



DEPARTMENT OF THE NAVY

NORTHERN DIVISION

NAVAL FACILITIES ENGINEERING COMMAND

10 INDUSTRIAL HIGHWAY

MAIL STOP, #82

LESTER, PA 19113-2080

~~11011~~  
8

IN REPLY REFER TO  
11011  
Code 241GD

20 MAR 1999

Mr. Michael Cholowsky  
c/c Mr. Richard Scheyer  
Scheyer & Jellenik  
227 Middle Country Road  
Smithtown, NY 11787

Dear Mr. Cholowsky:

The Department of the Navy, acting through the Northern Division, Naval Facilities Engineering Command, (Northern Division, NAVFACENGCOM), requests permission to locate temporary monitoring wells on premises owned by Mr. Michael Cholowsky, known as Section 076, Block 0002, Lot 006 as shown on the Official tax map of the Township of Riverhead, Suffolk County, New York (herein the Property).

Northern Division, NAVFACENGCOM has conducted a thorough investigation of on-site contamination resulting from operations of the Department of the Navy formerly conducted at Naval Weapons Industrial Reserve Plant. Available data indicates that groundwater with low levels of contamination has migrated off-site.

Northern Division, NAVFACENGCOM has been requested by the New York State Department of Environmental Conservation (NYSDEC), U.S. EPA Region II, and Suffolk County Department of Health Services (SCDHS) to perform an offsite investigation to determine the nature and extent of the contamination that is emanating from the Navy's property at the Calverton facility. To this end, Northern Division, NAVFACENGCOM has developed a workplan to address this issue. For your information, the workplan is on file at the reference desk of the Riverhead Free Library in Riverhead, New York. This plan has been reviewed by the above regulatory agencies and the Navy did not receive any adverse comments relating to the offsite portion of the workplan. Access to your property is required in order to allow the Navy to begin implementation of the offsite workplan. Initially, the work will entail the installation of a series of temporary monitoring wells. The wells are installed by using an auger mounted on the back of a drilling rig and a hole advanced into the ground to various depths. A water-sample is then taken from the well and will be sent to a laboratory for analysis. This hole is then backfilled and the sod replaced so as to return the site to its original condition. Based on the results of the sample taken, additional

temporary wells may need to be installed. All potential locations are shown on the attached site map.

After the Navy has received all of the temporary well results, the Navy, in consultation with the above regulatory agencies, will determine the need for placement of permanent monitoring wells. At this time, additional permission will be required to again gain access to your property to install the permanent wells. The length of time that these wells will be required to be in place on your property is not known at this time.

Northern Division, NAVFACENCOM represents that it will obtain all applicable permits required to install the monitoring wells. Northern Division, NAVFACENCOM represents that it will comply with all applicable federal, state and local law. Northern Division, NAVFACENCOM agrees that it will provide to Mr. Michael Cholowsky a schedule of all work. Mr. Cholowsky shall have the right to inspect all of the sites used by Northern Division, NAVFACENCOM. The right of Northern Division, NAVFACENCOM to use the Property shall not be exclusive. In the event Northern Division, NAVFACENCOM seeks to expand its use of the Property, it will obtain the advance written consent of Mr. Michael Cholowsky.

Northern Division, NAVFACENCOM guarantees that when the wells are removed, it will restore the Property to its original condition. In connection with the closing and removal of the wells, Northern Division, NAVFACENCOM agrees that it will comply with all applicable federal, state and local law. Northern Division, NAVFACENCOM agrees to provide Mr. Michael Cholowsky with copies of all final reports, sampling and analytical results.

ⓧ In the event Northern Division, NAVFACENCOM determines that further remedial action is necessary or the groundwater beneath your land has been contaminated as a result of actions of the Department of the Navy or other users of the Northern Division, NAVFACENCOM, Northern Division, NAVFACENCOM will expeditiously recommend that all appropriate actions be taken by the Department of the Navy to comply with EPA and NYDEC requirements. This authority by Mr. Michael Cholowsky is without prejudice and shall not waive any right of Mr. Michael Cholowsky against any entity who may have caused contaminants to be located on or under his property. N.Y. DEC

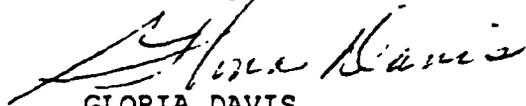
Attached hereto and made a part hereof is the following enclosure:

Enclosure (1) - Diagram of wells placement proposed to be on Mr. Michael Cholowsky property.

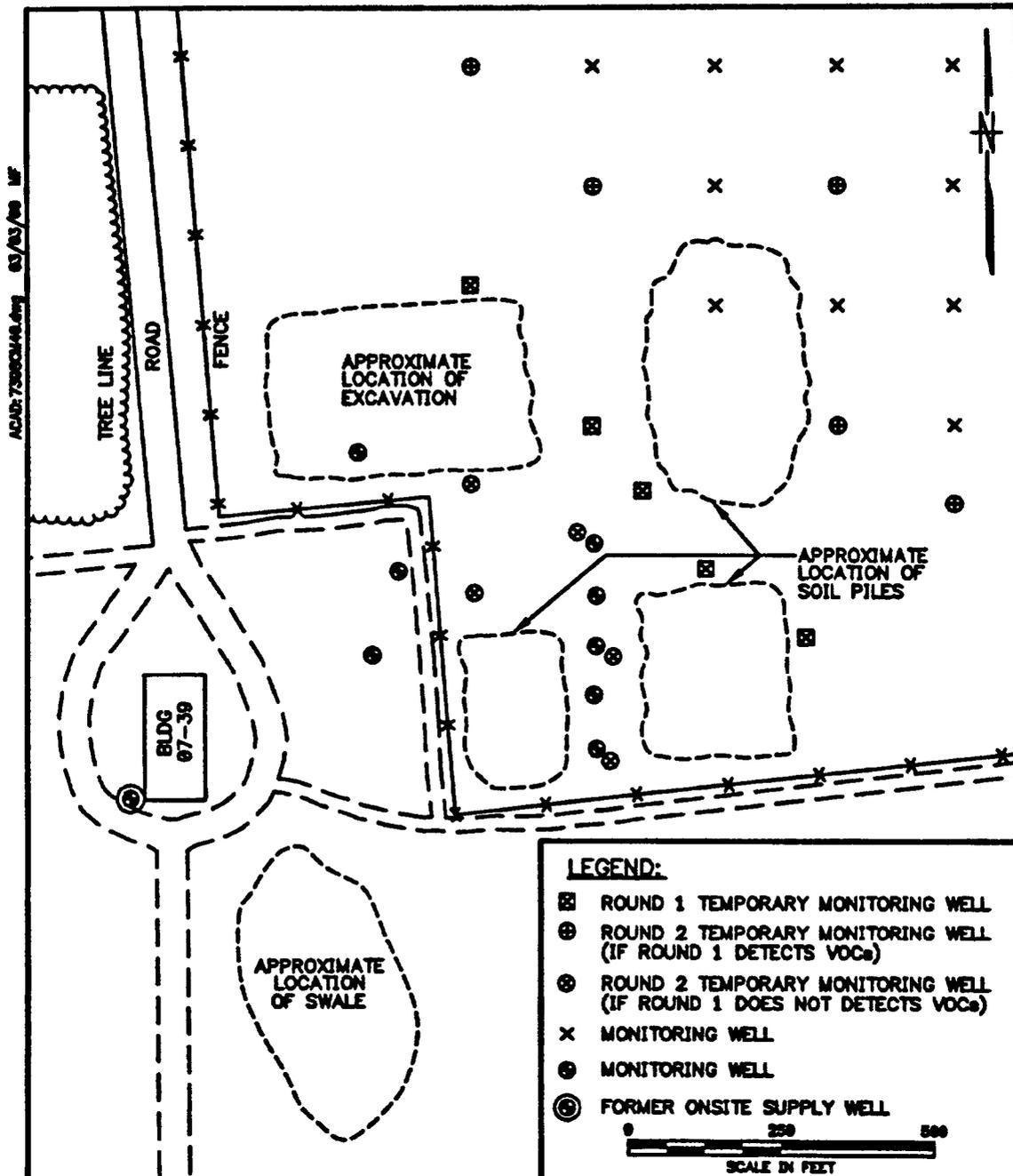
NAVFACENGCOM will cause all of its agents and designee, to provide certificates of insurance to Mr. Michael Cholowsky for workers' compensation insurance and general liability in a form reasonably satisfactory to Mr. Michael Cholowsky.

The NAVY agrees to be responsible for all damages to persons or property in accordance with the procedures and limitations of applicable environmental laws and the Federal tort claims Act (28 U.S.C. Section 2671 et. seq.).

Sincerely,

A handwritten signature in cursive script, appearing to read "Gloria Davis".

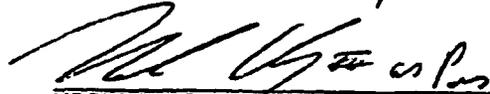
GLORIA DAVIS  
Realty Specialist  
Real Estate Division  
Real Estate Contracting Officer



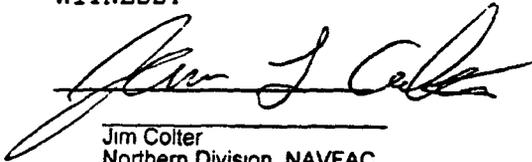
DRAWN BY <b>MF</b>	DATE <b>2/3/00</b>	<b>Tetra Tech NUS, Inc.</b>	CONTRACT NO. <b>7398</b>	OWNER NO. <b>0270</b>
CHECKED BY	DATE		APPROVED BY	DATE
COST/SCHED-AREA	<b>PHASE 2 - RFT SAMPLING LOCATIONS          SITE 9 - ECM AREA          NWIRP, CALVERTON, NEW YORK</b>		APPROVED BY	DATE
SCALE <b>AS NOTED</b>			DRAWING NO. <b>FIGURE 1</b>	REV. <b>0</b>

In accordance with and subject to the foregoing, I authorize the Department of the Navy (Northern Division, NAVFACENGCOM), including its agents or designee, the right of ingress, egress and regress upon the property as aforementioned expressly for those purposes set forth in this letter.

In Witness Whereof, Mr. Michael Cholowsky has caused these presents to be executed in their name and on their behalf, and affixed their seal hereto, this 17<sup>th</sup> DAY of February, ~~1998~~ 2000

  
MICHAEL CHOLOWSKY

WITNESS:



Jim Colter  
Northern Division, NAVFAC  
Remedial Project Manager  
Phone (610) 595-0567, ext 163  
Fax (610) 595-0555  
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