

PETER J. SCHMITT
PRESIDING OFFICER
LEGISLATOR, DISTRICT 12



COMMITTEES:
Chairman, RULES
BUDGET REVIEW

NASSAU COUNTY LEGISLATURE
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE OFFICE BUILDING
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July 24, 2012

Honorable Andrew Cuomo
Governor of the State of New York
Executive Chambers
Albany, New York 12224

Re: Grumman /Navy Groundwater Contamination, Bethpage New York
New York State Superfund Site No, 130003 A
Proposed Remedial Action Plan (PRAP) for Operable Unit 3

Dear Governor Cuomo

As the Presiding Officer for the Nassau County Legislature and as representative for the area encompassing the Massapequa's I am compelled to write to you regarding the above captioned matter. The NYS Department of Environmental Conservation in their proposed remedial action plan has again failed to acknowledge or understand the requirements of the local water districts in stopping the advancement of this plume and mitigating it completely. This is not the first time that the Department has ignored the input from local water districts, and the fact that our water supply is derived from a "Sole Source Aquifer" as designated both by the Congress of the United States of America and the Legislature of the State of New York. For the past 30 years under the care custody and control of the New York State Department of Environmental Conservation this highly toxic plume has been allowed to migrate to the point where it is now 4 1/2 miles long and 3 1/2 miles wide and threatens a total of 25 more public water supply Wells. Five Wells have already been contaminated to the point that they require wellhead treatment, a process that the New York State Departments of Conservation and Health designate as a method of *last resort* in the treatment of such contamination.

The local water district is opposed to wellhead treatment and believes that considering the past 25 years of ever more stringent water delivery requirements, wellhead treatment will continue to be marginally effective and by far more costly. Further by requiring wellhead treatment the New York State Department of Environmental Conservation fails to understand that wellhead treatment causes

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contamination of the air since the release of volatile organic compounds through aeration is primary to wellhead treatment.

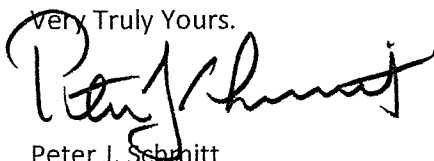
I believe the case for hydraulic containment of this plume and complete mitigation has been made by the water districts, and reinforced by the Navy Optimization Study, USGS studies, EPA proposed initiatives, and over 60 years of active "Sole Source Aquifer" protection and mitigation initiated by the Nassau County Departments of Health and Public Works. The continued disregard by the Department of Environmental Conservation regarding the successful protection and mitigation activities for our water supply performed over the last 60 years by the Nassau County Departments of Health and Public Works is by far the most problematic regarding the proposed remedial action plan (OU 3). In essence it just won't work. It is nothing more than an \$81 million waste of taxpayers money. One does not have to go far or dig deep to find out that the lack of success of the NYS DEC Record of Decision for OU 2, at a cost at least 10 times the original ROD proposed costs will be repeated again with the contamination allowed to migrate into the great South Bay.

By far the most disturbing of all is the fact that public concerns have fallen on deaf ears in Albany. If you were to review the questions and answers as written by the New York State DEC in the OU two ROD, dated 2001, you would say that the public's concern was correct and ignored. Currently 5400 people from my legislative district have petitioned against this PRAP for OU 3, as have many more at the public hearing held on June 20, 2012 at the Bethpage high school. I believe that local civic associations are providing more public response against the New York State OU 3 PRAP, and in support of hydraulic containment and mitigation for the entire co-mingled plume emanating from the Navy Grumman Bethpage contamination site.

My district is threatened on two fronts: the contamination of a perfectly good water supply including at least nine public water supply Wells that will be contaminated under this plan; and the inevitability of the Great South Bay being contaminated that will affect all of my constituents that enjoy this most unique area of the state.

Governor, I ask that you please listen to the public on this issue, they have been well educated by the water districts. The public has also done their homework in reading the public information as supplied by the New York State DEC, the Navy, and the EPA, all in the spirit of the public information and public participation specifically necessary to the cleanup of this plume and generally the process of running state government

Very Truly Yours.

A handwritten signature in black ink, appearing to read "Peter J. Schmitt". The signature is written in a cursive, flowing style.

Peter J. Schmitt

Presiding Officer