

COPY

SUFFOLK COUNTY CONSENT ORDER

COMPANY NAME	Shorewood Packaging Corporation
COMPANY ADDRESS	55 Engineers Lane Farmingdale, NY
CONSENT ORDER # AND DATE (Proposed)	IW89-95 November 1, 1989
CONTACT NAME AT COMPANY	
TITLE	
PHONE NUMBER	
DATE(S) OF VIOLATION(S)	October 27, 1988
HISTORY OF INSPECTIONS	Failure to properly abandon one concrete in-ground holding tank
HISTORY OF OPERATIONS	
TYPE(S) OF INCIDENTS	Improper abandonment and failure of a concrete industrial waste underground storage tank
WATER QUALITY PROBLEMS	Numerous organic compounds at very high levels
LOCATION OF SOURCES	Abandoned underground storage tank at eastern portion of north side of building known as 33, 43, and 55 Engineers Lane, Farmingdale

SPECIFIC TERMS OF CONSENT ORDER

DATE TO CONTRACT FOR PROPER ABANDONMENT OF TANK	November 30, 1989 **
DATE TO COMPLETE ABANDONMENT	December 15, 1989 **
DATE PUMPOUT COMPLETED	February 5, 1990
DATE ABANDONMENT COMPLETED	Approved for in-place per Alex Santino March 14, 1990
NAME OF G.W. CONSULTANT ADDRESS	Fanning, Phillips, & Molnar 909 Marconi Avenue Ronkonkoma, NY 11779
CONTACT PERSON PHONE NUMBER	Kevin J. Phillips (516) 737-6200
TIME FRAME FOR G.W. WORK PLAN PROPOSAL (DUE DATE) per A. Santino 3/14/90	November 30, 1989 ** April 15, 1990
DATE REPORT OF PRELIMINARY INVESTIGATION SUBMITTED	February 5, 1990
DATE REVIEW COMMENTS ARE COMPLETE NAME OF REVIEWER	February 14, 1990 Alex Santino
DATE OF REQUEST TO RECONSIDER ABANDONMENT IN PLACE	March 7, 1990
DATE OF REVIEW NAME OF REVIEWER	March 14, 1990 Alex Santino
DATE GEOHYDROLOGIC INVESTIGATION & WORK PLAN SUBMITTED	April 16, 1990
DATE FOLLOW-UP GEOHYDROLOGIC INVESTIGATION SUBMITTED	October 31, 1990
DATE BORING AND WELL SAMPLING DUE	April 15, 1990 **
DATE DRAFT REPORT OF MONITORING DUE	June 14, 1990 **
DATE REPORT OF MONITORING SUBMITTED	October 31, 1990
DATE SOIL REMEDIATION PLAN SUBMITTED	February 1, 1991
DATE SOIL MEDIATION PLAN APPROVED NAME OF REVIEWER	February 14, 1991 Steven Cary
DATE FIELD WORK BEGINS	

DATE OF SAMPLE SPLITS

February 26, 1991

DATE OF CORR. MODIFYING WORK PLAN

DATE GROUNDWATER INVEST. IS DUE

DATE G.W. IS RECEIVED

DATE OF G.W. REVIEW  
NAME OF REVIEWER

DATE OF ADDITIONAL FIELD WORK

DATE MODIFIED REPORT IS DUE

DATE MOD. REPORT IS RECEIVED

DATE REVIEWED  
REVIEWER NAME

DATE APPROVED

NAME OF PERSON SIGNING OFF FOR CONSENT ORDER

\*\* (from consent order)

7/24/91

COPY

COUNTY OF SUFFOLK  
DEPARTMENT OF HEALTH SERVICES

..... X

In the Matter of the Alleged Violation of  
Article 12 of the Suffolk County Sanitary  
Code, by

Shorewood Packaging Corporation  
55 Engineer's Lane  
Farmingdale, New York 11735

Respondent.

..... X

Order on Consent  
No. 1W89-95

Date: 11/1/89

JUL 20 1999

GENERAL PROVISIONS

This department alleges that the above-named Respondent has failed to comply with the provisions of the Suffolk County Sanitary Code as specified below. Because of such alleged non-compliance, the above-named Respondent consents and agrees to the issuance of this Order on Consent and agrees to be bound by the terms, provisions and conditions stated herein.

Respondent understands that by entering into this Order on Consent with the department, it is affirmatively and voluntarily waiving its right to a formal adjudicatory proceeding with respect to the matters herein addressed. Although the department will not pursue further enforcement action with respect to the specific alleged violations of law set forth below if the above-named Respondent enters into this Order on Consent and abides by its terms, Respondent understands that the department is not agreeing to forbearance from pursuing enforcement action regarding alleged violations not addressed by this Order on Consent. Moreover, Respondent understands that notwithstanding its execution of this Order on Consent, its failure to strictly comply with all of the terms, provisions and conditions herein contained will revive the department's rights regarding the violations alleged as set forth below subject to a set-off for any penalties already paid pursuant to this Order on Consent. Furthermore, Respondent is hereby advised that this Order on Consent, duly executed by Respondent's agent and the Commissioner or its duly authorized representative, has the force and effect of a Commissioner's Order, the violation of which is subject to penalties as provided in Section 760-218 of Article 2 of the Suffolk County Sanitary Code. Further, the department recognizes that there is no admission of fault or guilt by Respondent concerning violations alleged in this Order on Consent.

A modification of any of the provisions of this Order on Consent may be obtained by a timely written request demonstrating good and sufficient cause for the change or extension requested. No modification of this Order on Consent shall be effective unless and until it is specifically set forth in writing by the department.

Shorewood Packaging Corporation  
Order on Consent No. 1W 89-95

SPECIFICATION OF ALLEGED VIOLATIONS

It is alleged that Respondent, above-named failed to comply with the following provisions of the Suffolk County Sanitary Code as indicated below:

As of August 9, 1989, your firm has failed to properly abandon one concrete in ground holding tank located at your facility at 55 Engineers Lane, Farmingdale, as directed in a letter from the Department dated October 27, 1988, in violation of Section 760-1210 of Article 12 of the Suffolk County Sanitary Code.

SPECIFIC TERMS AND CONDITIONS

In satisfaction of the above-named Respondent's alleged violations of the Suffolk County Sanitary Code, Respondent agrees to the entering and issuance of this Order of the Commissioner of the Department of Health Services, and Respondent agrees to be bound by the terms and conditions following, as well as by the above General Provisions:

A. TANK ABANDONMENT

1. By November 30, 1989, Respondent shall submit to this department evidence in the form of a contract that a certified contractor has been hired to properly abandon the tank listed above.
2. Respondent shall properly abandon by removing the tank listed above, unless another method of abandonment is approved, in writing, by the Department. Respondent will complete this requirement by December 15, 1989.
3. Respondent shall notify the Department at least two work days (Monday through Friday) in advance of removal of the tank or other Department approved method of abandonment as a representative of the Department must be present.

B. SITE REMEDIATION / GROUNDWATER STUDY

1. By November 30, 1989, Respondent shall submit a written proposal to the Department for determining the extent of soil and groundwater contamination existing at 55 Engineers Lane, Farmingdale, New York (hereinafter referred to as "the site").

2. The above proposal shall provide for soil borings and the installation of groundwater monitoring wells. The wells shall be installed so as to intersect the groundwater and allow sampling of same by Respondent for organic solvents and metals specified by the Department. The Department shall have the opportunity to obtain split samples for any samples collected by Respondent.
3. If the Department declines to approve the proposal referred to in Item #B1 above, Respondent shall revise and resubmit the proposal, in approvable form, within thirty (30) days of notification to do so. Any such notification shall specifically set forth the Department's reasons for declining to approve the proposal and shall include those steps the Department considers necessary to render the proposal approvable.
4. Within sixty (60) days of the Department's written approval of the aforementioned proposal, all soil borings are to be completed and the groundwater monitoring wells are to be installed in accordance with the proposal under inspection of a New York State licensed professional engineer who shall certify to the department that the work is in full conformance with the approved proposal. Soil boring samples and groundwater samples are to be analyzed for organic solvents and metals by a New York State certified laboratory.
5. Within one hundred twenty (120) days of Department's written approval of Respondent's proposal, Respondent shall have submitted a draft of its final report for Department review and approval which discusses the extent of soil and groundwater contamination at the site, and defines the vertical and horizontal extent of the plume including its chemical constituents.
6. The report referred to in Item #B5 above shall contain all laboratory analyses results of soil boring samples and water samples taken from the monitoring wells, and the absolute groundwater elevation above mean sea level of each well. Soil boring samples and groundwater samples from these wells shall be analyzed by a New York State certified laboratory.
7. If the Department declines to approve the draft report referred to in Item #B5 above, Respondent shall revise and resubmit the draft report, in approvable form, within thirty (30) days of notification to do so. Any such notification shall specifically set forth the Department's reasons for declining to approve the draft report and shall include those steps the Department considers necessary to render the draft report approvable.