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Senator Schumer: Fed Up With Navy Slowness



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United States Senator Charles E. Schumer has called on Environmental Protection Agency (EPA) Director Lisa Jackson to have the agency take the lead role for the clean-up of the toxic Bethpage chemical plume that threatens over 20 additional public drinking wells that serve over 250,000 Nassau County residents in the Massapequa, Bethpage, and South Farmingdale Water Districts.

Schumer said the slowness of the response on the part of the Navy to contain and remediate the toxic plume put local projections for contamination at roughly four years, forcing Nassau County water districts to begin considering financing plans for their own, locally-led, clean-up, which is estimated to cost \$250 million and could result in significant rate hikes for rate payers. Schumer said that the Bethpage plume, one of the largest areas of contamination in New York State, requires a unique leadership role from the nation's federal environmental regulator to prompt another federal agency, the U.S. Navy, to act swiftly to contain the plume they left on Long Island decades ago, and pay local ratepayers for treatment systems being built.

"Times up," said Schumer. "We have prodded, cajoled, and pushed both the Navy and Grumman to get serious about this clean-up and move expeditiously before these toxins reach more local wells. If they aren't going to move full steam ahead and get this done before wells are actually contaminated, then the EPA needs to take the lead role and map out an aggressive containment plan. We cannot wait for more wells to be contaminated from industrial pollutions before we act."

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According to estimates provided by local water districts, the cost for treating wells in the path of the approaching plume could cost roughly \$250 million. As it stands, two districts – South Farmingdale and Bethpage – have claims in against the Navy for millions of dollars that have gone unpaid, putting local ratepayers on the hook to clean up the Navy’s mess. In fact, it took almost eight years for South Farmingdale and Bethpage to be reimbursed for previous wellhead treatment they financed.

The current Navy policy at the Bethpage site is wellhead treatment, the process of building expensive pollution treatment systems after wells have already been contaminated, a policy, which Schumer and local water districts oppose for wells not yet contaminated. Schumer said that local water districts should not be forced to wait for the pollution to enter into new wells, only to be delayed reimbursement from the Navy after they locally finance expensive treatment systems.

Schumer is also asking the EPA to press the Navy and Northrop-Grumman to formalize a memo of understanding of financial responsibility for the costs associated with any EPA plan so that upon completion of an EPA-driven plan, cost responsibility is clearly established. Thus far no cost agreement between the two entities exist and only a “handshake agreement” polices this site, a flimsy understanding that the Navy would be responsible for the contamination of water wells outside of the old Navy-Grumman site boundaries. Schumer said that while Northrop-Grumman has spent over \$100 million on site clean-up and containment over the years, the Navy has largely been a slow and weak investor in this massive plume problem.

Schumer has been working to push the Navy to put together a remediation plan and work with local water districts on the issue of cost reimbursement. In September 2010, Schumer convened a meeting between the U.S. Navy, Northrop-Grumman, New York State Department of Environmental Protection (DEC), the EPA, and the local water districts, to push for the Navy and Northrop-Grumman to begin working on proactive and comprehensive clean-up plan for toxic plumes seeping from the former defense manufacturing site. As a direct result of that meeting, two new studies were conducted at the Senator’s request. The first, by the United States Geological Survey (USGS) and the EPA, confirmed that modeling used by the Navy for projecting the path and timeline for seepage for the groundwater plume did not adequately assess potential impacts to public wells. The study reported that the Navy did not properly consider the effects of public-supply pumping, recharge and precipitation rates, and water levels and stream flows, among other things. A second study completed in June by an independent team of scientists concluded that the site needed more aggressive monitoring wells and an immediate feasibility study of containing the plume’s southerly migration. While meetings between the water districts, the DEC, Navy, and Northrop-Grumman have been ongoing, a final plume containment plan has yet to be formalized to remediate the plume before it affects additional wells and no formal agreement exists between the Navy and Northrop Grumman over cost responsibilities.

Schumer said that the unique situation facing these water districts requires a strongly enhanced EPA role. The EPA has done this on occasion before. One notable example was its involvement in Vieques, Puerto Rico. Vieques was once home to a large Navy installation, a training area that was home for the United States Atlantic Fleet Forces. A long legacy of contamination and pollution required an EPA-led remediation effort to force the Navy to properly clean up the environmental mess they left behind.

The Massapequa Water District anticipates that contamination of over 20 additional wells could occur as soon as in four years. Schumer raised concerns that the Navy would drag out the implementation of a remediation process until such time as the wells are struck, forcing local water districts to finance treatment themselves and then making them battle for reimbursement after the fact.

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“I am increasingly concerned that the intent here is to delay action until local water districts are forced to finance treatments at contaminated wells, forcing them to fight the Navy for reimbursement after the fact,” continued Schumer.

“I am going to do everything I can to ensure that doesn’t happen, which is why we need an aggressive federal regulator leading this process to get the clean-up moving immediately, before local wells are contaminated and local taxpayers have to pick up the cost of someone else’s mess.”

EPA leadership of the clean-up would require a unique arrangement requiring partnership with the New York State DEC. But Schumer feels strongly that without strong enforcement from the EPA, taxpayers may wind up financing the clean-up through significant water rate hikes. The EPA should work with all the parties involved to force a Navy-financed containment plan be implemented over the next few years, Schumer said. Schumer also demanded that the EPA compel the Navy to promptly reimburse districts with claims in against the federal government.

The United States Navy operated a Naval Weapons Industrial Reserve Plant in Bethpage for several decades beginning in the late 1930s. The old Navy facility was located on 635 acres in Bethpage where former defense manufacturing activities resulted in the contamination of soil and groundwater with industrial solvents including trichloroethylene, tetrachloroethylene, dichloroethylene and vinyl chloride. In 1976, contamination concerns were first identified when on-site wells were detected to contain volatile organic compounds.

An off-site plume of groundwater contamination was identified last year flowing south toward the Massapequa Water District. The plume is approximately two miles long and five miles wide, according to estimates by local water districts and environmental consultants. Additionally, a groundwater contamination plume has also been identified coming from the Bethpage Community Park site. DEC originally projected that certain wells in the Massapequa Water District would not be impacted for several years; however, local water districts have said that groundwater sampling in the vicinity of these supply wells has revealed that the plume could hit within four years.

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