



DAVE DENENBERG
LEGISLATOR, DISTRICT 19



NASSAU COUNTY LEGISLATURE

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July 9, 2012

RANKING MEMBER
PUBLIC WORKS
FINANCE

COMMITTEE MEMBER
GOVERNMENT SERVICES
PUBLIC SAFETY
PLANNING, DEVELOPMENT
AND THE ENVIRONMENT
BUDGET REVIEW

Honorable Ray Mabus
Secretary of the Navy
U.S. Department of the Navy
2000 Navy Pentagon
Washington, D.C. 20350

Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Commissioner Joseph Martens
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

**Re: Grumman-Navy Groundwater Contamination Plume
Proposed Remedial Action Plan for OU-3—May 2012
NYS Superfund Site No. 130003A**

Dear Secretary Mabus, Administrator Jackson and Commissioner Martens:

As a Nassau County Legislator, I am writing on behalf of residents and my constituents regarding the groundwater contamination emanating from the former Northrop Grumman site and Naval Weapons Industrial Reserve Plant ("Grumman-Navy site" in Bethpage, New York.

From 2000-2010, I chaired the Nassau Legislature's Planning, Development and Environment committee. During this time, I conducted several hearings regarding the Grumman-Navy site, the transfer of property to Nassau County, the contamination from Navy and Grumman operations and the commitment by the U.S. Navy, the U.S. Environmental Protection Agency ("EPA") and the Department of Environmental Conservation ("DEC") to delineate, contain and remediate contamination at the site. Despite assurances, the groundwater contamination, which includes multiple plumes, is not contained and continues to migrate downgradient jeopardizing county water supplies for eastern/southeastern Nassau County. The failure to properly contain these plumes is the result of incomplete testing and monitoring of the plumes. The lack of installation of adequate and sufficient groundwater monitoring wells and testing necessary to fully delineate the extent of the plumes was the result of attempts to control costs.

As contamination was not contained or remediated, its migration impacts our water supply and threatens further contamination of Long Island's sole source aquifer, drinking water supplies and the Great South Bay.

Between 1987 and the present, the plumes significantly migrated and expanded, more than tripling in size. At present, the plume impacts or threatens 33 public water supply wells within the Massapequa, Bethpage and South Farmingdale Water Districts as well as those owned by a private water company, Long Island American Water. Although it was originally projected that certain wells in the Massapequa Water District would not be impacted for several years, local water districts report that groundwater sampling in the vicinity of these supply wells indicate the wells will be contaminated within the next four years.

The Proposed Remedial Action Plan ("PRAP") presented during the DEC's June 12, 2012 public meeting is inadequate and unacceptable. The PRAP, which is just the latest in an endless stream of plans, projects treating only 90% of the contaminated water and relies heavily on post-contamination well-head treatment. According to DEC regulations, well-head treatment is considered an option of last resort because it does not assure full containment and remediation of contamination and raises other concerns. The PRAP, and any treatment plan, must be aggressive and remediate 100% of the contamination. Anything less is unacceptable.

At the June 20, 2012 public meeting, it was stated that full containment and treatment of plume OU-3 was not possible because this would pull in contamination from plume OU-2. Yet, clearly, proper containment and treatment of OU-2 through pump and treat techniques would prevent such a problem. And proper pump and treat systems at both plumes would prevent further migration. Again, treating and containing less than 100% of the plumes is unacceptable.

At present, the EPA, DEC, Navy and public do not know the extent of migration of contamination. Without proper delineation, which requires extensive testing and monitoring, proper containment and treatment will never be achieved. A complete and aggressive monitoring and testing plan must be implemented immediately. Ultimately, such up-front work and costs save additional expenses and problems in the future.

Residents and I are also concerned about how the treatment measures will be funded. Unlike the EPA, DEC, and Navy, however, residents and I do not believe cost concerns should reduce cleanup efforts and proper delineation. Instead, the primary responsible parties ("PRP"), including Northrop Grumman Corporation and the Department of the Navy and other contributors to the contamination, should be held responsible for the cleanup costs. Thus far, the Navy in particular has been too slow to act. South Farmingdale and Bethpage water districts have been forced to finance cleanup measures, which have not been repaid. If districts and the private water supplier must finance the cleanup costs, the result will be rate hikes for ratepayers. The public should not bear the burden of these costs.

In sum, the current PRAP is insufficient. The plan must be reevaluated and restructured to ensure that 100% of the contamination is delineated, contained and remediated. The PRPs must be held accountable for all cleanup costs and be required to take all action necessary to resolve this issue as quickly as possible.

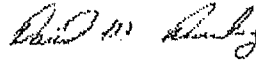
Please take all requisite action to implement this request. Specifically, please reevaluate the plan to create an efficient and effective solution to remediate all

contamination. The PRAP must include complete testing and monitoring for full delineation, containment and treatment.

Thank you for your anticipated courtesy and cooperation. Please keep me advised as to the status of these matters.

If I can be of further assistance, please feel free to contact my office.

Very truly yours,



David Denenberg
Legislator, 19th District

DD/jt