



GOVERNOR
KATHY HOCHUL

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Governor Hochul and Attorney General James Announce Formal Filing of Binding Consent Decree to Further Advance Full Containment of Navy-Grumman Plume

ENVIRONMENT



(/KEYWORDS/ENVIRONMENT)

Northrop Grumman and U.S. Navy Both Formally Committed to Implement Historic Cleanup that Prevents Further Spread of Contamination

Northrop Grumman Agrees to \$104.4 Million Natural Resource Damages Settlement to Advance Cleanup, Public Water Supply, and Aquifer Protection Projects

Work Already Underway to Protect and Restore Long Island's Sole Source Aquifer

Governor Kathy Hochul and Attorney General Letitia James today announced the filing of a consent decree with the court that formally requires Northrop Grumman to advance a comprehensive plan to contain and clean up the groundwater plume associated with the Northrop Grumman Bethpage Facility and Naval Weapons Industrial Reserve Plant sites in Bethpage. The full containment of this groundwater plume will prevent the further spread of contamination to water supplies in neighboring communities and provide peace of mind to local residents.

"Every New Yorker deserves access to safe, clean water, and we will continue to advance bold, aggressive efforts to protect our environment and ensure it is free of contamination," **Governor Hochul said**. "With this historic agreement, we are delivering justice to Long Island communities that for too long have been negatively impacted by the groundwater plume, while holding polluters accountable for their actions. Ensuring the health and safety of our communities is among our highest priorities in this state, and we will continue to make sure there is a reliable, clean water source for all New Yorkers for generations to come."

Attorney General Letitia James said, "For decades, Northrop Grumman knew its hazardous waste disposal sites leaked toxic substances into the only source of drinking water on Long Island, but for decades, Northrop Grumman denied responsibility. Long Islanders have paid the price for the company's negligence but today, we're finally forcing Grumman to address its environmental abuse by paying the municipalities and the state that had to clean up its mess. In the face the Supreme Court's irresponsible decision to restrict the EPA's ability to regulate companies for their dirty emissions, I am more committed than ever to mitigating the damage done by corporations like Northrop Grumman. I will continue to work with my partners in government to ensure that no one gets away with degrading our environment, our natural resources, and our children's futures."

"This consent decree is a necessary measure to ensure the safety of our environment and drinking water in the area of the Northrop Grumman facility," **said Lieutenant Governor Antonio Delgado**. "It is incumbent upon us to ensure that our children will have a safe environment in which to grow and thrive and this measure will bring that comfort and peace of mind to the Bethpage community."

The final decree reflects the agreement between New York State and Northrop Grumman memorializing the scope of Grumman's cleanup and resolving reimbursement of State costs and Northrop Grumman's liability for Natural Resource Damages (NRD). The agreement also provides for a more robust citizen participation program, including

funding by Grumman for a citizen participation working group that will enable all interested stakeholders to have better access to information and provide further input about the company's cleanup as overseen by DEC. For the first time the decree includes a schedule, which ends five years from the effective date of the decree once enacted by the court and requires Grumman to complete all construction documented in the agreement. It also reflects input received from communities during a public comment period on the draft consent decree by directing additional NRD payments by Northrop Grumman to the affected water districts and explicitly preserving the town of Oyster Bay's right to bring claims against the responsible parties.

As announced previously, Northrop Grumman agreed to a NRD settlement valued at \$104.4 million that will be used to advance cleanup, public water supply, and aquifer protection projects associated with the plume. A total of \$63.5 million in payments is included in the NRD, consisting of \$29 million dedicated to the Bethpage Water District, \$12.5 million dedicated to the South Farmingdale Water District, and \$22 million dedicated to New York State for use on restoration projects. As part of the Consent Decree, Northrop Grumman was credited for \$40.9 million for additional cleanup to be undertaken per the settlement agreement.

The consent decree commits Northrop Grumman to containing the eastern and southern edges of the plume, with enhanced contaminant removal in the central portion of the plume. Specifically, Northrop Grumman is designing and drilling containment wells in the east-central and southeast area of the plume to prevent further migration in that area and provide additional protection to nearby public water supply wells. These wells, along with other actions required under the consent decree, will help clean-up volatile organic compounds and hazardous substances released by these facilities, which include Trichloroethylene and 1,4-Dioxane.

Expedited work advanced by the finalization of the Consent Decree includes Northrop Grumman's launch of a preliminary investigation of the southeast quadrant of the plume. This investigation includes drilling of borings this summer to expedite installation of extraction wells.

In addition, the U.S. Navy, after negotiations with DEC, will implement elements of the comprehensive remedy in areas of the plume the Navy is responsible for cleaning up. These actions are specifically designed to address the western half of the Navy-Grumman plume. The U.S. Navy will perform its obligations in accordance with an Explanation of Significant Differences, which was finalized in September 2021.

Together, these actions and the Navy's work in the interior and margins of the plume will achieve containment and expedite cleanup of the plume. Furthermore, all parties have agreed to carefully monitor containment and movement of the plume to ensure the continued effectiveness of the remedy and to make any adjustments, within the scope of the agreements, necessary to achieve the objectives of the cleanup plan.

Since 2020, the U.S. Navy and Northrop Grumman have already made significant progress in implementing the required remedy, including starting installation of a network of extraction wells to hydraulically contain and remediate the contaminated plume. For instance, the Navy began construction of a state-of-the-art groundwater treatment plant that is expected to begin operating later this year, installed four of the required six extraction wells, began installing conveyance piping from extraction wells to the treatment plant, and rehabilitated two recharge basins for managing the treated water, among other ongoing work.

As part of a groundwater extraction and treatment system to address contamination south of the Bethpage Community Park, Grumman also began construction of a new groundwater treatment plant that is expected to begin operating by the end of summer 2022, completed the installation of 11,000 feet of conveyance piping, and began outfitting three extraction wells. Both Northrop Grumman and the Navy also continue to operate three existing groundwater extraction and treatment systems to effectively remove contamination from Long Island's sole source aquifer (greater than 200,000 pounds since the first system came on-line in 1998). Work on the remaining requirements is ongoing and will be closely overseen by DEC.

In addition to the U.S. Navy and Northrop Grumman's actions to implement the cleanup, New York State is pursuing additional potentially responsible parties to undertake needed efforts in areas that are not currently attributable to the U.S. Navy and Grumman. If DEC is unable to identify potential responsible parties to remediate these areas, New York State will undertake any necessary cleanup.

Additional information about the Navy-Grumman cleanup can be found [here](https://www.dec.ny.gov/chemical/35727.html) (<https://www.dec.ny.gov/chemical/35727.html>)

Department of Environmental Conservation Commissioner Basil Seggosaid, "With this decree, New York State is realizing our commitment to hold polluters accountable and protect communities impacted by decades of contamination caused by Northrop Grumman and the U.S. Navy operations. The Department of Environmental Conservation received valuable input on this decree from residents and local leaders and will continue to work closely with the public as this complex and effective cleanup

is fully implemented to ensure full containment for the protection of public health and the environment."

Senator Chuck Schumer said, "After years of advocacy in partnership with Long Island communities and New York State, this welcome final consent decree commits Grumman and the Navy to robust cleanup, and ensures that much-needed funds flow to New York and the local water districts on the front lines of this battle. I will continue fighting with Governor Hochul and Attorney General James to protect residents' drinking water and to ensure the Navy and Grumman do all that is needed to finally clean up the plume."

State Senator Todd Kaminsky said, "Long Island's aquifers are an integral part of what makes Long Island special. With this finalized decree, the state is taking critical steps to hold those who pollute our water accountable, ensuring we can provide clean, safe drinking water for future generations. I thank Governor Hochul for her leadership in helping protect our communities."

State Senator Kevin Thomas said, "The cleanup of the Grumman Plume has been a priority of mine since I took office. I applaud Governor Hochul and Attorney General James for finalizing an agreement with Northrop Grumman that was developed with community input and interests in mind - while protecting Long Island taxpayers. Securing this needed funding is a landmark victory for Long Islanders, as it will be used to support the local water districts and their ongoing commitment to protecting our clean water."

State Senator John Brooks said, "The Bethpage Plume has been a blight on Long Island for far too many years without a viable solution. By brokering this containment agreement with Northrop Grumman, Governor Hochul and Attorney General James have seemingly accomplished what no one else has been able to; a comprehensive plan to contain and clean the contaminated groundwater and further enhance the health and safety of those affected. As the plume is of utmost importance to my constituency and a priority of mine as we move forward, I applaud Governor Hochul and AG James for their leadership on this important issue."

State Senator Jim Gaughran said, "I want to thank Governor Hochul and Attorney General James for their relentless work to force Northrop Grumman to clean up the damage they caused to our aquifer. This is a huge day for our environment, our drinking water and our Island's future."

State Senator Anna M. Kaplan said, "every community on Long Island is threatened by the existence of groundwater pollution in any community, and it's imperative that we do everything we can to clean up the mess from our industrial past, while holding polluters accountable for what they've left behind. I'm grateful that Governor Hochul is addressing the massive Grumman plume with a thorough and complete plan for remediation to protect Long Island taxpayers, and I'm proud to stand with her on continued efforts to protect drinking water on Long Island."

Assemblymember Steve Englebright said, "Today's announcement is a historic step in rectifying the environmental injustices resulting from the Bethpage Plume. As the sole source of drinking water for our residents, we must hold those who pollute it responsible. I applaud the Governor and the Attorney General for bringing this action over the finish line"

Assemblymember David G. McDonough said, "I support the Governor and Attorney General for this action which is so necessary to protect the environment and specifically our water supply on Long Island."

Assemblymember John Mikulin said, "As a state legislator, I have been a tireless supporter of efforts to protect our water supply and hold polluters responsible for the cost of remediating Grumman plume contamination. Today's Consent Decree is an important step in holding Grumman financially accountable for past pollution of our groundwater supply. I am also focused on the work still to be done, and I am eager to continue working with state and local officials to ensure a healthy environment for neighbors who live in and around the plume area."

Assemblymember Michael Durso said, "I applaud the Consent Decree that holds Grumman accountable for polluting our groundwater, and thank my predecessor, Oyster Bay Town Supervisor Joseph Saladino, for his work in the State Assembly that led to this achievement. As Assemblymember, I look forward to continuing a strong, collaborative partnership with Governor Hochul, the DEC, Town of Oyster Bay and local water districts, in protecting the environment and water supply for Bethpage and the surrounding communities."

Oyster Bay Town Supervisor Joseph Saladino said, "The legislation I authored in the State Assembly has reached a new milestone with today's Consent Decree that holds Grumman financially accountable for pollution of the past. While there is much work still to be done, I'm proud that our collective efforts - Governor Hochul, the DEC, Town of Oyster Bay and local water districts - are protecting Bethpage and surrounding

communities from the plume and its threat to our community, the environment and water supply."

Bethpage Water District Superintendent Michael J. Boufis said, "Today's filing marks the end of one long chapter, and the beginning of a new one, for the Bethpage community. On behalf of the Bethpage Water District, I would like to thank everyone who engaged in this process and helped get us here. I would like to personally thank Commissioner Seggos and Deputy Commissioner Brand for their unwavering support. Whether it be historic contamination, or new emerging threats, Bethpage Water District will always stand up for our community, our customers, and the quality of our drinking water."

Kevin Reilly, Superintendent of Massapequa Water District, said, "We are pleased Northrop Grumman has agreed to the amended Record of Decision that will contain the advancement of the plume and protect the public drinking water source. We appreciate the DEC's efforts in carrying this project out."

Contact the Governor's Press Office

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