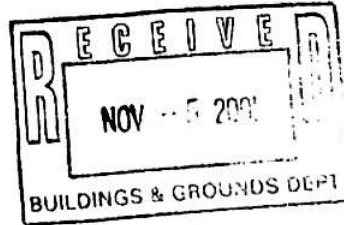


COUNTY OF SUFFOLK



ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE



DEPARTMENT OF HEALTH SERVICES

October 30, 2001

CLARE B. BRADLEY, M.D., M.P.H.
COMMISSIONER

CERTIFIED MAIL R.R.R.
7000 1670 0005 1459 4728

Mr. Tony Resca
Northport-East Northport School District
110 Elwood Road
East Northport, NY 11731

Re: Northport Middle School, Middleville Road, Northport

Dear Mr. Resca,

This letter is to advise you that on September 18, 2001, samples were taken from the leaching pool recving flow from the science rooms at the above referenced facility. Review of the laboratory analyses found the following compounds at concentrations indicative of unpermitted discharges of toxic or hazardous materials:

Sample #007-376-01-09-18 (Liquid)

Aluminum	6.44 ppm	Barium	31. ppm
Cadmium	.03 ppm	Chromium	2.39 ppm
Copper	13.6 ppm	Lead	11.4 ppm
Silver	.33 ppm	Mercury	1.2 ppm

Sample #008-376-01-09-18 (Sludge)

Lead 1500 ppm

ppm = parts per million

These metals are considered toxic or hazardous and are not to be discharged to the ground, sanitary system, storm drains, or other leaching system. The discharge of any liquid from an industrial process without having first obtained a SPDES permit for that discharge is a violation of the New York State Environmental Conservation Law and Article 12 of the Suffolk County Sanitary Code, which was promulgated to protect the groundwater.

Due to the elevated levels found, YOU ARE DIRECTED to have all contaminated solids/sludge and liquids pumped from this leaching pool and all other leaching pools and/or septic tanks connected to it before December 14, 2001. The requirement to remediate specific structures in the system may be waived if samples from the structures demonstrate that the concentrations of contaminants do not exceed the department's clean up objectives. To make this

determination, samples of both the liquid portion and the bottom sediment must be collected and from each location and analyzed using EPA Method 8240 or 8260 and total heavy metals by acid digestion. The analyses must include all the Suffolk County parameters listed in the attached Tables 1 and 2. The analysis reports must then be submitted to my attention for review. Be advised that under the Suffolk County Sanitary Code, you may be subject to the imposition of a civil penalty of up to \$500.00 for each day that these contaminants are allowed to leach out from the subsurface collection system. Immediate action is, therefore, expected and it is further expected that the additional sampling will be done before the date given above.

At the above concentrations, the liquid portion may be acceptable at the Bergen Point Sewage Treatment Facility. Contact Robert Falk at 852-4107 for approval prior to pumping this material. If the liquid is not acceptable to the Dept. of Public Works, it must be removed and disposed of by a licensed industrial waste hauler along with the sludge. Kindly notify this office five working days in advance of the scheduled clean-up date so that one of our representatives may be present. In addition, high pressure washing or scraping of the interior walls is required to eliminate any residual contamination. End point samples will be required to determine the adequacy of the remediation. Your contractor must be prepared to collect the samples and have them analyzed by a New York State approved laboratory for the Suffolk County parameter list unless other arrangements are made with this department in advance. The department reserves the right to split samples as deemed necessary.

Be advised that aeration and/or chemical treatment of any subsurface leaching system to enhance the leachability of hazardous material is not only a separate and distinct violation of Article 12 of the Suffolk County Sanitary Code, but is considered a willful violation of the code which carries criminal penalties as well as administrative fines.

Performing onsite cleanup activities such as pumping pools, drumming wastes or excavating soils requires no state or county certification. However, all transportation of industrial wastes for offsite disposal must be done by State licensed scavengers. A partial listing of State approved industrial waste haulers is enclosed for your use. For a complete and up-to-date list of licensed scavengers you should contact the Division of Regulatory Affairs, Waste Transporter Section of the New York State Department of Environmental Conservation at 518-457-3254.

The hiring of a cesspool pumping service which is not licensed to haul toxic industrial waste is a violation of state and county law and may subject both you and the non-licensed hauler to civil liabilities (fines). It is your responsibility to determine if the scavenger is licensed to haul industrial waste. Since the work may require a Federal Industrial Waste Generator's Permit, you should contact Mr. Jack Hoyt of the USEPA, RCRA Programs, at 212-637-4106 and request form #8700-12. This will expedite your request so that the remediation can be executed within the time frame allotted. Please be advised that samples for waste characterization may be required. These must be collected and analyzed prior to removing the material from the site.

Fees for the removal of toxic materials may vary between contractors. Therefore, you may wish to secure written estimates for the remediation. This, however, is not to be construed that the department will accept delays in this matter. In addition, it is expected that a thorough evaluation of your company's waste disposal practices be implemented without delay to ensure that unpermitted discharges of your generated industrial waste cease immediately.

Failure to comply with the directives set forth in this letter by December 14, 2001 will result in this matter being scheduled for a formal administrative hearing at which time the department will be seeking the imposition of the maximum penalties of \$500.00 per day for each and every violation of the Suffolk County Sanitary Code including, but not limited to, failure to comply with the directives set forth in this letter. It is in your best interest to implement the remediation process outlined above.

If you have any questions concerning these matters, feel free to contact me at 631-854-2533.

Sincerely,



Walter T. Petrule
Senior Public Health Sanitarian
Bureau of Environmental Evaluation and Remediation

cc: NYSDEC