

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Violations of Article 17 of
the Environmental Conservation Law and
Title 6 of the Official Compilation Of Codes,
Rules and Regulations of the State of New York

MODIFICATION OF ORDER ON CONSENT

- by -

DEC File No. R4-2007-0920-123

Greenville Center Associates, LLC

Respondent

WHEREAS:

1. New York State and the Department of Environmental Conservation have jurisdiction to protect the waters of the State pursuant to Environmental Conservation Law ("ECL") Article 17 and the State Pollutant Discharge Elimination System (SPDES") permit program and applicable regulations.
2. Respondent, Greenville Center Associates, LLC, 234 Closter Dock Road, Closter, New Jersey is the owner of Bryant's Country Square Shopping Center, Route 32, Greenville, New York.
3. Country Estates Laundromat is a tenant-operated facility located within the Bryant's Country Square Shopping Center, Route 32, Greenville, New York. The laundromat has an on-site wastewater treatment system consisting of a lagoon and open sand filters.
4. Respondent is subject to Order on Consent R4-2007-0920-123 (effective October 17, 2007) ("Order"), which contains a Schedule of Compliance.
5. Respondent has requested a revision to the Order's Schedule of Compliance allowing for the permanent decommissioning of the on-site wastewater treatment system. The Department finds good cause for agreeing to the revision.
6. Respondent has affirmatively waived its right to a hearing in the manner provided by law and has consented to the issuing of this Modification and has agreed to be bound by the terms, provisions, and conditions contained herein.

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

I. Respondent shall comply with the Modification's Schedule of Compliance which is incorporated and made part of the terms, provisions, and conditions of this Modification and which supercedes the Order's Schedule of Compliance.

II. The effective date of this Modification shall be the date it is signed by the Department.

III. All terms, provisions, and conditions of the Order remain in effect unless expressly modified in this Modification.

DATED: _____, 2008
Rotterdam, New York

Alexander B. Grannis
Commissioner
New York State Department of
Environmental Conservation

BY:

Eugene J. Kelly
Regional Director
Region 4

CONSENT BY RESPONDENT
Greenville Center Associates, LLC

Respondent hereby consents to the issuing and entering of this Order, waives its right to a hearing herein, and agrees to be bound by the provisions, terms and conditions contained herein.

BY: _____

TITLE: _____

DATE: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF)

On the ___ day of _____ in the year ____ before me, the undersigned, a Notary Public in and for the State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
Qualified in the County of:
My Commission Expires:

SCHEDULE OF COMPLIANCE

1. On or before November 1, 2008 Respondent shall cease all discharges to the on-site wastewater treatment system and shall relinquish its SPDES permit to the Department.
2. Respondent shall submit for Department review and approval, closure plans developed in accordance with 6 NYCRR Part 750-2.11 for the permanent decommissioning of the on-site wastewater treatment system. Respondent shall complete the closure of the on-site wastewater treatment system no later than December 31, 2008.
3. Respondent shall prepare and submit to the Department a construction report which documents all related closure activities including as-built diagrams and disposal records on or before February 28, 2009.