



George Latimer  
County Executive

Department of Public Works and Transportation  
Hugh J. Greechan, Jr., P.E.  
Commissioner

June 6, 2019

Ms. Caryn Bower  
Senior Attorney, Office of General Counsel  
NYS Department of Environmental Conservation  
625 Broadway  
14<sup>th</sup> Floor  
Albany, New York 12233-1500

Re: Order on Consent Index No. CO 3-20180308-44

Dear Ms Bower:

Enclosed please find a signed copy of the Order on Consent Index No. CO 3-20180308-44 along with copy of the check and corresponding invoice submitted to the Division of Management & Budget.

Sincerely,

Hugh Greechan, Jr., P.E.  
Commissioner

HG/LJ, Encl.

John Nonna, Esq., County Attorney  
Melissa Rotini, Esq., Associate County Attorney

JUN 07 2019  
BY: .....

RECEIVED  
JUN 07 2019

BY: .....



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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In the Matter of Water Quality Violations and  
a Site Characterization for

**ORDER ON CONSENT**  
**Index No. CO 3-20180308-44**

**DEC Site Name: Westchester County Airport**  
DEC Site No.: 360174  
Site Address: Airport Road  
Harrison, NY 10604

Hereinafter referred to as the "Site"

by: Westchester County

Hereinafter referred to as "Respondent"

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**WHEREAS:**

1. A. The New York State Department of Environmental Conservation, under its Commissioner, is a department of the State of New York ("DEC" or "Department") with jurisdiction to enforce the environmental laws of the State, pursuant to the Environmental Conservation Law ("ECL"), Title 6 of the Official Compilation of the Codes, Rules and Regulation of the State of New York ("NYCRR"), and orders and permits issued thereunder.

B. The Department is responsible for carrying out the policies of the State of New York set forth at ECL Article 1; these include the policy to conserve, improve and protect its natural resources and environment and to prevent, abate and control water, land and air pollution consistent with the authority granted to the Department and the Commissioner by ECL Article 3.

C. This Order is issued pursuant to the Department's authority under, *inter alia*, ECL Article 3, Title 3 (power to "monitor the environment" and to "[e]ncourage activities consistent with the purposes of this chapter by advising and assisting local governments"); ECL Article 15, Title 3 (Department may make or cause to be made "such surveys and investigations as it may deem advisable and necessary") and Title 31 (Groundwater Protection and Remediation Program); ECL Article 17 (Water Pollution Control); ECL Article 27; and accompanying regulations.

2. The Site is classified as a "P-site" in the Department's Environmental Remediation Database due to concerns about PFOA and PFOS contamination at the

Site. The P-site designation means that preliminary information suggests that the Site and surrounding areas are contaminated, and that site characterization is necessary.

3. The Department alleges Respondent violated ECL Article 17, and its accompanying regulations set forth at 6 NYCRR 703.5 by causing or contributing to a violation of water quality standards.

4. ECL § 71-1929 provides that a person who fails to perform any duty imposed by Article 17 Titles 1 through 11, inclusive, Title 19, rules and regulations promulgated thereunder, or orders or determinations of the commissioner promulgated thereto, shall be liable for a penalty not to exceed thirty-seven thousand, five hundred dollars (\$37,500.00) per day for each violation, and may also be enjoined from continuing such violation.

5. Respondent is cooperating and has agreed to continue to cooperate with the Department to address PFOA, PFOS, and any other contaminants at and emanating from the Site. Respondent has informed the Department that Respondent reinstated groundwater monitoring at the Site in September 2018. Respondent consents to the issuance of this Order without (i) an admission or finding of liability, fault, wrongdoing, or violation of any law, regulation, permit, order, requirement, or standard of care of any kind whatsoever with respect to PFOA or PFOS; and (ii) an acknowledgment that there has been a release or threatened release of hazardous waste at or from the Site by the Respondent.

6. Respondent and the Department agree that the primary goals of this Order are (i) to provide that Respondent pay a civil penalty to resolve a violation of applicable water quality standards referenced in paragraph 3 above; (ii) to provide a mechanism for Respondent to appropriately characterize the contamination at and emanating from the Site through a site characterization meeting the Department's technical requirements and with the Department's oversight; and (iii) to provide a mechanism for Respondent to implement any necessary interim remedial measures to address contamination at and emanating from the Site without delay. Respondent also intends to apply to the Brownfield Cleanup Program (BCP) in order to further investigate and remediate the Site. Respondent and the Department agree that Respondent's intended application to the Brownfield Cleanup Program must not delay the site characterization and any necessary interim remedial measures.

**NOW, having considered this matter and being duly advised, IT IS ORDERED THAT:**

I. Real Property

The Site subject to this Order has been assigned number 360174, consists of approximately 685 acres, and is as follows:

Subject Property Description (A Map of the Site is attached as Exhibit "A")

Tax Map/Parcel Nos.: 0971-8.1; 119.03-1-6; 119.03-1-5; 124.55-1-1;  
124.31-1-1; 124.31-1-8; 119.03-1-6; 119.70-1-2;  
124.31-1-5; 124.23-1-3; 124.31-1-6; 124.31-1-7;  
119.03-1-3; 119.03-1-4; 124.31-1-10; 0971-8.3;  
0971-8; 124.31-1-3; 124.31-1-4; 119.70-1-1;  
119.79-1-2; 0971-2; 0971-8.2; 119.79-1-1;  
124.31-1-9; 124.40-1-1.

Address: Airport Road, Harrison, NY 10604  
Owner: Westchester County

## II. Civil Penalty

A. In resolution of the violation referenced in paragraph 3 above, Respondent is assessed a civil penalty in the sum of Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00). Ten Thousand Dollars (\$10,000.00) of the civil penalty shall be paid to the Department by July 15, 2019 using either of the following methods:

1. By check made payable to the order of the "New York State Department of Environmental Conservation," with the enclosed invoice and the Index Number of this Order on Consent written in the memo section of the check, which shall be sent to the Department of Environmental Conservation, Division of Management and Budget Services, 625 Broadway, 10<sup>th</sup> Floor, Albany, NY 12233-4900.

2. Electronically at <http://www.dec.ny.gov/about/61016.html#On-Line>.

B. The civil penalty paid shall be deposited into the General Fund.

C. The remainder of the civil penalty shall be suspended so long as the Respondent adheres to the terms and conditions of this Order, as determined by the Department. In the event of a violation of this Order, the Department shall notify the Respondent in writing by electronic mail or certified mail, return receipt requested. Any suspended penalty that becomes due under this section shall be payable within thirty (30) days of receipt of the notice by Respondent. The Department has sole discretion to determine the amount of any suspended penalty due by virtue of violation of this Order. Payment shall be made by either of the methods described in Subparagraph II.A of this Order.

D. Respondent's other obligations under this Order represent payment for or reimbursement of response costs, and shall not be deemed to constitute any type of fine or penalty.

## III. Access

A. Respondent hereby consents, upon reasonable notice under the circumstances presented, to entry upon the Site (or areas in the vicinity of the Site which may be under the control of Respondent) by any duly designated officer or employee of the Department or any State agency having jurisdiction with respect to matters addressed pursuant to this Order, and by any agent, consultant, contractor, or other person so authorized by the Commissioner, all of whom shall abide by the health and safety rules in effect for the Site, for inspecting, sampling, copying records related to the contamination at the Site, testing, and any other activities necessary to ensure Respondent's compliance with this Order. Respondent and the Department agree that the health and safety rules in effect for the Site include, but are not limited to, all applicable regulations and requirements of the Federal Aviation Administration, Department of Homeland Security, and Transportation Safety Administration.

B. Upon request, Respondent shall (i) provide the Department with suitable work space at the Site, including access to a telephone, to the extent available, and (ii) permit the Department full access to all non-privileged records relating to matters addressed by this Order. Raw data is not considered privileged and that portion of any privileged document containing raw data must be provided to the Department.

#### IV. Records Search

Within thirty (30) days after the effective date of this Order, Respondent shall submit to the Department a Records Search Report prepared in accordance with Exhibit "B" attached to the Order. Respondent will provide the Department with a list of documents previously provided to the Department in connection with prior investigations. The Records Search Report can be limited if the Department notifies Respondent in writing that prior submissions satisfy specific items required for the Records Search Report. Records or information protected by attorney-client privilege may be excluded from the Records Search Report.

#### V. Work Plans

A. All activities under this Order shall be conducted pursuant to one or more Department-approved work plans ("Work Plan" or "Work Plans") and this Order. Work Plans under this Order shall address both on-Site and off-Site conditions and shall be consistent with the Department's technical guidance document "Technical Guidance for Site Investigation and Remediation (DER-10)", available on the Department's public website at <https://www.dec.ny.gov/regulations/67386.html>.

B. During all field activities conducted under a Department-approved Work Plan, Respondent shall have on-Site a representative who is qualified under 6 NYCRR 375-1.6(a)(3) to supervise the activities undertaken.

C. The Department shall have the right to take its own samples and scientific measurements and the Department and Respondent shall each have the right to obtain split samples, duplicate samples, or both, of all substances and materials sampled.

D. Any proposed Work Plan shall be submitted for the Department's review and approval and shall include, at a minimum, a chronological description of the anticipated activities, a schedule for performance of those activities, and sufficient detail to allow the Department to evaluate that Work Plan.

E. The Department shall notify Respondent in writing if the Department determines that any element of a Department-approved Work Plan needs to be modified in order to achieve the objectives of the Work Plan or to ensure that the Remedial Program protects human health and the environment. Upon receipt of such notification, Respondent shall so modify the Work Plan and submit the modified Work Plan to the Department for review and approval. In the event the modified Work Plan is disapproved by the Department, Respondent shall be in violation of this Order.

F. If Respondent seeks to modify an approved Work Plan, a written request shall be made to the Department's project manager, with copies to the parties listed in Subparagraph VII.A.

G. Required Work Plans

1. Respondent shall submit to the Department an approvable Site Characterization Work Plan, which will include the Site and off-site areas as determined by the Department, and shall include perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and other contaminants. Respondent will make all reasonable efforts to submit the Site Characterization Work Plan as soon as possible, but in no event will Respondent submit the Site Characterization Work Plan later than sixty (60) days from the effective date of this Order.

2. Respondent shall submit to the Department one or more approvable Interim Remedial Measure (IRM) Work Plans for the IRMs described in this section. A Professional Engineer licensed and registered in New York State must stamp and sign all IRM Work Plans. Such work plan(s) shall be submitted to the Department as soon as possible, but in no event later than sixty (60) days after the effective date of this Order, and shall require that Respondent make all reasonable efforts to obtain any access necessary for implementation of the work plan(s), and shall require that Respondent provide the Department with proof of such efforts. To the extent lack of access prevents Respondent from implementing any portion of an IRM, despite Respondent's having made all reasonable efforts to gain such access, Respondent's inability to implement such portion of an IRM shall not be deemed a violation of this Order.

i. As one or more Interim Remedial Measures (IRMs), Respondent shall install and maintain one or more Point of Entry Treatment (POET) systems to treat water from each potable supply well contaminated with PFOA and/or PFOS at or emanating from the Site, as determined necessary by the New York State Department of Health. Connection to a public water supply, where available, may substitute for POET system installation. Respondent shall provide bottled water to all users of affected potable supply wells immediately, until effective POET systems (or connections to public water) are installed.

ii. If determined necessary by the New York State Department of Health for protection of drinking water, Respondent shall, as one or more additional IRMs, install and maintain one or more additional treatment systems to treat water at or emanating from the Site.

H. This Order does not require Respondent to undertake work outside of the State of New York.

I. All Department-approved Work Plans shall be incorporated into and become enforceable parts of this Order. Upon approval of a Work Plan by the Department, Respondent shall implement such Work Plan in accordance with the schedule contained therein.

J. Respondent shall submit a written progress report of its actions under this Order to the parties identified in Subparagraph VII.A by the 10th day of each month commencing with the month subsequent to the approval of the first Work Plan and ending with the Termination Date. Such reports shall, at a minimum, include: all actions relative to the Site during the previous reporting period and those anticipated for the next reporting period; all approved activity modifications (changes of work scope and/or schedule); all results of sampling and tests and all other data received or generated by or on behalf of Respondent in connection with this Site, including preliminary data, whether under this Order or otherwise, in the previous reporting period, including quality assurance/quality control information; information regarding percentage of completion; and unresolved delays encountered or anticipated that may affect the future schedule and efforts made to mitigate such delays.

K. A final report is required in connection with each Work Plan. Within ten (10) Days after the Department's approval of a final report, Respondent shall submit such final report, as well as all data gathered and drawings and submittals made pursuant to such Work Plan, in an electronic format acceptable to the Department. If any document cannot be converted into electronic format, Respondent shall submit such document in an alternative format acceptable to the Department.

L. In the event of a conflict between the terms of this Order and any Work Plan submitted pursuant to this Order, the terms of this Order shall control over the terms of the Work Plan(s).

VI. Payment of State Costs

A. Respondent understands that it is required to pay past state costs in addition to future state costs, and that additional charges may be billed at a later date for State Costs incurred prior to the effective date of this Consent Order. Invoices shall be sent to Respondent at the following address:

Hugh Greechan, Jr., P.E.  
Commissioner  
Westchester County Department of Public Works and Transportation  
148 Martine Avenue, 5<sup>th</sup> Floor  
White Plains, NY 10601

B. Respondent shall pay to the Department the sum of money requested through itemized invoice within forty-five (45) days after receipt of such invoice from the Department. Each such payment shall be made payable to the New York State Department of Environmental Conservation and shall be sent to:

Director, Bureau of Program Management  
Division of Environmental Remediation  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-7012

C. Costs shall be documented as provided by 6 NYCRR 375-1.5(b)(3). The Department shall not be required to provide any other documentation of costs, provided however, that the Department's records shall be available consistent with, and in accordance with, Article 6 of the Public Officers Law.

D. If Respondent objects to any invoiced costs under this Order, the provisions of 6 NYCRR 375-1.5 (b)(3)(v) and (vi) shall apply. Objections shall be sent to the Department at the address provided under Subparagraph VI.B above.

E. In the event of non-payment of any invoice within the 45 days provided herein, the Department may commence an enforcement action for non-compliance with ECL § 27-1423 and ECL § 71-4003.

F. Failure to timely pay any invoice will be subject to late payment charge and interest at a rate of 9% from the date the payment is due until the date the payment is made.

VII. Communications

A. All written communications required by this Consent Order shall be transmitted by United States Postal Service, by private courier service, by hand delivery, or by electronic mail. Electronic mail is preferred.

1. Communication from Respondent shall be sent to:

Matthew Hubicki  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233  
matthew.hubicki@dec.ny.gov

Kevin Carpenter (electronic copy only)  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233  
kevin.carpenter@dec.ny.gov

Janet Brown (electronic copy only)  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233  
janet.brown@dec.ny.gov

Christine Vooris (electronic copy only)  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza  
Corning Tower Room 1787  
Albany, NY 12237  
christine.vooris@health.ny.gov

Maureen Schuck (electronic copy only)  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza  
Corning Tower Room 1787  
Albany, NY 12237  
maureen.schuck@health.ny.gov

Steven Karpinski (electronic copy only)  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza  
Corning Tower Room 1787  
Albany, NY 12237  
steven.karpinski@health.ny.gov

Caryn Bower, Esq. (correspondence only)  
New York State Department of Environmental Conservation  
Office of General Counsel  
625 Broadway, 14th Floor  
Albany, NY 12233  
caryn.bower@dec.ny.gov

2. Communication from the Department to Respondent shall be sent to:

Hugh Greechan, Jr., P.E. (hard copy requested)  
Commissioner  
Westchester County Department of Public Works and Transportation  
148 Martine Avenue, 5<sup>th</sup> Floor  
White Plains, NY 10601  
hjc7@westchestergov.com

Robert Funicello  
Environmental Project Director  
Westchester Dept. of Environmental Facilities  
270 North Avenue, 6<sup>th</sup> Floor  
New Rochelle, NY 10805  
rff3@westchestergov.com

John M. Nonna, Esq.  
Westchester County Attorney  
148 Martine Avenue, 6<sup>th</sup> Floor  
White Plains, NY 10601  
jmn5@westchestergov.com

Melissa-Jean Rotini, Esq. (correspondence only)  
Senior Assistant County Attorney  
Westchester County Attorney's Office  
148 Martine Avenue, 6<sup>th</sup> Floor  
White Plains, NY 10601  
mjr1@westchestergov.com

B. The Department and Respondent reserve the right to designate additional or different addressees for communication on written notice to the other. Additionally, the Department reserves the right to request that the Respondent provide more than one paper copy of any work plan or report.

C. Each party shall notify the other within ninety (90) days after any change in the addresses listed in this paragraph or in Paragraph VI.

#### VIII. Force Majeure

A. Respondent must use best efforts to anticipate any potential Force Majeure Event, best efforts to address any such event as it is occurring, and best efforts following the Force Majeure Event to minimize delay to the greatest extent possible. "Force Majeure" does not include Respondent's economic inability to comply with any obligation, the failure of Respondent to make complete and timely application for any required approval or permit, and non-attainment of the goals, standards, and requirements of this Order.

B. Respondent shall notify the Department in writing within five (5) Days of the onset of any Force Majeure Event. Respondent shall be deemed to know of any circumstance which it, any entity controlled by it, or its contractors knew or should have known at any time.

C. If the Department agrees that the delay or anticipated delay is attributable to a Force Majeure Event, the time for performance of the obligations that are affected by the Force Majeure Event shall be extended for a period of time equivalent to the time lost because of the Force Majeure Event.

#### IX. Termination of Order

A. This Order shall terminate on the Termination Date, which shall be the 5th Day after (i) the Department notifies Respondent in writing that either (a) the Department approves of the Final Site Characterization Report and that satisfactory progress has been made toward completion of any IRM(s) or (b) the Department is not satisfied with Respondent's progress under this Order, or (ii) the Parties to this Order mutually agree in writing to terminate the Order.

B. Notwithstanding the foregoing, the provisions contained in Paragraphs VI and XI shall survive the termination of this Order and any violation of such surviving Paragraphs shall be a violation of this Order, the ECL, and 6 NYCRR 375-2.11(a)(4), subjecting Respondent to penalties so long as such obligations accrued on or prior to the Termination Date.

X. Reservation of Rights

A. No Certificate of Completion or release of liability shall be issued to Respondent pursuant to the terms of this Order.

B. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's rights or authorities, including, but not limited to, the right to require performance of further investigations and/or response action(s), to recover natural resource damages, and/or to exercise any summary abatement powers with respect to any person, including Respondent. The Department reserves all rights, including the right to require implementation of a Remedial Investigation/Feasibility Study, Interim Remedial Measures, and a full remedial program for the Site.

C. Neither this Order nor its termination shall affect any liability of Respondent, including but not limited to any liability for remediation of the Site and/or for payment of State Costs, nor shall it affect any defenses to such liability that may be asserted by Respondent. Further, the Department's efforts in obtaining and overseeing compliance with this Order shall constitute reasonable efforts under law to obtain a voluntary commitment from Respondent for any further activities to be undertaken as part of a Remedial Program for the Site.

XI. Indemnification

A. Respondent shall indemnify and hold the Department, the State of New York, the trustee of the State's natural resources, and their representatives and employees harmless from any claim, suit, action, and cost of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of the work under this Order except for those claims, suits, actions, and costs arising from the gross negligence or willful or intentional misconduct by the State of New York, and/or its representatives and employees during the course of any activities conducted pursuant to the remedial program.

B. Nothing contained in Paragraph XI.A of this Order shall be interpreted as an indemnification of the State of New York and its agencies for any liability of the State or its agencies as a Responsible Party, as defined at 6 NYCRR § 375-2.2(i), for the relevant contamination. Nothing contained in the preceding sentence, and nothing in

this Order, shall be interpreted as admitting or suggesting that the State, or any of its agencies, is or may be a Responsible Party for any contamination.

C. The Department shall provide written notice no less than 30 days prior to commencing a lawsuit seeking indemnification.

## XII. Construction and Interpretation

A. The terms of this Order shall constitute the complete and entire agreement between the Department and Respondent concerning the implementation of the activities required by this Order. No term, condition, understanding, or agreement purporting to modify or vary any term of this Order shall be binding unless made in writing and subscribed by the party to be bound. No informal advice, guidance, suggestion, or comment by the Department shall be construed as relieving Respondent of Respondent's obligation to obtain such formal approvals as may be required by this Order.

B. Nothing contained in this Order shall be construed as an assurance that the Department shall accept the site into the BCP.

C. Unless otherwise expressly provided herein, terms used in this Order which are defined in ECL Article 27 or in regulations promulgated thereunder shall have the meaning assigned to them under said statute or regulations.

D. This Order shall have no effect on any other existing Order or Agreement.

E. The paragraph headings set forth in this Order are included for convenience of reference only and shall be disregarded in the construction and interpretation of any provisions of this Order.

## XIII. Miscellaneous

A. Respondent consents to and agrees not to contest the authority or jurisdiction of the Department to issue, enter into, or enforce this Order, and agrees not to contest the validity of this Order or its terms.

B. Solely with regard to the matters set forth through this Order, Respondent hereby waives any right to a hearing as may be provided by law.

C. Respondent agrees not to contest the validity of final or validated data submitted to the Department by Respondent pursuant to this Order.

D. Respondent and Respondent's successors and assigns shall be bound by this Order. Any change in ownership or corporate status of Respondent shall in no way alter Respondent's responsibilities under this Order.

E. Respondent shall use best efforts to obtain all approvals and/or authorizations necessary to perform Respondent's obligations under this Order. In the event Respondent is unable to obtain any authorization from third-party property owners necessary to perform its obligations under this Order, the Department may, consistent with its legal authority, assist in obtaining such authorizations.

F. Respondent's failure to comply with any term of this Order constitutes a violation of this Order and the ECL.

G. Respondent can request a modification of this Order at any time. Any such request shall not itself provide a basis for an extension of any time frame. Approval for any such modification shall be in the Department's sole discretion.

H. Requests for a change to a time frame set forth in this Order shall be made in writing to the Department's project attorney and project manager; such requests shall not be unreasonably denied and a written response to such requests shall be sent to Respondent promptly.

I. This Order may be executed for the convenience of the Parties hereto, individually or in combination, in one or more counterparts, each of which shall be deemed to have the status of an executed original and all of which shall together constitute one and the same.

J. The effective date of this Order is the day it is signed by the Commissioner or the Commissioner's designee.

DATED: *June 7, 2019*

BASIL SEGGOS  
COMMISSIONER  
NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

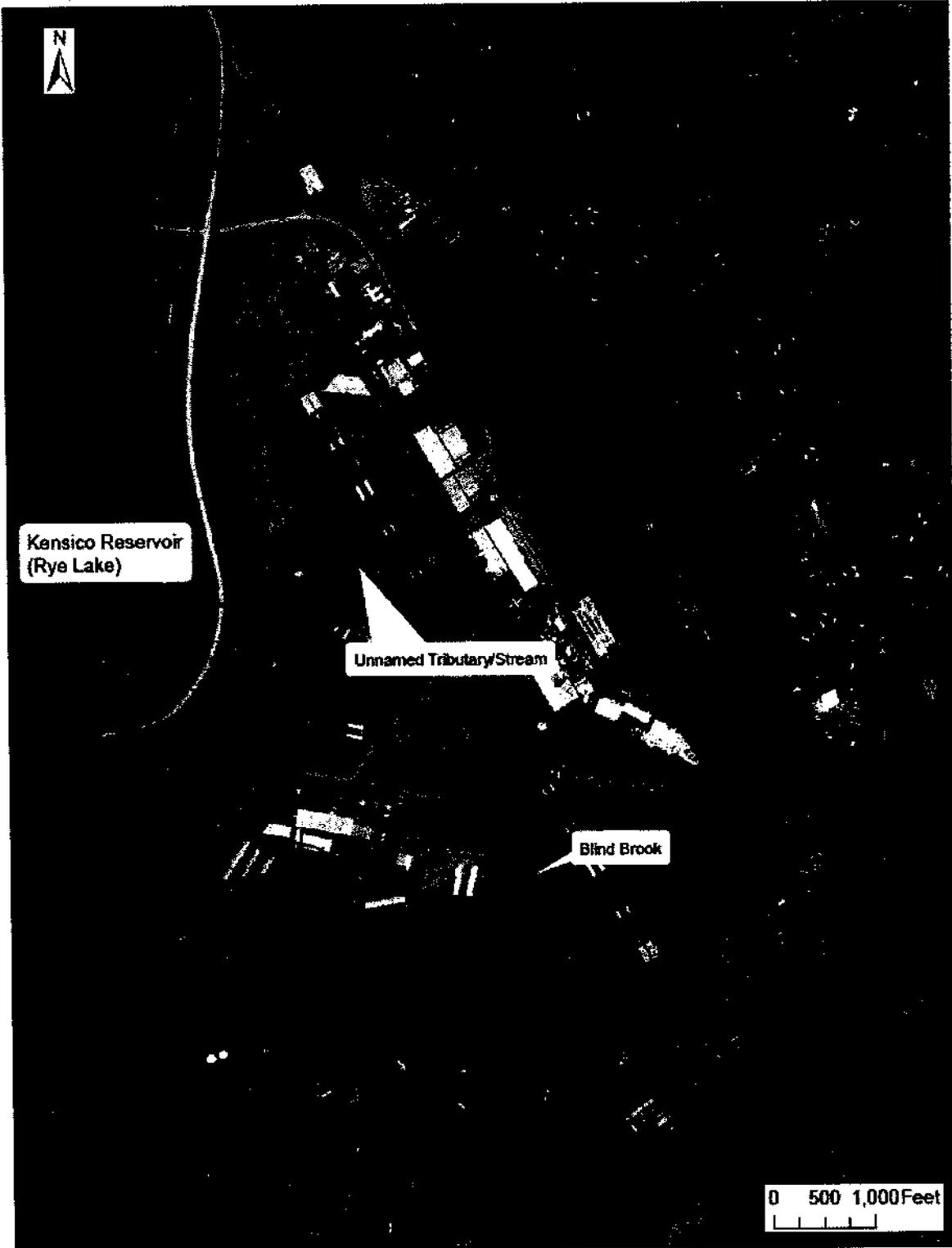
By:

*James M. Tierney*

James M. Tierney  
Deputy Commissioner for Water Resources



EXHIBIT "A"  
SITE MAP

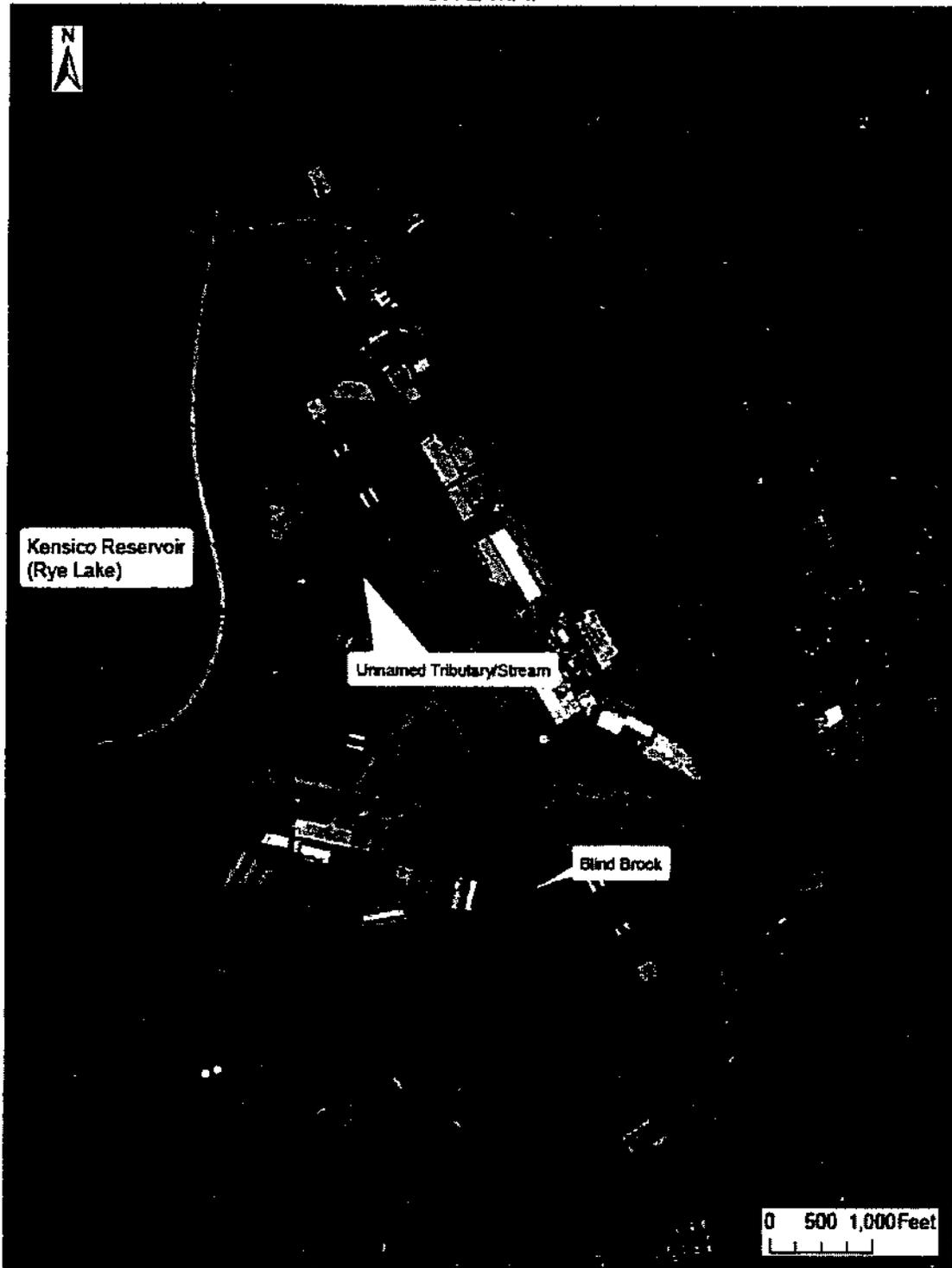


## EXHIBIT "B"

### RECORDS SEARCH REPORT

1. Detail all environmental data and information within Respondent's or Respondent's agents' or consultants' possession or control regarding environmental conditions at or emanating from the Site related to the matters identified in this Order.
2. A comprehensive list of all existing relevant reports with titles, authors, and subject matter, as well as a description of the results of all previous investigations of the Site and of areas immediately surrounding the Site which are or might be affected by contamination at the Site, including all available topographic and property surveys, engineering studies, and aerial photographs.
3. A concise summary of information held by Respondent and Respondent's attorneys, consultants and agents with respect to:
  - (i) a history and description of the Site, including the nature of operations:
    - (a) generally, and
    - (b) specifically relating to the use or presence of aqueous film-forming foam (AFFF) and other possible sources of PFOA and/or PFOS;
  - (ii) the types, quantities, physical state, locations, methods, and dates of disposal or release of hazardous waste at or emanating from the Site;
  - (iii) a description of current Site security (i.e. fencing, posting, etc.); and
  - (iv) the names and addresses of all persons responsible for disposal of hazardous waste, including the dates of such disposal and any proof linking each such person responsible with the hazardous wastes identified.

**EXHIBIT "A"**  
**SITE MAP**



**EXHIBIT "B"**

## RECORDS SEARCH REPORT

1. Detail all environmental data and information within Respondent's or Respondent's agents' or consultants' possession or control regarding environmental conditions at or emanating from the Site related to the matters identified in this Order.
2. A comprehensive list of all existing relevant reports with titles, authors, and subject matter, as well as a description of the results of all previous investigations of the Site and of areas immediately surrounding the Site which are or might be affected by contamination at the Site, including all available topographic and property surveys, engineering studies, and aerial photographs.
3. A concise summary of information held by Respondent and Respondent's attorneys, consultants and agents with respect to:
  - (i) a history and description of the Site, including the nature of operations:
    - (a) generally, and
    - (b) specifically relating to the use or presence of aqueous film-forming foam (AFFF) and other possible sources of PFOA and/or PFOS;
  - (ii) the types, quantities, physical state, locations, methods, and dates of disposal or release of hazardous waste at or emanating from the Site;
  - (iii) a description of current Site security (i.e. fencing, posting, etc.); and
  - (iv) the names and addresses of all persons responsible for disposal of hazardous waste, including the dates of such disposal and any proof linking each such person responsible with the hazardous wastes identified.


**Department of  
Environmental  
Conservation**
**Legally Responsible Party:**

Westchester County  
Westchester County Department of Public Works and Transportation  
148 Martine Avenue, 5<sup>th</sup> Floor  
White Plains, NY 10601

**Consent Order  
INVOICE**

**Customer #:** 112675  
**Invoice #:** 7773000000151  
**Invoice Date:** 08-May-2019

Instructions for viewing your invoices on-line and paying electronically can be found at:  
<http://www.dec.ny.gov/about/61016.html#On-Line>

DEC Order Number	Billing Year	Description	Qty	Unit Price	Payable Penalty Due
CO 3-20180308-44		Civil Penalty	1	10,000.00	10,000.00
<b>SubTotal</b>					10,000.00
<b>Payments</b>					0.00
<b>Credits</b>					0.00
Outstanding balance as of 08-May-2019 in USD					10,000.00
<b>Payment Due Date</b>					15-July-2019

=====TEAR HERE=====

**CHECKS SHOULD BE MADE PAYABLE TO: NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION.  
PLEASE TEAR THE BOTTOM PORTION AND INCLUDE IT ALONG WITH YOUR PAYMENT.**

**Customer #:** 112675  
**Invoice #:** 7773000000151  
**Invoice Date:** 08-May-2019

**Amount Enclosed:** \_\_\_\_\_ **Check Number:** \_\_\_\_

**Bill To:**  
Westchester County  
County Department of Public Works and Transportation  
148 Martine Avenue, 5<sup>th</sup> Floor  
White Plains, NY 10601

**Remit To:**  
NYS Department of Environmental  
Conservation  
Division of Management & Budget, 10th Floor  
625 Broadway  
ALBANY, NY 12233-4900

DEPARTMENT OF FINANCE  
148 MARTINE AVENUE  
WHITE PLAINS NY 10601

VENDOR NO. 994547	09990059	CHECK DATE 06/06/19
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NYS DEPT OF ENVIRONMENTAL CONSERVATION  
21 South Putt Corners Road  
New Paltz NY 12561-1696

PAYMENT VOUCHER (CLAIM) NO.	VENDOR INVOICE NO.	P.O. CONTRACT NO.	DESCRIPTION	AMOUNT
9060600199898	7773000000151		# CO 3-20180308-44	10,000.00

VENDOR NO. 994547	BANK NO. 10	CHECK NO. 9990059	TOTAL: \$10,000.00
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\*\*\*\*10,000.00

DETACH HERE BEFORE CASHING



Westchester County  
Department of Finance  
148 MARTINE AVENUE  
WHITE PLAINS NY 10601

JPMORGAN CHASE BANK N.A.  
SYRACUSE NY

50.937  
213

CHECK DATE	CHECK NUMBER
06/06/19	09990059

VOID AFTER 90 DAYS

CHECK AMOUNT
*****\$10,000.00

ten thousand and 00/100 Dollars

VENDOR NO. 994547	09990059
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COUNTY OF WESTCHESTER  
DISBURSEMENT ACCOUNT

PAY TO THE ORDER OF NYS DEPT OF ENVIRONMENTAL CONSERVATION  
21 South Putt Corners Road  
New Paltz NY 12561-1696

COMMISSIONER OF FINANCE

Westchester  
gov.com

Department of Public Works & Transportation

148 Martine Avenue  
White Plains, New York 10601

New York State Department of Environmental Conservation  
Division of Management & Budget  
625 Broadway, 10<sup>th</sup> Floor  
Albany, NY 12233-4900

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