



New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan for **1735 Express Drive North**

1735 Express Drive North
Hauppauge, Suffolk County, New York 11788

December 2013

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program?	1
2. Citizen Participation Activities	1
3. Major Issues of Public Concern.....	6
4. Site Information	7
5. Investigation and Cleanup Process.....	8
Appendix A. Project Contacts and Locations of Reports and Information	12
Appendix B: Site Contact List	13
Appendix C: Site Location Map	17
Appendix D: Brownfield Cleanup Program Process.....	18

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the Site’s investigation and cleanup process.

Applicant: **Maggio Data Forms Printing, Ltd. (“Applicant”)**
Site Name: **1735 Express Drive North (“Site”)**
Site Address: **1735 Express Drive North, Hauppauge**
Site County: **Suffolk County**
Site Number: **C152238**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When the NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html>.

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

The NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well being. The NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interest in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment;

- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process;
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process;
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community; and
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the Site's investigation and cleanup program. The public's suggestions about this Site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the Site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on NYSDEC website. If this occurs, NYSDEC will inform the public in fact sheets distributed about the Site and by other means, as appropriate.

Site Contact List

Appendix B contains the Site contact list. This list has been developed to keep the community informed about, and involved in, the Site's investigation and cleanup process. The initial notification was issued via standard mail and email via Suffolk County listserve. All future notifications will be issued via email unless a request is made to NYSDEC to receive paper notices. To receive future notices via email please go to www.dec.ny.gov/chemical/61092.html. The listserve will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the Site (such as

fieldwork), as well as availability of project documents and announcements about public comment periods. Standard notifications are presented in the table below.

The Site contact list includes, at a minimum:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the Site is located;
- Residents, owners, and occupants of the Site and properties adjacent to the Site;
- The public water supplier which services the area in which the Site is located;
- Any person who has requested to be placed on the Site contact list;
- The administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility;
- Location(s) of reports and information.

The Site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the Site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the Site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions, and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the Site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the Site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the Site, as described in Section 5.

If the Site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>.

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare Site contact list • Establish document repositories 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the Site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement:	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet that describes RI results to Site contact list 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list about proposed RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that announces that cleanup action has been completed and that summarizes the Final Engineering Report • Distribute fact sheet to Site contact list announcing issuance of Certificate of Completion (COC) 	At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the Site's investigation and cleanup process.

The potential issues of public concern include issues involving the potential for soil vapor intrusion at the Site and/or at adjoining properties. The primary contaminants at the Site include several solvents, primarily tetrachloroethene (PCE) and 1,1,1-trichloroethylene (1,1,1-TCA), which were released at the Site during the operations of a former Site owner. These contaminants were released to the ground beneath the Site and are present in the vapors in soil beneath the Site. Soil vapor investigations were conducted for the Site and the adjoining property to the west and included soil vapor sampling. Additional sampling to assess the potential for soil vapor intrusion will be conducted.

Groundwater beneath the Site has been found to be impacted with solvents at levels that exceed NYSDEC's applicable groundwater standards. Groundwater is estimated to be migrating generally to the northeast, resulting in the potential for offsite migration of solvents in groundwater. However, groundwater is present only at depth (approximately 80 feet below ground) and is, therefore, not reasonably accessible to the public. Public water in the Site vicinity is provided by the Suffolk County Water Authority (SCWA). SCWA public water supply wells are not located within the area where groundwater impacted by Site-related contaminants has been identified. Therefore, there is no reasonable potential for public exposure or concern relative to groundwater.

Soil contaminated with solvents was identified at several onsite underground structures where waste discharges occurred in the past. Contaminated soil has been removed under the oversight of the Suffolk County Department of Health Services (SCDHS). The remaining minimal areas of contaminated soil have been isolated at depth by closing the remaining affected structures. Soil sampling has not shown any solvent contamination to be present in soils near the Site surface. Therefore, there is no reasonable potential for public exposure or concern relative to contaminated soil.

The Site is presently developed with an approximately 30,000-square-foot, one-story commercial building with associated parking that occupies the majority of the property. Residential properties adjoin the Site to the west. Express Drive North adjoins the Site to the south, and buildings utilized for commercial purposes adjoin the Site to the north and east. The cleanup activities are anticipated to result in Site conditions that are conducive to continued use and/or redevelopment of the Site with commercial or industrial uses.

Significant adverse impacts to traffic, noise, and/or air quality are not anticipated to result from the investigation or cleanup activities. These activities will be performed under work plans approved by NYSDEC that contain provisions for traffic management as needed and noise and

air quality monitoring and mitigation measures such that adverse impacts are avoided. There should be no impact to the community during site investigation and clean up.

Public concern for potential impacts to environmentally sensitive areas is not anticipated for the cleanup activities as there are no environmentally sensitive areas in proximity to the Site. There are no wetland areas within one-half mile of the Site. No surface water is located on or adjacent to the Site. No parks, recreational, or natural areas are located within proximity to the Site.

4. Site Information

Appendix C contains a map identifying the location of the Site.

Site Description

Location: 1735 Express Drive North, Hauppauge, Suffolk County

Setting: Suburban

Site size: 68,824 square feet

Adjacent properties: Express Drive North adjoins the Site to the south, commercial properties adjoin the Site to the east and north, and two residential properties and one vacant property adjoin the Site to the west.

History of Site Use, Investigation, and Cleanup

The Site includes a 68,824-square-foot property with a 30,000-square-foot concrete block building on a slab foundation and associated paved parking and landscaped areas. The property was initially developed with a smaller building in 1960 and an addition was made to the north side of the building in 1979. The property was formerly operated by Afta Chemical Corp. (Afta) until 1980 for manufacturing and distribution of chemicals, including solvents, shampoos, and cleaning fluids. Afta's operations included discharges of industrial waste to onsite subsurface structures without a permit. Maggio Data Forms Printing, Ltd. (Maggio) purchased the property in 1981 and has subsequently used the property as a commercial printing facility.

Several investigations of Afta's operations were conducted by the SCDHS in the 1970s and identified contamination in several subsurface structures and other potential environmental concerns. Remedial activities, including cleanout of subsurface structures, sealing of drains, and disconnection of piping, were conducted to address these concerns. Additional remedial activities, including cleanout of subsurface structures and closure of tanks, were undertaken by Maggio in the 1980s to address contamination that was not documented to have been cleaned out following Afta's operations and which likely resulted from Afta's operations.

An Environmental Assessment was performed at the Site in 2006 to identify issues of potential environmental concern. This investigation identified potential concerns associated with Afta's former operations, as well as potential concerns associated with an environmental site located to

the north of the property (Glaro Inc. at 735 Old Willets Path). Groundwater and soil sampling were performed in 2006 to evaluate these concerns; two contaminants were identified in groundwater above the NYSDEC standards.

Additional environmental assessments and cleanup activities were undertaken at the Site between 2006 and 2008 under SCDHS oversight. Soil impacted with solvents was found in several subsurface structures and cleanup of these structures was conducted. Two subsurface structures that could not be fully cleaned out and which exhibited minimal levels of remaining contamination were sealed to prevent potential contact with the remaining soil. The cleanup work was approved by the SCDHS.

Groundwater sampling has been conducted on the Site under the oversight of the SCDHS. Solvents were found in onsite groundwater and the levels were noted to decrease following the completion of cleanup activities.

Groundwater sampling has been conducted to the northeast of the Site by the SCDHS. Solvents were found in groundwater to the northeast of the Site. Some of these solvents may be associated with the Glaro Inc. environmental site, which is located to the north of the Site. Further evaluation of solvents in groundwater to the northeast of the Site, including an assessment of potential contributions from the Glaro site, will be conducted.

Soil vapor sampling was conducted in 2009 at the Site and at one residential property adjoining the Site to the west. Solvents were detected in soil vapor at the Site. Solvents were detected at only very low concentrations in the sample from the property to the west; the SCDHS did not require any action for the property to the west.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program. The Applicant applied as a Volunteer, which means that the Applicant was not responsible for the disposal or discharge of the contaminants. As Maggio's ownership and operation of the Site took place after the discharge or disposal of contaminants by Afta, the Applicant understood itself to be a Volunteer. However, the Applicant was accepted by the NYSDEC into the Brownfield Program as a Participant. This means that the NYSDEC has determined that the Applicant was the owner of the Site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the Site. The Participant must also conduct a qualitative exposure assessment, a process that characterizes the actual or potential exposures of people, fish, and wildlife to contaminants on the Site and to contamination that has migrated from the Site.

The Applicant in its application proposes that the Site will be used for restricted purposes.

To achieve this goal, the Applicant will conduct investigative and cleanup activities (if required) at the Site with oversight provided by the NYSDEC. The Brownfield Cleanup Agreement executed by the NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the Site.

Investigation

Although the Applicant has completed a partial site investigation before it entered into the BCP, the Applicant will conduct an additional investigation of the site officially called a “remedial investigation” (RI). This investigation will be performed with NYSDEC oversight.

The Applicant must develop a remedial investigation work plan, which is subject to public comment. The existing site investigation data will be used during the development of the remedial investigation work plan and NYSDEC will determine if these data are usable.

The remedial investigation has several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment; and
- 4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

When the remedial investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the remedial investigation report to determine if the Site poses a significant threat to public health or the environment. If the Site is a significant threat, it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the Site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Remedy Selection

When the investigation of the Site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the Site. In this case, NYSDEC would make the investigation report available for public

comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a Certificate of Completion (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address Site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the Site.

When the Applicant submits a proposed Remedial Work Plan for approval, NYSDEC will announce the availability of the proposed plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. NYSDOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy.

The Applicant may then design and perform the cleanup action to address the Site’s contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the Site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for Site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the Site after it receives a COC.

Site Management

Site management is the last phase of the Site’s cleanup program. This phase begins when the COC is issued. Site management may be conducted by the Applicant under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the Site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the Site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the Site suitable for some, but not all, uses.

An engineering control is a physical barrier or method to manage contamination. Examples include caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A

Project Contacts and Locations of Reports and Information

Project Contacts

For information about the Site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Brian Jankauskas
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12223-7016
(518) 402-9626
bfjankau@gw.dec.state.ny.us

Aphrodite Montalvo
Citizen Participation Specialist
NYSDEC Region 1
50 Circle Road
Stony Brook, NY 11790
(631) 444-0350
axmontal@gw.dec.state.ny.us

New York State Department of Health (NYSDOH):

Fay Navratil
BEEI
NYSDOH
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
(518) 402-7860

Locations of Reports and Information

The facility identified below is being used to provide the public with convenient access to important project documents:

Hauppauge Public Library
601 Veterans Highway
Hauppauge, NY 11788
(631) 979-1600

Appendix B Site Contact List

Community Officials

Suffolk County Executive:
Steven Bellone
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099
(631) 853-5040

Town of Islip Supervisor:
Tom Croci
Town Hall
655 Main St
Islip, New York 11751
(631) 224-5500

Town of Islip Engineer:
Dave Janover, P.E.
Town Hall
1 Manitton Court
Islip, New York 11751
(631) 224-5360

Judith A. Pascale, Suffolk County Clerk
310 Center Drive
Riverhead, NY 11901
(631) 852-2000

Sarah Lansdale, Director
Suffolk County Planning Commission
H. Lee Dennison Bldg-4th Floor
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788
(631) 853-5191

James Meyers, PE, Principal Public Health Engineer
Suffolk County Office of Pollution Control
15 Horseblock Place
Farmingville, NY 11738
(631) 854-2501

Hon. Stephen J. Flotteron
Hon. Trish Bergin Weichbrodt
Hon. John Cochrane Jr.
Hon. Anthony Senft Jr.
Town of Islip Town Council
410 Atlantic Avenue
Brooklyn, NY 11217

Hon. Michael Fitzpatrick
NYS Assembly District #8
50 Route 11 Suite 202
Smithtown, NY 11787

Hon. Lee M. Zeldin
NYS Senator District #3
4155 Veterans Highway Suite 5
Ronkonkoma, NY 11779

Hon. Charles Schumer
U.S. Senator
780 Third Avenue
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

Hon. Timothy H. Bishop
U.S. House of Representatives
31 Oak Street, Suite 20
Patchogue, NY 11772

The public water supplier that services the area where the Site is located:

James F. Gaughran, Chairman
Suffolk County Water Authority
4060 Sunrise Highway
Oakdale, NY 11769

Local news media from which the community typically obtains information:

Newsday
235 Pinelawn Drive
Melville, NY 11747-4226
631-843-2700 – Telephone, 631-454-6892 – Fax

News 12 Long Island
1 Media Crossways
Woodbury, NY 11797
516-393-1200

Hauppauge Patch
christines@patch.com

Civic, Community, Religious, Educational and Other Institutions:

Islip Chamber of Commerce
P.O. Box 112
Islip, NY 11751

Citizens Campaign for the Environment
225-A Main Street
Farmingdale, NY 11735

Adelphi University – Hauppauge Center
55 Kennedy Drive
Hauppauge, NY 11788

Any person who is adjacent or has requested to be placed on the site contact list:

Adjoining Properties

Mr. Stanley Allen Chase
271 Caleb's Path
Hauppauge, NY 11788

Savoy Medical Supply
273 Caleb's Path
Hauppauge, NY 11788

Mr. Ken Kaminski
273 Caleb's Path
Hauppauge, NY 11788

Tuttnauer USA
25 Power Drive
Hauppauge, NY 11788

Residence
279 Caleb's Path
Hauppauge, NY 11788

Matt Guilano's Play Like A Pro
1745 Expressway Drive North
Hauppauge, NY 11788

No person has yet requested to be placed on the Site contact list.

The administrator of any school or day care facility located on or near the Site:

The Site is located in an industrial zone. No schools or day care centers are located on or in the vicinity of the Site.

The location of the local document repositories for the project:

Hauppauge Public Library
601 Veterans Highway
Hauppauge, NY 11788
(631) 979-1600

Appendix C Site Location Map



Appendix D– Brownfield Cleanup Program Process

