementing regulatory requirements.

<b>Environmental Health and Safety Program</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$9,206</b>	<b>\$11,008</b>	<b>\$14,330</b>
PS	4,390	5,934	7,075
OTPS	4,816	5,073	7,255
<b>Funding</b>			
City	n.a.	n.a.	\$14,330
<b>Full-time Positions</b>	87	93	96
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** No reported performance statistics.

**Department of Environmental Protection**  
Agency Administration and Support

**Other Administration, Support, and Planning**

All general administrative functions of the agency are funded here, as is the Bureau of Environmental Planning, which is responsible for conducting environmental reviews for DEP in accordance with all applicable City Environmental Quality Review (CEQR) and State Environmental Quality Review (SEQR) regulations.

<b>Other Administration, Support, and Planning</b> <i>Dollars in thousands</i>	2004 Actual Expenses	2005 Actual Expenses	2006 Current Modified Budget
<b>Spending</b>	<b>\$43,673</b>	<b>\$45,300</b>	<b>\$55,683</b>
PS	17,390	18,228	19,916
OTPS	26,283	27,072	35,767
<b>Funding</b>			
City	n.a.	n.a.	\$45,301
Intracity	n.a.	n.a.	530
Federal	n.a.	n.a.	5,063
IFA	n.a.	n.a.	4,790
<b>Full-time Positions</b>	<b>306</b>	<b>306</b>	<b>324</b>
SOURCE: IBO.			
NOTE: *Full-time personnel: Actual as of June 30 for 2002 through 2005; as of Nov. 30 for 2006.			

**Performance Results:** No reported performance statistics.