

Stephen A Whyte Vice President, Operations Direct Dial (859) 543-2151 2480 Fortune Drive, Suite 300 Lexington, KY 40509

Facsimile (859) 543-2171

C. Alexandra Friedman, Esq. Vice President & General Counsel Simone Development Companies 1000 Main Street New Rochelle, NY 10801 MAR 8 2006 March

REMEDIAL BURREAU A

March 2, 2006

Dear Ms. Friedman:

Re: Abandonment of Groundwater Monitoring Wells

One Enterprise Place, Hicksville, NY

The purpose of this letter is to request access permission to abandon four groundwater monitoring wells (i.e., L-1, L-2, K-1, and K-2) located on the One Enterprise Place property. These wells were installed in 1989 and have been monitored for approximately 17 years pursuant to an access agreement with Harold Levinson Associates, Inc., the former owner of the property. These four wells are the only encumbrances on the property by MSRMI. Abandonment of these wells will remove such encumbrances. The well abandonment will be performed by PROSONIC Corporation under the oversight of Conestoga-Rovers & Associates (CRA).

The initial contact regarding this request for access was made with Mr. Steven Woods in July 2004. Unfortunately, due to his departure from Simone Development Co., the access agreement was not finalized.

Please find attached the following:

- i) Figure 1 showing the location of the four groundwater monitoring wells on the property located at One Enterprise Place;
- ii) Table 1 providing the installation details of the four wells;
- iii) The January 5, 2005 EPA letter approving abandonment of these wells; and
- iv) The January 18, 2005 MSRMI letter providing a description of the well abandonment procedure.

As provided in Attachment A, MSRMI would be responsible for any damage caused by MSRMI and/or their subcontractors caused by entry or performance of the above activities on your property.

If this is agreeable to you, please sign and date the three (3) copies of this letter and return two of the signed and dated letters to the undersigned. The third copy is for your records.

Since time is critical because the drill rig is present in the area, it is requested that the signed copies by returned by Fed-X using CRA's Fed-X account number (0142-2070-4).

It is planned to have Mr. Steve Daly of CRA contact you on Monday, March 6, 2006 to arrange a time and date to inspect the well locations. The purpose of this inspection will be to assist the current tenant in determining the amount of open space needed at each well location to allow proper and adequate access for the equipment which will be used to abandon the wells.

Should you have any questions concerning the proposed activities or this request, please do not hesitate to contact either myself at (859) 543-2151 or Jim Kay at (519) 884-0510. We do appreciate your cooperation and your prompt response to this request would be greatly appreciated.

Sincerely yours,

xlaus Schmidto

Steve Whyte Project Manager

Signature Date

KDS/cb/6883/1 Encl.

c.c.: K. Lynch (EPA
P. Olivo (EPA)
M.E. Wieder (EPA)
S. Scharf (DEC)

J. Kay (CRA) S. Daly (CRA)

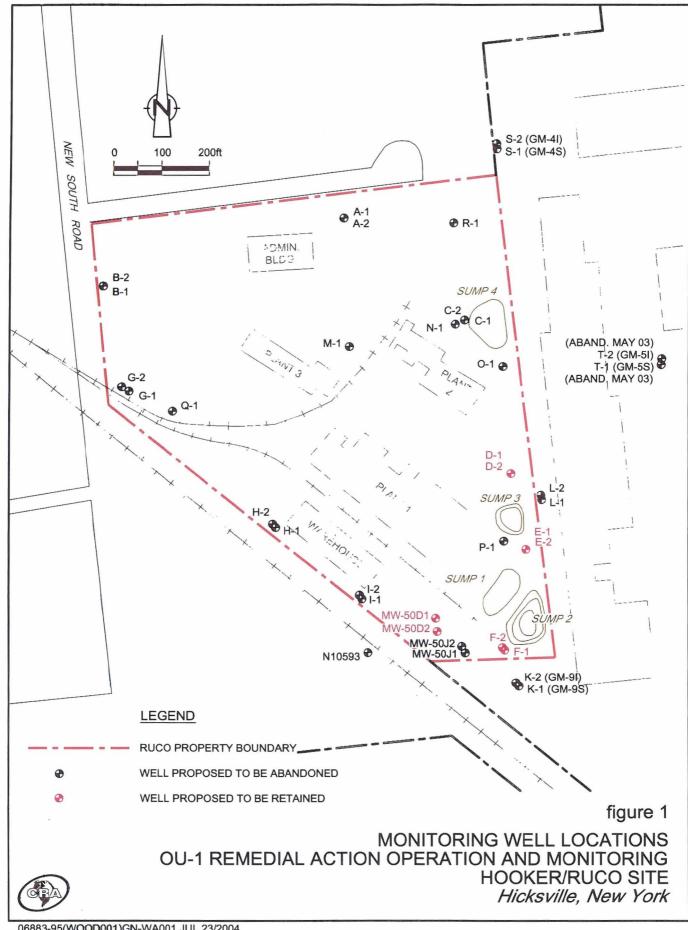


TABLE 1

## WELL DETAILS ONE ENTERPRISE PLACE HICKSVILLE, NEW YORK

Well ID	Ground Elevation (ft. amsl)	Top of Casing Elevation (ft. amsl)	Casing Diameter (in.)	Screen Diameter (in.)	Depth to Top of Screen (ft. bgs)	Top of Screen Elevation (ft. amsl)	Depth to Bottom of Screen (ft. bgs)	Bottom of Screen Elevation (ft. amsl)	Depth to Top of Sand Pack (ft. bgs)	Top of Sand Pack Elevation (ft. amsl)	Depth to Bottom of Sand Pack (ft. bgs)	Bottom of Sand Pack Elevation (ft. amsl)
K-1	128.6	130.75	2	2	53	75.6	68	60.6	50.6	78	69	59.6
K-2	128.6	130.54	2	2	120.6	8	130.6	-2	115.8	12.8	131.5	-2.9
L-1	129.8	131.54	2	2	53.26	76.54	68.26	61.54	48.5	81.3	69.5	60.3
L-2	129.8	131.65	2	2	120.15	9.65	130.15	-0.35	117.2	12.6	135	-5.2

### ATTACHMENT A

Simone Development Companies (Simone) hereby authorizes Miller Springs Remediation Management, Inc. (MSRMI) and its agents to enter upon the Property to perform any and all of the activities referred to in this Article, provided that prior to any such entry, MSRMI and each such entering agent shall have delivered to Simone a certificate of Insurance indicating that the agent shall have in place liability insurance naming Simone as an additional insured in an amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. All entry shall be during reasonable business hours and after reasonable prior notice to Simone. All entry shall be at the sole risk and expense of MSRMI, its employees, agents, servants, representatives and contractors.

MSRMI agrees to indemnify and hold Simone harmless from any damage or injury to persons or property, an any claim, action or damage arising out of or in connection with MSRMI or its contractors, agents, representatives, servants or employees during their entry upon the Property.

MSRMI agrees to treat all information received with respect to the Property and not otherwise in the public domain, whether such information is obtained from Simone or from MSRMI's own due diligence investigations, in a confidential manner. MSRMI shall not disclose any such information to any third parties other than such disclosure to (a) MSRMI's counsel (such disclosure to be made expressly subject to this confidentiality requirement), or (b) any governmental agency to whom disclosure is required by any Environmental Statute, or (c) MSRMI's employees, agents, servants, representatives and contractors.

Without limiting the provisions of the above paragraphs, and notwithstanding anything to the contrary contained in this Agreement, MSRMI hereby releases Simone and (as the case may be) Simone's officers, employees, and agents from any and all claims, demands, causes or actions, losses, damages, liabilities, costs and expenses (including attorney's fees, whether the suit is instituted or not), whether known or unknown, liquidated or continent (hereinafter collectively called the "Claims"), arising from or relating to any defects (patent or latent), errors or omissions in the design or construction of the Property, whether same are the results of negligence or otherwise. The release set forth in this section specifically includes, without limitation, any claims under the Americans with Disabilities Act of 1990, as same may be amended from time to time, and any regulations, orders, rules of procedures or guidelines promulgated in connection with such laws, regardless of whether they are in existence on the date of this Agreement. MSRMI acknowledges that MSRMI has been represented by independent legal counsel of MSRMI's selection, and MSRMI is granting this release of its own volition and after consultation with MSRMI's counsel. The release set forth herein does not apply to the representations of Simone expressly set forth in this Agreement.

The provisions of the foregoing four paragraphs shall survive the completion of the entry by MSRMI.

MAN = 5 2005

Mr. Steve Whyte Project Manager Glenn Springs Holdings, Inc. 2480 Fortune Drive, Suite 300 Lexington, KY 40509

Occidental Chemical Corporation's Letters to the EPA (Dated July 16 & December 6, 2004) Regarding the Abandonment of Off-Site and On-Site Monitoring Wells

Dear Mr. Whyte:

We have received the above cited correspondence from Occidental Chemical Corporation (Oxy) requesting EPA concurrence for the abandonment of 26 (six off-site and 20 on-site) monitoring wells from the Hooker Chemical Ruco Polymer Superfund Site in Hicksville, NY. Oxy indicated in this correspondence that the remaining eight (8) on-site monitoring wells will not be abandoned at this time due to the pending remedial activities on the site.

EPA concurs with Oxy's requests that the 26 proposed monitoring wells are no longer needed and these monitoring wells may be abandoned. However, the monitoring wells should be properly decommissioned in accordance with the procedures outlined in the attached New York State Department of Environmental Conservation (NYSDEC) Directive for well abandonement,

In addition, EPA recommends that off-site well No. T-2, which Oxy believes was accidentally paved over, should be investigated and located. Once Well No. T-2 is located, it should be decommissioned similarly to the other proposed wells in accordance with the NYSDEC abandonment procedures. It is critical that Well No. T-2 is located and properly decommissioned because it is located outside the boundary of the Hooker Ruco Facility and may unintentionally serve as an open conduit to the sole source aquifer of the region.

If you have any questions on this matter, please contact Syed M. Quadri of my staff. He can be reached at 212-637-4233 or via e-mail at quadri.syed@epa.gov.

Sincerely yours,

Levin Lyach, Section Chief

Western New York Remediation Section

cc: Steven M. Scharf, NYSDEC

Jim Kay, CRA

K Schmidtke, CRA

Syed M. Quadri, EPA-ERRD

Maria Wieder, EPA-ORC





# Miller Springs Remediation Management, Inc.

An affiliate of Glenn Springs Holdings, Inc.

Stephen Whyte Vice President, Operations Direct Dial (859) 543-2151 2480 Fortune Drive, Suite 300 Lexington, KY 40509 Facsimile (859) 543-2171

January 18, 2005

Reference No. 6883-95

Mr. Syed Quadri
Western New York Remediation Section
Emergency and Remedial Response Division
United States Environmental
Protection Agency, Region II
290 Broadway, 20th Floor
New York, NY 10007-1866

Dear Mr. Quadri:

Re:

Abandonment of Off-Site and On-Site Monitoring Wells

Hooker/Ruco Site, Hicksville, New York

Thank you for EPA's letter received on January 10, 2005. Miller Springs Remediaton Management Inc. (MSMRI) has the following comments.

The New York State Department of Environmental Conservation (NYSDEC) Groundwater Monitoring Well Decommissioning Procedures (dated November 2002), indicate the primary purpose of well abandonment is to prevent the abandoned well from providing a preferential vertical migration pathway via the well and the borehole it was installed in. Pursuant to Section 2.1.8.2 of the report entitled "Remedial Investigation Report, Volume I", dated April 1990 (revised August 1992) for the Hooker/Ruco Site, the annular space between the borehole wall and the monitoring well risers were backfilled via tremie pipe with a 15:85 percent by weight bentonite/cement grout from approximately two feet above the top of sand pack to ground surface. As shown on the attached table, the depth to the top of sand pack for the wells to be abandoned ranges from 42.5 to 117.8 feet below ground surface. Thus, the annulus is effectively sealed by 40 to 115 feet of grout. Therefore, the only potential preferential vertical pathway remaining is the well itself. This pathway will be addressed, as stated in the MSRMI July 16, 2004 letter, by placing bentonite/cement grout by tremie pipe up to a depth of approximately 5 feet bgs. In summary, the procedure to abandon the wells is:

- i) place bentonite /cement grout (4:94 pounds) by tremie pipe to a depth of 5 feet bgs;
- ii) place a ferrous metal marker in the top of the grout;
- iii) remove protective casing/concrete collar or flush mount collar/road box;
- iv) remove well riser to a depth of approximately 5 feet bgs;
- v) backfill the hole from 5 feet bgs to 6-inch bgs with soil; and
- vi) rehabilitate the upper 6 inches consistent with the surrounding area.

The removed 5 feet of well riser, protective casings/concrete collars, and flush mount collars/road boxes will be disposed off-site at a sanitary landfill.

The above procedures are consistent with that described in the NYSDEC procedures.

With regard to well T2 (aka GM-5I), the area in the vicinity of T1 (the adjacent well) was visually and magnetically searched in May 2003 by the drillers as well as the CRA representative to try to locate T2. No indication of the presence of well T2 was found. Inquires were also made of the current property owner/employees regarding the physical presence of a second well, i.e. T2. To the best of their recollection, they could not remember seeing a second well.

It is believed that well T2 is not capable of providing a preferential vertical migration pathway for impacted groundwater for the following reasons:

- i) the overlying groundwater (i.e. GM-5S) had no VOCs present (see attached table). Thus any groundwater migrating vertically via the well is clean.
- ii) the annulus between the well riser and borehole wall was sealed with 114 feet of bentonite/cement grout; and
- iii) the well is constructed of stainless steel and is unlikely to corrode thereby not providing a pathway via the well itself.

Nonetheless, to address EPA's request to locate and properly abandon T2, an area of 20 feet by 20 feet (400 square feet), with T1 in the center, will be searched using a bar finder. The above dimensions were chosen based on the fact that it is likely that the wells in a well nest are not spaced more than 5 feet apart. The search will use a 1 foot by 1 foot grid. If the well is located, it will be abandoned as described above. If the well cannot be located, no further investigations to locate T2 will be performed.

Should you have any questions regarding this submission, please do not hesitate to contact me at (859) 543-2151 or e-mail at steve\_whyte@oxy.com.

Sincerely yours,

Steve Whyte Project Manager

KS/mw/163 Encl.

c.c.: K. Lynch (USEPA)

M. E. Wieder (USEPA)

Waus Selmidh

S. Scharf (NYSDEC)

T. Kelly (Nassau County)

J. Robinson (Bayer)

J. Kay (CRA)

# Well Inventory for Northwest Quadrant Hooker/Ruco Site Hicksville, New York

Bottom of Sand Pack Elevation (ft. ams!)	75	51	60.5	26.5	9	9.3	65.1	39.1	62.5	26.3	58.8	18.8	57.9	-24	60.77	-2.15	57.75	0	58.88	-10.62	59.6	-2.9	60.3	-5.2	61.96	61.5	63.79	3	60.47	64.04	62.6	26	61.1
Depth to Bottom of Sand Pack (ft. bgs)	08	115	20	101	74	124	59	16	8.99	103	7	111	r	131.3	20	132.92	72.5	130.25	70.5	140	69	131.5	5.69	135	7	8	69	20	20	20	ĸ	131	70.5
Top of Sand Pack Elevation (ft. amel)	86.2	34.2	86.5	50.5	806	30.3	89.1	48.6	86.5	58.3	94.8	49.3	75.9	11.07	78.77	12.77	77.25	13.25	78.38	2.38	78	12.8	81.3	12.6	8.5	10	82.79	ድ	79.47	84.04	82.6	16.6	81.5
Depth to Top of Sand Pack (ft. bgs)	84	100	2	20	42.5	103	41	81.5	42.8	ĸ	35	80.5	53	117.83	52	118	53	117	. 51	127	50.6	115.8	48.5	117.2	2	50.5	8	51	51	S	51	117	50.1
Bottom of Screen Elevation (ft. emal)	67.2	22.2	61.5	26.5	63.3	6.9	65.1	39.1	63.3	39.3	62.3	19.8	58.9	-1.20	61.37	0.57	60.25	0.75	61.38	-9.62	9.09	7	61.54	8 6	96.30	5.53	8.3	62	62.47	<b>90.99</b>	63.6	3.6	63.65
Depth to Bottom of Screen (ft. bgs)																							68.26										
Top of Screen Elevation (ft. amsl)	80.2	29.2	81.5	44.5	83.3	19.3	85.1	44.1	83.3	54.3	82.3	39.8	73.9	8.73	76.37	10.57	75.25	10.75	76.38	0.38	75.6	<b>80</b>	76.54	3.8	200	C.67	2.2	2	77.47	81.04	78.6	13.6	78.65
Depth to Top of Screen (ft. bgs)	35	105	<del>4</del>	98	80	114	\$	98	46	22	47.5	8	55	120.17	54.4	120.2	25	119.5	53	129	83	120.6	53.26	51.02.1	3 8	8 8	7 1	2	2	23	S	120	52.95
Screen Diameter (in.)	7	7	7	7	7	7	7	7	7	8	7	7	7	7	7	7	7	7	7	N	71	7	7	4 6	4 6	4 6	٧ (	7 '	7	7	7	7	7
Casing Diameter (in.)	7	7	7	7	7	7	7	. 7	7	7	7		7	7	7	7	7	7	7	7	η (	71	71 (	4 6		4 6	4 (	7 (	7 (	7	7	7	7
Top of Casing Elevation (ft. emal)	137.52	136.73	132.65	132.64	135.62	135.6	132.37	132.32	131.96	131.68	131.79	131.56	130.56	130.73	131.1	131.27	129.95	129.9	132.38	132.38	130.75	131.54	131 25	135.64	134.23	134.8	120 27	137.67	135.11	136.11	133.21	133.21	131.15
Ground Elevation (ft. amel)	134.2	134.2	130.5	130.5	133.3	133.3	130.1	130.1	129.3	129.3	129.8	129.8	128.9	128.9	130.77	130.77	130.25	130.25	129.38	100 E	128 4	120.0	170.8	132.96	131.5	132.79	130	130.47	134.04	1350	133.6	133.6	131.6
Owner	200	200	200	200	200	200	3 8	38	3 8	3 8	3 8	38	38	38	38	3 8	38	3 8	3 8	3 8	3 6	3 5	300	200	200	200	300	200	200	3 8	3 8	3 8	3
Well ID	* A-1	# A-2	# H-1	7.0		3 2	3 2	3 5	1 2	13	12.	10	5 5	5 2	1-11 ×	7-114	2 2	7 7 %	1. 2. Z	* K-1	¥ K-2	7.	* 1.2	<b>≯</b> M-1	1-2 七	<b>★</b> 0-1	¥ P-1	* 61	* R-1	K.	i si	1 5	Ę

## Well Inventory for Northwest Quadrant Hooker/Ruco Site Hicksville, New York

. Well	Owner	Ground Elevation (ft. amsl)	Top of Casing Elevation (ft. amsl)	Casing Diameter (in.)	Screen Diameter (in.)	Depth to Top of Screen (ft. bgs)	Top of Screen Elevation (ft. amol)	Depth to Bottom of Screen (ft. bgs)	Bottom of Screen Elevation (ft. amel)	Depth to Top of Sand Pack (ft. bgs)	Top of Sand Pack Elevation (ft. amsl)	Depth to Bottom of Sand Pack (ft. bgs)	Bottom of Sand Pack Elevation (ft. amel)
<b>≯</b> T-2	occ	131.6	131.31	2	2	119.1	12.5	129.1	2.5	116.5	15.1	130.16	1.44
PM-1	OCC	133.14	132.87	2	2	53	80.14	68	65.14	50	83.14	70	63.14
PM-2	OCC	128.34	127.99	2	2	53	75.34	68	60.34	50	78.34	70	58.34
N-3450	OCC	130		10	6	116	14 -	142.08	-12.08				
N-3898	LI LIGHTING	146		12	6	109	37	126.8	19.2				
N-3899	LL LIGHTING	146		8	6	113.75	32.25	123.67	22.33				
N-3900	L.I. LIGHTING	145		8	8	136.5	8.5	147.08	-2.08				
N-4708	GRUMMAN	123		10	10	149	-26	169	-46				
N-5149	LI. LIGHTING	147		12	8	121.58	25.42	175.75	-28.75				
N-5368	OCC	130		10	8	110.42	19.58	141.42	-11.42				
N-5390	occ	125		12	6	102	23	137	-12				
N-6192	HICKSVILLE WATER DIS	130	Ŷ.	20	12	575.17	-445.17	626.58	-496.58	569	-439	629	-499
N-6193	HICKSVILLE WATER DIS	130		20	12	396.33	-266.33	456.42	-326.42	396	-266	472	-342
N-6620	LEM REATLY CORP.	120		4	4	82	38	87	33				
N-6683	WESTINGHOUSE	125		4	4	127.54	-2.54	135.54	-10.54				
N-6775	PLASTIC MAT'L CORP.	135		6	. 6	84	51	105	30				
N-6996	SONIC RECORDING	130		8		111	19	127	3				
N-7004	PLASTIC MAT'L CORP.	130		8	6	123.75	6.25	150	-20				
N-7120	SONIC RECORDING	130		8	6	103.75	26.25	119.75	10.25				
N-8778	HICKSVILLE WATER DIS	130	Í	20	12	529.21	-399.21	590	-460	520	-390	595	-465
N-8779	HICKSVILLE WATER DIS	140		20	12	524.25	-384.25	585	-445	515	-375	590	-450
N-9079	NCDPW	118.85											
N-9180	HICKSVILLE WATER DIS	130		20	12	547	-417	632	-502	535	-405	637	-507
MW-50D1	occ		132.63	2	2	285		305		279		305	
MW-50D2	OCC .		132.03	2	2	415		435		405		435	±.1
MW-53I	OCC		120.73	2	2	150		170		145		173	
MW-53D1	OCC		120.8	2	2	300		330		294		335	
MW-53D2	occ		120.66	2	2	430		460		415		460	

Note:

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<sup>-</sup> all indicated depths are from ground surface.

Vol. I

# REMEDIAL INVESTIGATION REPORT GRUMMAN AEROSPACE CORPORATION BETHPAGE, NEW YORK

September 1994

Prepared for

Grumman Aerospace Corporation
Bethpage, New York 11714

(516) 249-7(600

Grumman Aerospace Corporation, Betrpage, New York. Table ←17. Volatile Organic Compounds Detected in Groundwater Samples During the Phase 2 Remedial Investigation.

VOCs Halogenated volatile organ	ic compounds.						
OTH ACCE	81	91	0	30	0	ε	t
COLM HVOCa:	18	81	0	20	0	2	2
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enegorgonolriolG-E, f-ener	01>	OL>	01>	01>	01>	01>	01>
<b>6U82</b> 1:	01>	O1>	01>	01>	01>	01>	01>
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enonmula-2	01>	OI>	O1>	OL>	01>	01>	OI>
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enarbecrokhol@-1,1	01>	01>	01>	OI>	01>	01>	01>
enertieorairiaiG-1,1	01>	01>	01>	O1>	OL>	11	
Carbon disulfide	01>	OI>	01>	01>	01>	01>	01>
AcateoA	L OI>	L 01>	L OF>	LII>	01>	Or>	01>
Methylene chloride	01>	01>	OL>	OI>	01>	01>	Ot>
Chloroethane	OL>	OI>	01>	01>	01>	01>	01>
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Sample Date:	8/24/83	8/24/83	8/24/93	872493	8/23/93	8/23/83	<b>8/23/83</b>
Sample Designation:	CM-13	CM-H	CM-5S	GM-SI	CM-65.	CW-CI.	GM-Rep 2

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Volutio organic compounda.

**NOC8** 

ABI

Estimated value. Micrograme per liter. Industrial and Environmental Analysta, Inc., Monroe, Connecticut.

Analyzed by U.S. Environmental Protection Agency Method 502.2. Groundwater sample spill with New York State Department of Environmental Conservation.

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Eco Test Eco Test Inboratories, Inc., North Babylon, New York.