

**PUBLIC PETITION FOR SUPERFUND DESIGNATION TO
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
AND UNITED STATES NAVY FOR GRUMMAN/NAVY SITE
BETHPAGE, NEW YORK**

October 23, 2012

Environmental Protection Agency
Lisa P. Jackson, EPA Administrator
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Environmental Protection Agency, Region 2
Judith A. Enck, Region 2 EPA Administrator
290 Broadway
New York, NY 10007-1866

United States Navy
Office of the Secretary of the Navy
2000 Navy Pentagon
Washington, D.C. 20350-2000

UNDER THE AUTHORITY OF CERCLA § 105(d), as amended, the Petitioners,

Ethan D. Irwin 12 Green Lane Levittown, NY 11756 (631)948-0753
Sandra D'Arcangelo, 3830 Hahn Avenue, Bethpage, NY 11714 (516)735-4170
Rosemary Styne, 15 Shubert Lane, Bethpage, NY 11714 (516)731-5830
Barbara Del Monaco, 3822 Hahn Ave., Bethpage, NY 11714 516 731 4508
Neil Savino, 3833 Hahn Ave., Bethpage, NY 11714 516 796 7595
Kathleen McCauley, 10 Staple St., Farmingdale, NY 11735 516 297 5973
Ann Resch, 1158 Stewart Ave., Bethpage, NY 11714 516 935 3860
Edward Resch, 1158 Stewart Ave., Bethpage, NY 11714 516 935 3860
Andrew Macey, 23 Dolphin Drive., Farmingdale, NY 11735 516 249 6621
Alice Savino, 3833 Hahn Ave., Bethpage, NY 11714 516 796 7595
William T. Styne, 427 Linden St., Bellmore, NY 11710 516 781 7951
Gene Mazzara, 11 Remscho St., Bethpage, NY 11714 516 681 3161

Martha Martini 307-5 Hicksville Rd., Bethpage, 11714 516 822 2213

Joan Lewis 65 Sunrise Way, Bethpage, 11714 516 349 3084

Patricia Astegher 14 Sunbeam Ave, Bethpage 11714 516 935 6425
Jean Axmacher 67 Sunrise Way, Bethpage 11714 516 576 9470
Theresa Steubing 200 Sycamore Ave., Bethpage 11714 516 938 9426

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Dorothy Furrey	8 Amalia Ct., Bethpage 11714	516 931 6721
Barbara Wunsch	46 Sunny Lane, Bethpage 11714	516 390 9460
Barbara Rusch	72 Haypath Rd. , Bethpage 11714	516 935 2112
Annette Canelli	55 Rose St., Bethpage 11714	516 731 4658
Esther DiAgostino	79 S. 2nd St., Bethpage, 11714	516 935 6368
Eileen Sussi	42 Bradford Ln., Bethpage 11714	516 935 3465
Rosanna Esposito	2 Castaldi Ct., Bethpage 11714	516 822 7152
Joan A. Catapano	307 Hicksville Rd. Apt 13, Bethpage 11714	516 681 8163
Mary Cohan	206 Apollo Cir., Bethpage 11714	516 576 3719
Maureen Castles	130 Evergreen Ave., Bethpage 11714	516 935 4495
Dolores Stewart	147 Apollo Circle, Bethpage 11714	516 931 5795
Cathy Kral	41 Sunny Ln., Bethpage 11714	516 349 3060
Fran Valenti	205 N. 3rd Street, Bethpage 11714	516 681 0807
Elizabeth Gackowski	71 Meade Ave., Bethpage 11714	516 605 1330
Patricia Castor	90 Thomas Ave., Bethpage 11714	516 931 4763
Margo Pigott	84 Whaley Ave., Bethpage 11714	516 796 5053
Ann Valenti	127 Sunbeam Ave., Bethpage 11714	516 681 8983

HEREBY REQUEST that United States Environmental Protection Agency; the United States Environmental Protection Agency, Region 2; and/or United States Navy conduct an assessment, preliminary or otherwise, of the suspected release and continued threatened release, spread and diffusion of hazardous substances, pollutants, and/or contaminants at the following locations: Bethpage Grumman/Navy Site, a/k/a Naval Weapons Industrial Reserve Plant, a/k/a Grumman Aerospace Corporation, a/k/a Northrop Grumman Corporation, original contamination site located at 830 South Oyster Bay Road, Bethpage, New York 11714. The site has also been described as the Northrop Grumman - Bethpage Facility, part of the former Grumman Aerospace

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complex, located on Hicksville Road, and includes the Former Grumman Settling Ponds and adjacent areas, currently known as the Bethpage Community Park, which is located at the intersection of Stewart Avenue and Cherry Avenue, in Bethpage, New York. Also included is the Grumman Access Road located south and west of Bethpage Community Park and some adjoining land. The sites have also been designated Site Nos. 130003, 130003A, and 130003B, as well as Operable Units 1, 2, and 3. The contamination areas are immediate to the original site's soil, as well as the Upper Glacial and Magothy Aquifers immediate to the site. The attached map further depicts the original contamination site, as well as extended contamination areas of the groundwater, the Upper Glacial and Magothy Aquifers.¹ Additionally, it is understood that the contamination plume of the Upper Glacial Aquifer has reached at least as far south and east as the Massapequa Preserve. It is further understood that the contamination plume of the Magothy Aquifer is at least 3.5 miles long and 1.6 miles wide. The Petitioners hereby request that an environmental assessment be performed to clearly and specifically delineate the extent of all contamination to the soils, water (whether surface or ground), and air from the contaminant(s) volatilization or otherwise. The Petitioners hereby request that all contamination, including, but not limited to, that set forth herein and that delineated in the annexed maps, be remediated.

It is submitted that the past clean-up and proposed clean-up plans are inadequate, insufficient, and may violate CERCLA, RCRA, CWA, EPA Rules and Regulations, New York

¹ For a history of the Bethpage Site, see: <http://bethpagewater.org/News/Article.aspx?id=4&title=what-you-should-know-about-the-northrop-grummannavy-plume>

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State Environmental Conservation law, DEC Rules and Regulations, and New York State and Department of Health Rules and Regulations.

The purpose of the assessment shall be to enable the listing of this site on the "Superfund" National Priorities List, so that EPA may exercise its full authority to require the cleanup of contamination from this site, to include the extended portions of the contamination of the soils, air, residences, buildings, surface water, Upper Glacial Aquifer, and Magothy Aquifer, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

**PETITIONERS ARE AFFECTED BY THE RELEASE, DIFFUSION,
AND CONTINUED THREATENED RELEASE AND DIFFUSION:**

The majority of residents of Long Island, New York, specifically including the Petitioners, obtain their drinking water from the Nassau-Suffolk Aquifer System, consisting in part of the Magothy Aquifer, which has been designated by the EPA as a "Sole Source Aquifer".²

The following contaminants have been found in the areas set forth in the annexed map: Trichlorethylene, 1,1,1 Trichloroethane, Aviation engine oil, Chrome Etchant, Machine Oil, Paint, Paint Solvents, Polychlorinated Biphenyl oil, Tetrachloroethene, Toluene, Chlorinated solvents, Chlorodifluoromethane, Dichlorodifluoromethane, Chromium, Cadmium, Arsenic, Freon 113, and radionuclides. Human exposure has occurred and will continue to occur from exposure to contaminants by breathing, touching, and/or or swallowing.

² <http://www.epa.gov/region2/water/aquifer/nasssuff/nassau.htm#13>

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Based upon the designation, health and safety issues are clearly indicated for the Petitioners, as well as all the residents of Long Island that obtain their drinking water from the Magothy Aquifer and those residents in the immediate contamination areas. Moreover, potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water exists based upon the contamination of the Upper Glacial Aquifer. It is a further consideration that the contamination of the Upper Glacial Aquifer has and will continue to result in Vapor Intrusion into the homes of residents.³

Although existing New York State law requires cleanup of the plume and restoration of the site to predisposal conditions, pursuant to 6 NYCRR §§ 375-1.8(c)(1) and 375-2.8(a), the New York State Department of Environmental Conservation appears to have violated its own regulations, as well as Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Section 104(i)(3) [42 U.S.C. 9604(i)(3)], by failing to require off-site cleanup of the Magothy Aquifer.

Many of the substances involved are known carcinogens.⁴

**NATURE AND EXTENT OF ACTIVITIES THAT OCCURRED
REGARDING RELEASE AND/OR THREATENED RELEASE**

The site has included work done by the Navy and Grumman Corporation pertaining to space exploration, defense and weapons manufacturing. It is not believed that any additional contaminants are currently being released at the site, but, significantly, the contamination of the Magothy Aquifer continues to spread from the original site southward and has contaminated

³ http://www.dec.ny.gov/docs/remediation_hudson_pdf/130003aou3prap.pdf

⁴ <http://ntp.niehs.nih.gov/?objectid=03C9F0A4-B1C2-31DE-ABA8508AE9949C57>

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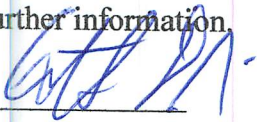
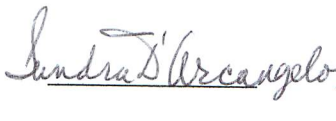
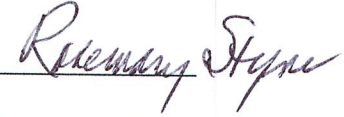

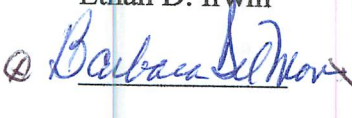
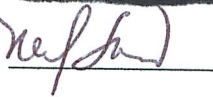
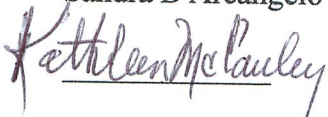
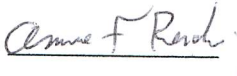
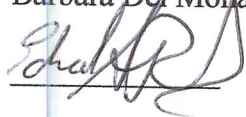
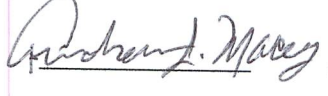
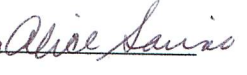
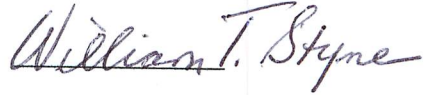
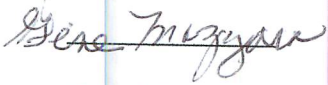
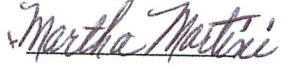


groundwater pumping wells that provide potable water to the Petitioners. The following Water Districts are believed to be affected: Town of Hempstead; Town Oyster Bay; and all the local Water Districts situated within those Towns.

Indeed, the presence of volatile organic compounds already in the Magothy Aquifer currently requires extensive, expensive treatment of drinking water by local water suppliers, and its projected expansion will require the installation of treatment systems by additional suppliers. Unless action is taken immediately, the plume emanating from the site will render unusable the water supplies of more than 250,000 people unless treatment is performed at the point of service.

See attached documentation for further information.

FEDERAL, STATE, AND LOCAL AUTHORITIES CONTACTED

Petitioners have not directly contacted any federal, state or local authorities. However, the Bethpage Grumman/Navy Site is well-known by EPA, NYS DEC, Nassau County, Towns of Hempstead and Oyster Bay, and the local Water Districts. See attached documentation for further information.

 _____		 _____	 _____
Ethan D. Irwin		Sandra D'Arcangelo	Rosemary Styne
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Barbara Del Monaco	Neil Savino	Kathleen McCauley	Ann Resch
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Edward Resch	Andrew Macey	Alice Savino	William T. Styne
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Gene Mazzara		Martha Martini	

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Информация

Настоящим сообщается, что в соответствии с указом Президента Республики Беларусь от 15 мая 1994 года № 100/94, в котором определены полномочия органов государственного управления Республики Беларусь, в частности, Министерству внутренних дел Республики Беларусь поручено осуществлять функции по обеспечению государственной безопасности Республики Беларусь.

ВЕДЕНА ГРАДНА И ДОСУМ ВЪВЕЖДЕНА СЪБИТИЯ

Всички данни за събитията са предоставени от гражданите, които са свидетели на събитията. Всички данни са предоставени от гражданите, които са свидетели на събитията. Всички данни са предоставени от гражданите, които са свидетели на събитията.

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ВЕДЕНА ГРАДНА И ДОСУМ ВЪВЕЖДЕНА СЪБИТИЯ
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<u> </u>	<u>+ Joan Lewis</u>	<u> </u>	<u>x Patricia Astegher</u>
	Joan Lewis		Patricia Astegher
<u>x Jean Axmacher</u>	<u>+ Theresa Steubing</u>	<u> </u>	<u> </u>
Jean Axmacher	Theresa Steubing		
<u> </u>	<u> </u>	<u> </u>	<u>x Dorothy Furrey</u>
			Dorothy Furrey
<u> </u>	<u>Barbara Wunsch, Barbara Rusch</u>	<u>+ Annette Canelli</u>	
	Barbara Wunsch	Barbara Rusch	Annette Canelli
<u>+ Esther DiAgostino</u>	<u>+ Eileen Sussi</u>	<u>x Rosanna Rposito</u>	<u> </u>
Esther DiAgostino	Eileen Sussi	Rosanna Rposito	
<u>x Joan Catapano</u>	<u>Mary Cohan</u>	<u>Maureen Castles</u>	<u>x Dolores Stewart</u>
Joan A. Catapano	Mary Cohan	Maureen Castles	Dolores Stewart
<u> </u>	<u>x Cathy Kral</u>	<u> </u>	<u>x Fran Valenti</u>
	Cathy Kral		Fran Valenti
<u>Elizabeth Gackowski</u>	<u>x Patricia Castor</u>	<u>Margo Pigott</u>	<u> </u>
Elizabeth Gackowski	Patricia Castor	Margo Pigott	
<u>x Ann Valenti</u>	<u> </u>		
Ann Valenti			

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BEVERLY HILL NEW YORK
LADY GAYE'S PRIVATE MAIL BOX SERVICE COMPANY
THE ABOVE LISTED MAILBOXES ARE FOR THE USE OF THE ABOVE NAMED
PERSONS ONLY AND ARE NOT TO BE USED BY ANY OTHER PERSONS

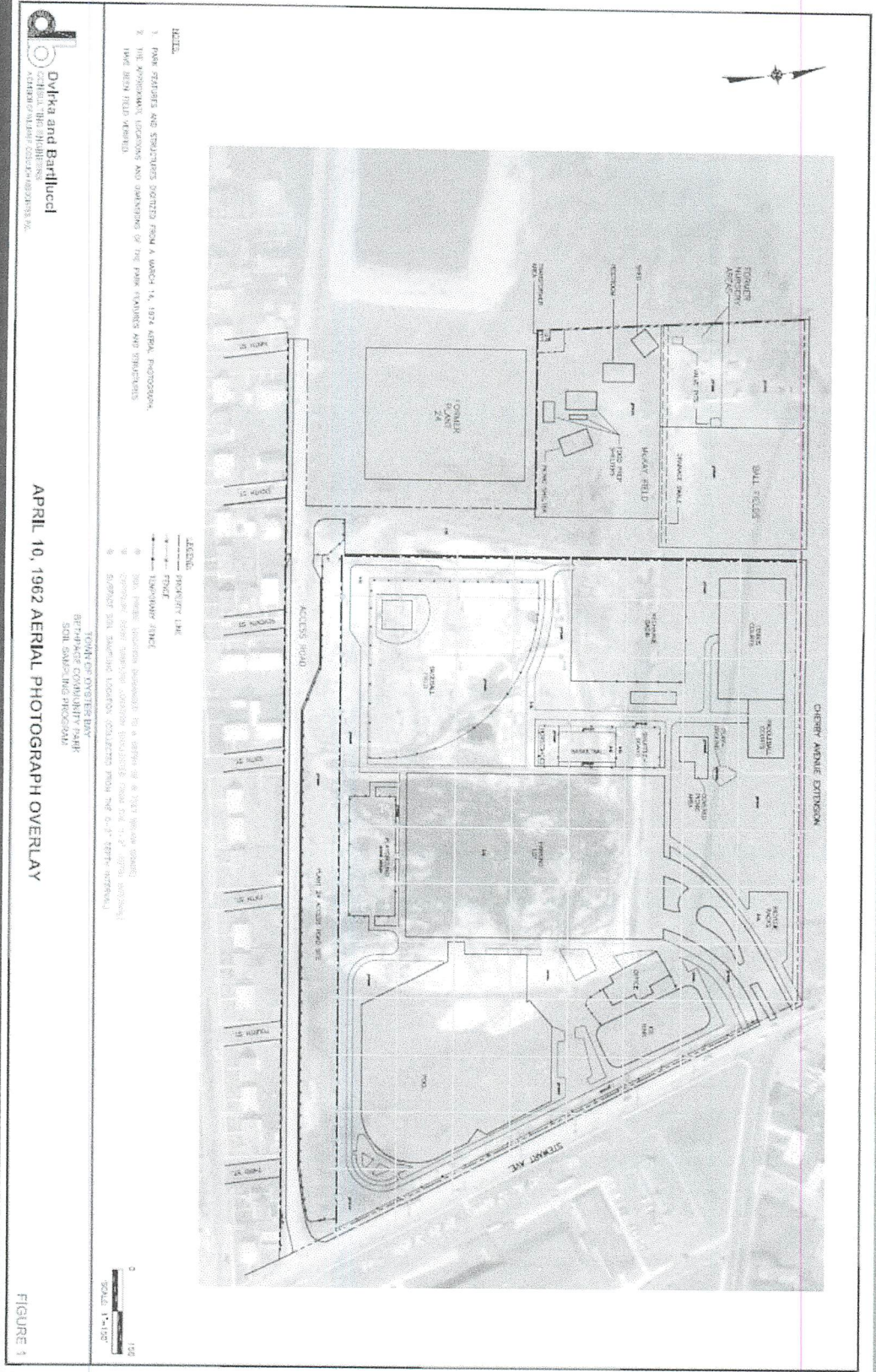
Waste Disposal and Source Areas



WASTE DISPOSAL AND SOURCE AREAS
 New York State Department of Environmental Conservation
 Grumman Aerospace-Bethpage Facility
 Bethpage, Nassau County, New York
 Figure 2

NYS Department of Environmental Conservation

1962 Aerial Photograph



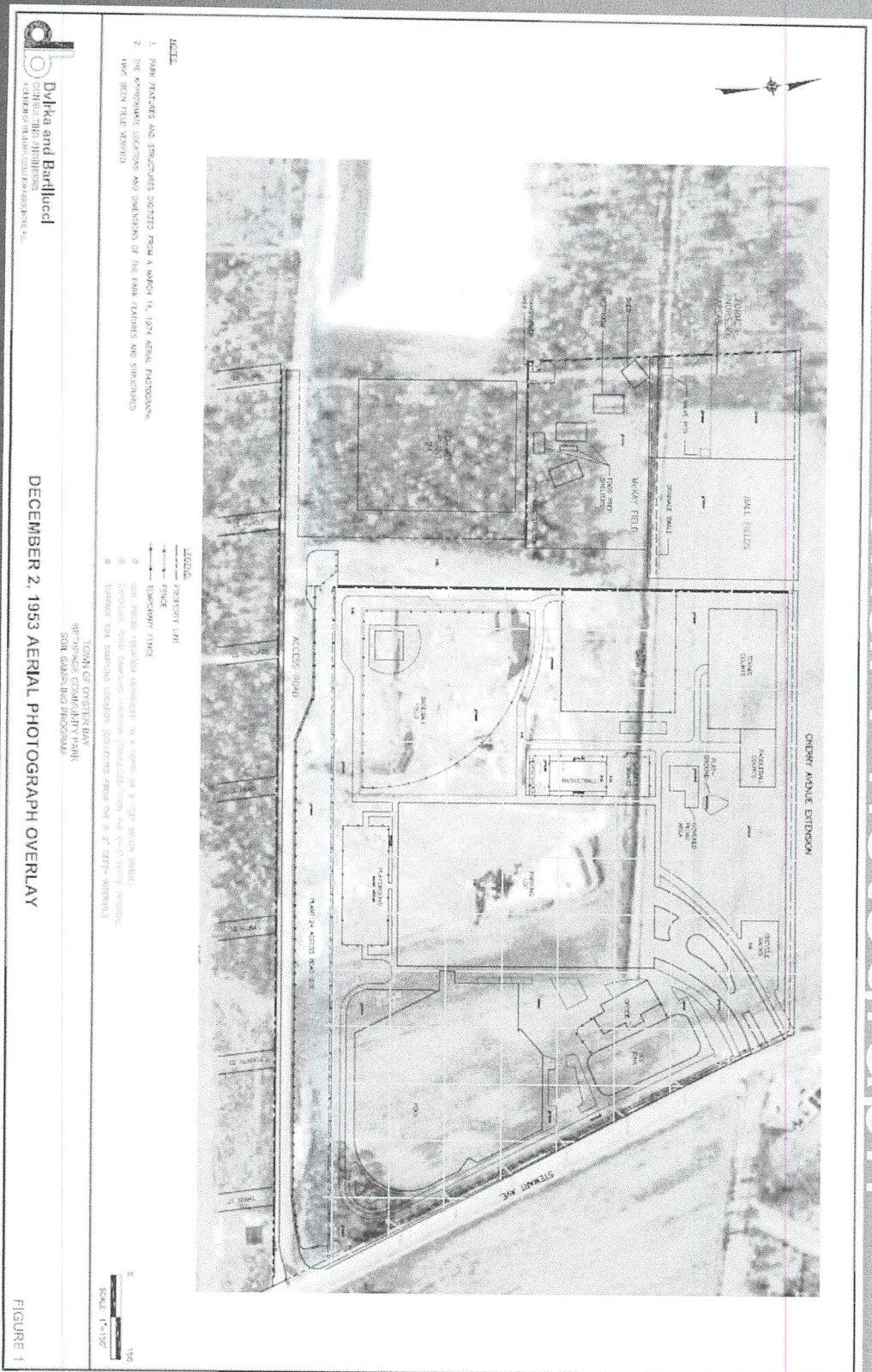
D Dykstra and Bartlucel
 CONSULTING ENGINEERS
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

APRIL 10, 1962 AERIAL PHOTOGRAPH OVERLAY

NYS Department of Environmental Conservation



1953 Aerial Photograph



DECEMBER 2, 1953 AERIAL PHOTOGRAPH OVERLAY

D Dykka and Barilucci
 CONSULTING ENGINEERS
 100 HUNTERS ROAD, SUITE 100, WEST HAVEN, CT 06490-3042



Test Pits and Soil Sampling



Division of Environmental Conservation
 STATE OF NEW YORK

ADJUTANT GENERAL'S OFFICE
 REMEDIAL INVESTIGATION PROGRAM - PHASE 2A
 SOIL BORING, PROBE AND TEST PIT LOCATIONS - ENTIRE SITE



Site History and Description

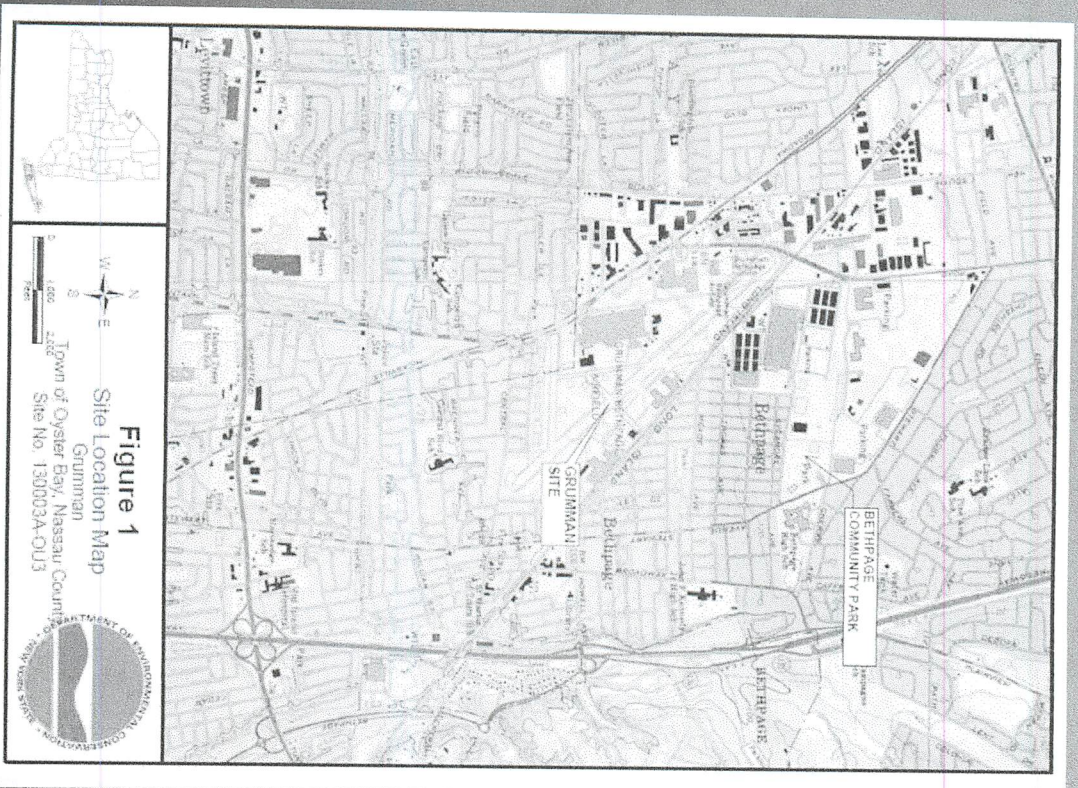
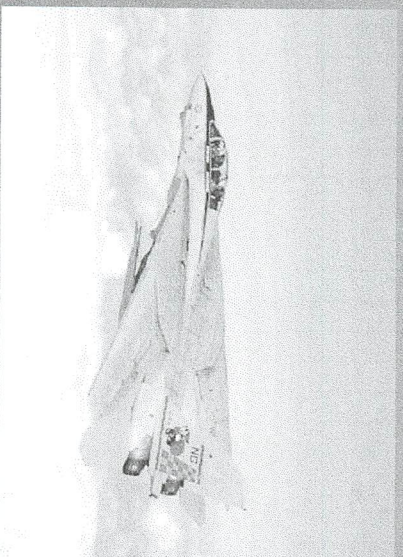


Figure 1
Site Location Map
Gunman
Town of Oyster Bay, Nassau County
Site No. 130003A-OU3



Grumman E6E Hellcat, Circa 1942





6. Observed total VOC concentrations above 100 parts per billion (ppb) near the bottom of vertical profile boring VP-47 (below a depth of 710 feet) are not represented in the model; this is attributed to the age and relative isolation of the VOC observations (Smith, 2011d³).

7. A model layering scheme was locally updated with the addition of a confining layer overlying the screen zone of Bethpage Water District Well 5-1 (Smith, 2011d³).

8. Models required revisions to steady state pumping and recharge rates (Smith, 2011a²) yet do not address stressed conditions that affect the hydraulics of the region. Steady state configurations imply time-invariant pumping and recharge rates; however, model changes have been necessary.

Uncertainties inherent in model simulations, such as those conducted for the Bethpage site, have been widely documented (Konikow, 2010) and will likely lead to further model updates as new field data and modeling methods become available. It may be important to consider the effects of model revision on previously simulated results. Some model uncertainties are expected to continue and may be addressed through presentation of alternate model configurations and parameter-sensitivity analysis.

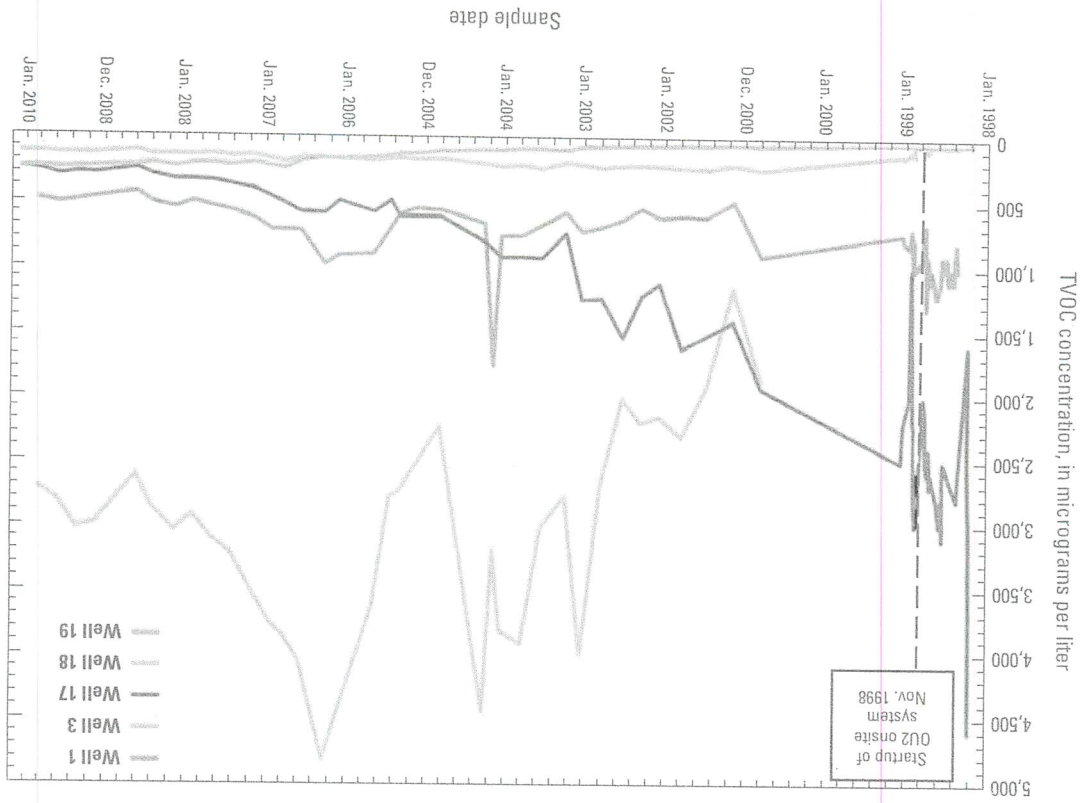


Figure 2. Total volatile organic compounds (TVOC) at onsite containment system (ONCT) pumping wells, 1998 to 2010. (From Smith, 2011b³)

Introduction

The U.S. Geological Survey (USGS) was requested by the U.S. Environmental Protection Agency (USEPA) to provide an opinion as to whether a consultant's current groundwater model of plumes emanating from the Northrup Grumman and Navy sites at Bethpage, New York (fig. 1) is sound and appropriate. The product of this review is the following technical memo, intended to assist modelers in improving the accuracy and reliability of their models, and to explain the limitations of such models. This review provides (1) a brief history of modeling efforts at Bethpage, and (2) describes the use of techniques, existing datasets, and data-collection activities for the purpose of gaining additional confidence in model evaluations and better judging the uncertainty level and limitations inherent in model evaluations.

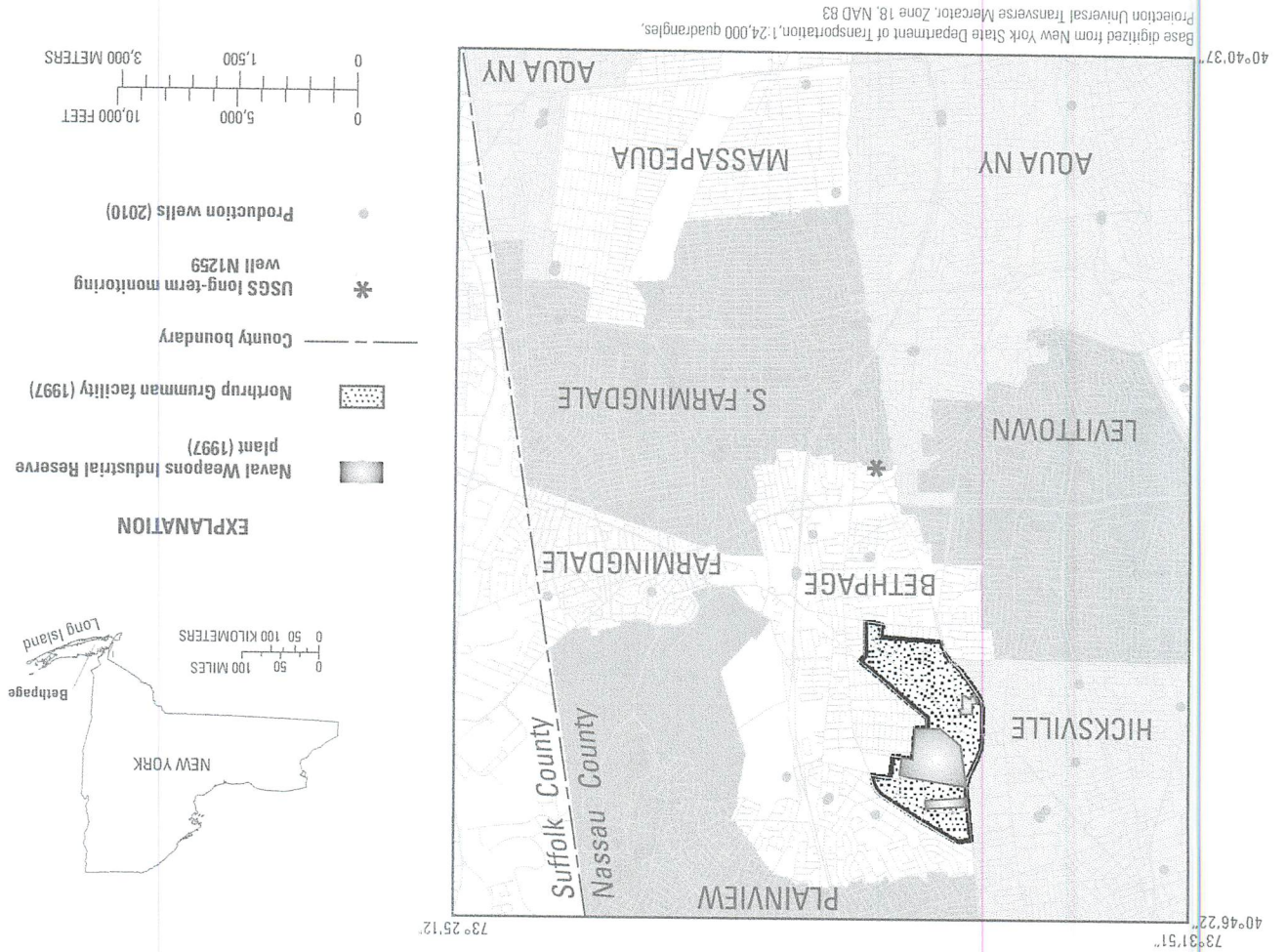


Figure 1. Location of Public Water Districts surrounding Naval Weapons Industrial Reserve Plant, Bethpage, Nassau County, New York.

