

New York State Department of Environmental Conservation

Division of Environmental Remediation

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Joe Martens
Commissioner

November 21, 2014

Northrop Grumman Systems Corporation
Attn: Edward J. Hannon, Environmental, Safety, Health and Medical Manager
925 South Oyster Bay Road
M/S Q06305/BP 14
Bethpage, NY 11714-3582

RE: Northrop Grumman Bethpage Facility OU2
Site No.: 130003A
Record of Decision Implementation

Dear Mr. Hannon:

The continuing investigation of offsite groundwater by the U.S. Navy that has been underway in the area in-between Bethpage Water District Plant 6 and the GM 75 hotspot, which was identified in the Operable Unit 2 (OU2) Record of Decision ROD, recently confirmed a hot spot that had been suspected in this area. The Department of Environmental Conservation (DEC), pursuant to the March 2001 U.S. Navy and Northrop Grumman RODs for the OU2 plume, has directed the U.S. Navy to immediately begin design of a groundwater extraction system to address this contamination. (See attached letter).

The 2001 Operable Unit 2 ROD requires, among other obligations, additional groundwater investigation to determine if there are any other areas of elevated groundwater contamination and, if identified, requires additional remediation of any identified hotspots. The ROD identifies 1 ppm as a hot spot that needs additional remediation. The results from this work meet this criteria and we are also notifying Northrop Grumman, as an identified responsible party, that additional remediation is required on an expedited basis.

This letter also serves as notice to Northrop Grumman that DEC expects Northrop Grumman to participate in this effort with the U.S. Navy and enter into an Order on Consent (Order) for the implementation of the OU2 ROD. Northrop Grumman has previously refused to sign an Order for implementation of the OU2 ROD.

Please note that the United States Environmental Protection Agency (EPA) has expressed significant concerns related to these new findings and absent substantive progress towards an order on consent between DEC and Northrop Grumman in the next thirty days, the EPA is prepared to issue a unilateral administrative order (UAO) to Grumman for this work. While DEC would prefer to proceed with this project pursuant to a State order, given Northrop Grumman's refusal to negotiate to this point, DEC is prepared to work with the EPA to engage Northrop Grumman in this necessary work pursuant to the UAO.

Please contact Benjamin Conlon, Esq. by email at benjamin.conlon@dec.ny.gov or by telephone at 518-402-9185, or Rosalie K. Rusinko, Esq. rosalie.rusinko@dec.ny.gov , 914-428-2505, within 7 days of receipt of this letter to discuss Grumman entering into an Order for the OU2 work.

Sincerely,



Robert W. Schick, P.E.
Director
Division of Environmental Remediation

Enclosure

ec: Lora Fly, US Navy (lora.fly@navy.mil)
Aaron Gershonowitz, Forchelli Law (agershonowitz@forchellilaw.com)
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