

New York State Department of Environmental Conservation

Division of Environmental Remediation

Bureau of Technical Support, 11th Floor

625 Broadway, Albany, New York 12233-7020

Phone: (518) 402-9553 • FAX: (518) 402-9577

Website: www.dec.state.ny.us

file



Erin M. Crotty
Commissioner

MEMORANDUM

TO: See Distribution List

FROM: Kelly A. Lewandowski, NYSDEC - DER Bureau of Technical Support

Kelly A. Lewandowski

SUBJECT: Brownfield Cleanup Program Application
230 Duffy Avenue, C130141

DATE: OCT 27 2004

The attached Brownfield Cleanup Program Application for remedial work at the subject site has been forwarded to you for your records and/or processing according to the established Brownfield Cleanup Program procedures. If you require additional copies or the complete series of the related application's attachments, please contact me at 518-402-9553.

The Time and Activity Code for the subject site is: N707 (On-Site); N708 (Off-Site)

Attachment(s)

Distribution

Original (with all attachments) to:

Walter Parish, NYSDEC Region 1

Copy (with all attachments) to:

Gary Litwin, NYSDOH - DEHI Bureau of Environmental Exposure Investigation

Chittibabu Vasudevan, NYSDEC Remedial Bureau A

Denise D'Ambrosio, NYSDEC DEE Region 3

Anne Hohenstein, NYSOSC

Copy (without attachments) to:

Anthony Quartararo, NYSDEC - DEE Superfund and Voluntary Cleanup Bureau

Christina Dowd, NYSDEC - DFWMR Bureau of Habitat

New York State Department of Environmental Conservation

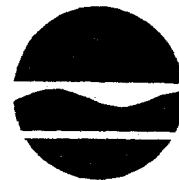
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Erin M. Crotty
Commissioner

OCT 20 2004

Long Island Industrial Group One, LLC
Attn: B. Federman
575 Underhill Boulevard, Suite 125
Syosset, New York 11791

Mr. Mark Elmendorf
Roux Associates, Inc.
209 Shafter Street
Islandia, New York 11749

Re: Brownfield Cleanup Application
230 Duffy Avenue
BCP ID C130141

Dear Messrs Federman and Elmendorf:

The New York State Department of Environmental Conservation (Department) is in receipt of your application for participation in the Brownfield Cleanup Program (BCP) pursuant to ECL Section 27-1400 et seq. As you know, the BCP is a cooperative approach between the Department and lenders, developers, and current and prospective owners. The program fosters private-sector remediation of brownfields and reduces development pressures on "greenfields." We are pleased to advise you that your application has been determined to be complete.

Pursuant to ECL Section 27-1407(5), a thirty-day public comment period is to be commenced upon the Department's determination that an application is complete. During the comment period the Department will be evaluating the eligibility of the project and determine the status regarding this as soon as possible. The party seeking to participate in the BCP is required under the BCP to notify in writing the chief executive officer and zoning board of each county, city, town and village in which the proposed brownfield site is located, as well as residents of the site, the public water supplier which services the area, any person who has requested to be placed on the brownfield site contact list, and the administrator of any school or day care facility located adjacent to or near the site. Further, the Department will publish a similar notice in the Environmental Notice Bulletin.

In order to facilitate the notifications, the Department has prepared the enclosed Public Notice for you to utilize and the instructions for placing and mailing the notifications as well as the document repository location and contents. As the applicant you are responsible for making available a copy of the application and copies of all other related attached documents such as any assessment and investigation reports and/or investigation or remedial work plans. Also, you must use this Department-approved

Public Notice form and cannot provide any other or additional information when fulfilling your obligation to provide notice of the application and comment period. The enclosed form should be provided to a local newspaper servicing the area including the brownfield site for publication no later than October 27, 2004. Additionally, all of the above-mentioned mailings should be completed no later than October 26, 2004. To the extent that the mailings and publications are not completed in accordance with these time frames, the Department will extend the comment period for a period sufficient to comply with the required thirty-day notice requirement running from the latest of the mailings or publication.

A certificate of mailing, on the enclosed form, is required to be submitted within three days of the mailing. Further, the proof of publication provided by the newspaper must be submitted within three days of your receipt of such document. These documents should be submitted to the Department's project manager at:

New York State Department of Environmental Conservation
Region I
SUNY Campus, Building 40
Stony Brook, New York 11790
ATTN: Walter Parish

The Department will make every effort to determine your eligibility and status under the BCP by December 11, 2004. We look forward to working cooperatively with you to address the environmental conditions at the brownfield site and to return this property back to productive use.

Sincerely,



Kelly A. Lewandowski, P.E.
Chief
Site Control Section

Enclosures

ec: w/enc.:
Walter Parish
Richard Fedigan, NYSDOH
Anthony Quartararo
Chittibabu Vasudevan

Instructions to Applicant Regarding Placing and Mailing of Notification Regarding Completeness Determination

- 1) The enclosed notice must be provided, without modification, by the applicant to a local newspaper of general circulation servicing the area including the brownfield site for publication no later than the date specified in the cover letter. The notice must be located prominently in the community bulletin section or similar local section of the newspaper. The notice must be published in English and in any other language spoken by significant numbers of people within the community.
- 2) The enclosed notice must be mailed, without modification, by the applicant to the brownfield site contact list as identified in the applicant's application. The mailing must be performed by the date specified in the cover letter. No other materials can be mailed with this notice.
- 3) The applicant must complete and submit to the Department the attached certificate of mailing within the time frame specified in the cover letter.
- 4) The applicant must forward to the Department proof of publication by the newspaper of the newspaper notice within the time frame specified in the cover letter.
- 5) The applicant must make available a copy of the application and all other related documents (i.e., Phase Assessment Reports, Remedial Investigation Work Plans and Reports and Remedial Design Work Plans) at the document repository specified in the public notice.

Instructions to Newspapers Regarding Printing the Public Notice

The enclosed notice announces the receipt of an application by the New York State Department of Environmental Conservation to the Department's Brownfield Cleanup Program. Pursuant to ECL Section 27-1407(5), the notice must be located prominently in the community bulletin section or similar local section of the newspaper. The notice must be published in English and in any other language spoken by significant numbers of people within the community.

Instructions to Individuals Receiving the Public Notice

The enclosed notice announces the receipt of an application by the New York State Department of Environmental Conservation to the Department's Brownfield Cleanup Program (BCP). Pursuant to ECL Section 27-1407(5), upon the Department's determination that a BCP application is complete, the applicant must send notice of the application to individuals on a site contact list. Please read the enclosed notice for further information and instructions.

Brownfield Cleanup Program

230 Duffy Avenue
City of Hicksville, Nassau County
State of New York

NOTICE **Pursuant to ECL 27-1407 and 1417**

The New York State Department of Environmental Conservation (Department) administers the Brownfield Cleanup Program pursuant to ECL 27-1400 et seq. The Brownfield Cleanup Program is designed to encourage the remediation of contaminated properties known as brownfields for reuse and redevelopment. The Long Island Industrial Group One, LLC has submitted an application to participate in the Brownfield Cleanup Program. The application was determined to be complete by the Department on October 20, 2004. The property described in the application is located at 230 Duffy Avenue, Hicksville, NY 11801. The application proposes that the applicant will conduct investigation and/or remedial activities at the site. The application proposes that the site will be used for industrial purposes.

The Department will receive public comments concerning the application for thirty days from October 27, 2004 through November 26, 2004. After review of the application and any public comments received, the Department will determine whether to accept the Applicant's request to participate in the Brownfield Cleanup Program. If the Department accepts the Applicant's request to participate, it will execute a Brownfield Cleanup Agreement (BCA) with the Applicant. By executing a BCA, the Applicant would commit to undertake certain remedial activities under the Department's oversight. A copy of the application as well as a copy of its supporting documentation; A Phase I Environmental Site Assessment dated 7/17/2000; a Remedial Investigation Work Plan dated 8/27/04; and a Site Health and Safety Plan dated 8/27/04 are available in the document repository for this site located at the Hicksville Public Library, 169 Jerusalem Avenue, Hicksville, NY 11801.

The referenced documents are draft and have not been reviewed by the Department staff prior to their release for public comment. The Department, in conjunction with the New York State Department of Health will review these documents during the public comment period.

All citizens are encouraged to offer comments in writing to and refer questions to:

New York State Department of Environmental Conservation
Region 1
SUNY Campus, Building 40
Stony Brook, New York 11790
ATTN: Walter Parish



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION

ECL ARTICLE 27 / TITLE 14

C 130 141

10/9/03

Applicant Information			
NAME Long Island Industrial Group One, LLC			
ADDRESS 575 Underhill Blvd. Suite 125			
CITY/TOWN Syosset / Town of Oyster Bay		ZIP CODE 11791	
PHONE (516) 364 - 5000	FAX (516) 364 - 5019	E-MAIL	
NAME OF APPLICANT'S REPRESENTATIVE Mark Elmendorf, Roux Associates, Inc.			
ADDRESS 209 Shafter Street			
CITY/TOWN Islandia		ZIP CODE 11749	
PHONE (631) 232 - 2600	FAX (631) 232 - 9898	E-MAIL MElemendorf@rouxinc.com	
<p>THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:</p> <p><input type="checkbox"/> PARTICIPANT An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.</p> <p><input checked="" type="checkbox"/> VOLUNTEER An applicant other than a participant, including an applicant whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.</p> <p>NOTE: By checking this box, the applicant certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.</p>			
Applicant Relationship to Property (check one):			
<input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential /Future Purchaser <input type="checkbox"/> Other _____			
Current Owner/Operator Information			
OWNER'S NAME (if different from applicant) Long Island Industrial Group One, LLC			
ADDRESS 575 Underhill Blvd. Suite 125			
CITY/TOWN Syosset / Town of Oyster Bay		ZIP CODE 11791	
PHONE (516) 364 - 5000	FAX (516) 364 - 5019	E-MAIL	
OPERATOR'S NAME (if different from applicant) Long Island Industrial Group One, LLC			
ADDRESS 575 Underhill Blvd. Suite 125			
CITY/TOWN Syosset / Town of Oyster Bay		ZIP CODE 11791	
PHONE (516) 364 - 5000	FAX (516) 364 - 5019	E-MAIL	

Site Information

SITE NAME 230 Duffy Avenue

SITE ADDRESS 230 Duffy Avenue CITY/TOWN Hicksville ZIP CODE 11801

COUNTY Nassau County SITE SIZE (ACRES) 6.7 acres

LATITUDE 40° 45' 50.8" LONGITUDE 73° 32' 7.1"

PLEASE ATTACH A COUNTY TAX MAP WITH IDENTIFIER NUMBERS, ALONG WITH ANY FIGURES NEEDED TO SHOW THE LOCATION AND BOUNDARIES OF THE SITE. ALSO INCLUDE A USGS 7.5 MINUTE QUAD MAP IN WHICH THE SITE IS LOCATED. please see attached

- 1. DO THE SITE BOUNDARIES CORRESPOND TO TAX MAP METES AND BOUNDS?
IF NO, PLEASE ATTACH A METES AND BOUNDS DESCRIPTION OF THE SITE. YES NO
- 2. IS THE SITE PART OF A DESIGNATED BROWNFIELD OPPORTUNITY AREA PURSUANT TO GML970-R? IF YES, IDENTIFY AREA (NAME) _____ YES NO
- 3. IS THE SITE PART OF A DESIGNATED EN-Zone PURSUANT TO TL § 21(b)(6).
IF YES, IDENTIFY AREA (NAME) _____ YES NO

Applicant Eligibility Information (Please refer to ECL § 27-1407)

- 1. ARE ANY ENFORCEMENT ACTIONS PENDING AGAINST THE APPLICANT REGARDING THIS SITE? YES NO
- 2. IS THE APPLICANT SUBJECT TO AN OUTSTANDING CLAIM BY THE SPILL FUND FOR THIS SITE? YES NO
- 3. HAS THE APPLICANT VIOLATED ANY PROVISION OF ECL ARTICLE 27? YES NO
- 4. HAS THE APPLICANT BEEN PREVIOUSLY DENIED ENTRY TO THE BCP? YES NO
- 5. HAS THE APPLICANT COMMITTED A NEGLIGENT OR INTENTIONALLY TORTIOUS ACT REGARDING HAZARDOUS WASTE OR PETROLEUM? YES NO
- 6. HAS THE APPLICANT BEEN CONVICTED OF A CRIMINAL OFFENSE THAT INVOLVES A VIOLENT FELONY, FRAUD, BRIBERY, PERJURY, THEFT, OR OFFENSE AGAINST PUBLIC ADMINISTRATION? YES NO
- 7. HAS THE APPLICANT KNOWINGLY FALSIFIED STATEMENTS OR CONCEALED MATERIAL FACTS IN A MATTER RELATED TO THE DEPARTMENT? YES NO
- 8. HAS THE APPLICANT, BASED ON THE PROVISIONS OF ECL ARTICLE 27-1407 (OR A SIMILAR PROVISION OF FEDERAL OR STATE LAW), COMMITTED AN ACT OR FAILED TO ACT, AND SUCH ACT OR FAILURE TO ACT COULD BE THE BASIS FOR DENIAL OF A BCP APPLICATION? YES NO

Site Eligibility Information (Please refer to ECL § 27-1405)

- 1. DOES THE SITE MEET THE DEFINITION OF A BROWNFIELD SITE (REAL PROPERTY, THE REDEVELOPMENT OR REUSE OF WHICH MAY BE COMPLICATED BY THE PRESENCE OR POTENTIAL PRESENCE OF A HAZARDOUS WASTE, PETROLEUM, POLLUTANT, OR CONTAMINANT)? YES NO
- 2. IS THE SITE LISTED ON THE NATIONAL PRIORITIES LIST? YES NO
- 3. IS THE SITE LISTED ON THE NYS REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES?
IF YES, PLEASE PROVIDE: SITE # _____ CLASS # _____ YES NO
- 4. IS THE SITE SUBJECT TO A PERMIT UNDER ECL ARTICLE 27, TITLE 9, OTHER THAN AN INTERIM STATUS FACILITY? YES NO
- 5. IS THE SITE SUBJECT TO A CLEANUP ORDER UNDER NAVIGATION LAW ARTICLE 12 OR ECL ARTICLE 17 TITLE 10? YES NO
- 6. IS THE SITE SUBJECT TO A STATE OR FEDERAL ENFORCEMENT ACTION RELATED TO HAZARDOUS WASTE OR PETROLEUM? YES NO

Project Description

PLEASE ATTACH A DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING COMPONENTS:

- PURPOSE AND SCOPE OF THE PROJECT Please see attached documentation for these items.
- ESTIMATED PROJECT SCHEDULE

Site's Environmental History

TO THE EXTENT THAT EXISTING INFORMATION/STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE ATTACH THE FOLLOWING:

1. **ENVIRONMENTAL DATA** Please see attached documentation for these items.
 A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING FROM THE SITE.
 IF A FINAL INVESTIGATION REPORT IS INCLUDED, INDICATE WHETHER IT MEETS THE REQUIREMENTS OF ECL ARTICLE 27-1415(2):
 YES NO N/A
2. **OWNERS**
 A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE"). Please see attached documentation.
3. **OPERATORS**
 A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBER (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OPERATOR LISTED. IF NO RELATIONSHIP, PUT "NONE"). Please see attached documentation.

Contact List Information

PLEASE ATTACH, AT A MINIMUM, THE NAMES AND ADDRESSES OF THE FOLLOWING:

1. THE CHIEF EXECUTIVE OFFICER AND ZONING BOARD CHAIRPERSON OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE SITE IS LOCATED.
2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE SITE AND PROPERTIES ADJACENT TO THE SITE.
3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION. Please see Attachment 1 for these items.
4. THE PUBLIC WATER SUPPLIER WHICH SERVICES THE AREA IN WHICH THE SITE IS LOCATED.
5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE SITE CONTACT LIST.
6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE.
7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT (E.G., LOCAL LIBRARY)

Contaminant Information

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum			N/A		not previously completed
Chlorinated Solvents	✓	✓	N/A		completed
Other VOCs			N/A		not previously completed
SVOCs			N/A		completed
Metals			N/A		not previously completed
Pesticides			N/A		completed
PCBs			N/A		not previously completed
Other*			N/A		completed

*Please describe: _____

Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Other _____

Future Use: Residential Commercial Industrial Other _____

Please check the appropriate boxes and provide an explanation as an attachment if appropriate.

Yes No Unknown

1. Do current historical and/or recent development patterns support the proposed use?

2. Is the proposed use consistent with applicable zoning laws/maps?

3. Is the proposed use consistent with applicable brownfield opportunity area designations? (See GML 970-r)	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, other adopted land use plans?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
6. Are there any federal or State land use designations relating to this site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
7. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
8. Is the site accessible to existing infrastructure?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites proximate to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
10. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species proximate to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
11. Are there floodplains proximate to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
12. Are there any institutional controls currently applicable to the site?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
13. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. <i>Please see attached documentation</i>	
14. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the site, including proximity to wellhead protection and groundwater recharge areas. <i>Please see attached documentation.</i>	
15. Describe on attachment the geography and geology of the site. <i>Please see attached documentation.</i>	
(Note: the 16 th criteria relates to comments from the public, which would not be received at the time of application)	

(By applicant who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____ Print Name: _____

(By an applicant other than an individual)

I certify that I am MANAGER (title) of WATERBURY CORP (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law

Date: 7/24/04 Signature: [Signature] Print Name: B. FEDERMAN

SUBMITTAL INFORMATION:

Four (4) complete copies, one with original signatures, are required.

- Three (3) of the copies, one with original signatures, must be sent to:

Chief, Site Control Section
 New York State Department of Environmental Conservation
 Division of Environmental Remediation
 625 Broadway
 Albany, NY 12233-7020

- One (1) copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY

BCP SITE NO: _____ BCP SITE T&A CODE: _____ PROJECT MANAGER: _____

**ADDITIONAL INFORMATION FOR
BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FOR
230 DUFFY AVENUE, HICKSVILLE, NEW YORK**

Project Description

The purpose of this project is to confirm the presence and extent of subsurface contamination at 230 Duffy Avenue in Hicksville, New York by completing both soil and soil vapor samples. Historic analytical data has been generated by various entities throughout the years; however, the data is not validated and the data packages from the laboratories are not available for our use. The scope of this project is to take samples from the five Areas of Concern on the Site in the proper locations and amounts required by the New York State Department of Environmental Conservation's guidance documents. The zoning and usage of the Site will not change from the present Light Industrial usage. Once the NYSDEC approves the Remedial Investigation Work Plan, the sampling will be completed within four weeks and the Remedial Investigation will be submitted two weeks after the laboratory data is received.

Site's Environmental History

2. OWNERS

A list of previous owners with names, last known addresses and telephone numbers (describe applicant's relationship, if any, to each previous owner listed. If no relationship, put "none").

Previous Occupancy and Use

Philips Electronics North America Corporation (Philips) formerly owned the Site, which was operated by Amperex Electronics Corporation, a subsidiary of Philips. As reported in previous environmental assessments of the Site (ERM, 1997 and O'Brien & Gere, 1988), Amperex Electronics Corporation purchased the Site in 1951. Amperex, later known as Philips Electronics and Pharmaceutical Industries, merged with North American Philips Company, Inc. in 1961. Amperex's primary business was the manufacture of electron tubes, consisting of receiving and transmitting tubes for high power RF and microwave applications. Manufacturing operations included of machining, heat treating, chemical cleaning, metal and glass working, cathode coating

and metal plating processes. In the early 1990s, the plant was closed and all manufacturing and process equipment was removed from the Site.

In 1993, the Site was sold to 230 Duffy Realty Corporation. First Industrial purchased the Site in or about December 1997. When the Site was purchased by First Industrial in 1997, the building was vacant, with the exception of the western section, which was occupied by USA, Inc. This company leased space for storage and assembly of computers. The applicant does not have a relationship with the Previous owners of the Site, Philips Electronics North American Corporation or Amperex Electronics Corporation. No specific address is known for Amperex Electronics Corporation. However, an Internet search yielded an address for the Philips Electronics North America Corporation as 1251 Avenue of the Americas, New York, New York 10020. The Site was acquired by the current owner (Applicant) in December 2000.

3. OPERATORS

A list of previous operators with names, last known addresses and telephone number (describe applicant's relationship, if any, to each previous operator listed. If no relationship, put "none").

See above information regarding the Site Owners. No other information regarding previous operators is known.

Contact List Information

1. THE CHIEF EXECUTIVE OFFICER AND ZONING BOARD CHAIRPERSON OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE SITE IS LOCATED

Town of Oyster Bay

John Venditto
Town Supervisor
Town Hall East
54 Audrey Avenue
Oyster Bay, NY 11771
(516) 624 - 6350

Jack Liebert
 Zoning Board of Appeals Chairman
 Town Hall
 74 Audrey Avenue
 Oyster Bay, NY 11771
 (516) 624 - 6231

Nassau County

Thomas R. Suozzi
 Nassau County, County Executive
 1 West Street
 Mineola, NY 11501
 (516) 571 - 3131

2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE SITE AND PROPERTIES ADJACENT TO THE SITE

Name	Site Address	Tax Map # / Owner Address
Harry Leibowitz	202 Duffy Avenue Hicksville, NY 11801	Section 11 Block G Lot 0175 Harry Leibowitz % Milton Levin, Esq. 99 Power House Road Roslyn Heights, NY 11577
L Bombace Realty, Inc.	190 Duffy Avenue Hicksville, NY 11801	Section 11 Block G lot 0145
PM Property of Nassau County	250 Duffy Avenue Hicksville, NY 11801	Section 11 Block G Lot 0174 Chase 8435 Steamons Highway Dallas, TX 75247
Burns Ave LLC	1 Burns Avenue Hicksville, NY 11801	Section 11 Block 186 Lot 232
Pennzoil Quaker State	Charles Place Hicksville, NY 11801	Section 11 Block 243 Lot 0075 Shell Oil Products Tax Department Post Office Box 4369 Houston, TX 77210
Vim Construction Company	Engel Street Hicksville, NY 11801	Section 11 Block 187 Lot 0009 299 Duffy Avenue Hicksville, NY 11801
Holber Associates	35 Engel Street Hicksville, NY 11801	Section 11 Block 325 Lot 0047 120 East Prospect Avenue Mt. Vernon, NY 10550
Margaret E. Stolz	205 Duffy Avenue Hicksville, NY 11801	Section 11 Block 344 Lot 0001
Peter Lavarca	221 Duffy Avenue Hicksville, NY 11801	Section 11 Block 341 Lot 0012

George and Panayiota Hams	221 Duffy Avenue Hicksville, NY 11801	Section 11 Block 341 Lot 0011
Patricia Dwyer	227 Duffy Avenue Hicksville, NY 11801	Section 11 Block 342 Lot 0001
Jim and Ciolelza Zamkrano	233 Duffy Avenue Hicksville, NY 11801	Section 11 Block 343 Lot 0001

3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION

Hicksville Illustrated News
Anton Community Newspapers
132 East 2nd St.
Mineola, NY 11501
(516) 747-8282

Channel 12 News
One Media Crossways
Woodbury, New York 11797
(516) 496-1200

4. THE PUBLIC WATER SUPPLIER, WHICH SERVICES THE AREA IN WHICH THE SITE IS LOCATED

Hicksville Water District
4 Dean Street, Hicksville, NY 11801
(516) 931-0184

5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE SITE CONTACT LIST

Louis A. Evans, Esq.
Environmental Council to Applicant
Tannenbaum Helpem Syracuse & Hirschtritt LLP
900 Third Avenue
New York, New York 10022
Phone: (212) 508-6736
Fax: (212) 371-1084
E-mail: evans@tanhelp.com

6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE

No schools or Day Care Centers were found during the Offsite Receptor report found in Attachment 2.

**7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT
(E.G., LOCAL LIBRARY)**

Hicksville Public Library
169 Jerusalem Avenue
Hicksville, NY 11801
Phone: 516-931-1417
Fax: 516-822-5672
Hours: Mon-Thurs 9am-9pm, Fri 9am-7pm, Sat 9am-5pm, Sun 1pm-5pm

Land Use Factors (Please refer to ECL § 27-1415(3))

13. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.

The Site is within an area of mixed industrial, commercial, and residential usage. A review of potential public and environmental receptors was completed, see Attachment 2, as part of the application. The review included the following:

- Day Care Centers;
- Medical Centers;
- Nursing Homes;
- Schools;
- Prisons;
- Historic Sites;
- Wetlands;
- Natural Areas; and
- Floodplains.

No known receptors were identified within ¼ mile of the Site.

Roux Associates completed a review of aerial photographs to observe adjacent property uses in the past. The aerial photograph coverage for the Site included the years 1953, 1966, 1974, 1980, and 1994. The current Site and surrounding property usage is based on visual observations of the surrounding properties. The historical Site and surrounding property usage is as follows:

MAP YEAR	SITE AND SURROUNDING PROPERTY USAGE				
	SITE	NORTH	EAST	SOUTH	WEST
1953	Industrial Building	LIRR	Commercial/ Industrial Building	Residential and Farm	Commercial/ Industrial Building
1966	Industrial Building	LIRR	Commercial/ Industrial Building	Residential and Farm	Commercial/ Industrial Building
1974	Industrial Building	LIRR	Commercial/ Industrial Building	Residential and Farm	Commercial/ Industrial Building
1980	Industrial Building	LIRR	Commercial/ Industrial Building	Residential and Farm	Commercial/ Industrial Building
1994	Industrial Building	LIRR	Commercial/ Industrial Building	Residential and Farm	Commercial/ Industrial Building
Present	Industrial Building 230 Duffy Avenue	LIRR	New York Telephone	Residential and Duffy Farm	PAL Vinyl Windows

14. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the site, including proximity to wellhead protection and groundwater recharge areas.

The Site is located in an area with an average depth to groundwater of 60 feet. The Site is located in a sole source aquifer area of Long Island. A two mile radius search of groundwater usage details, see Attachment 3, identified the following:

- Two individual wells ½ mile downgradient of the Site; and
- Two public wells upgradient of the Site

The two public wells are operated by the Hicksville Water District and are both greater than ½ mile away from the Site.

15. Geography and Geology of the Site

Geologically, Long Island consists of stratified deposits of sand, gravel, and clay that range in thickness up to 2,000 feet stratified on bedrock that slopes from the northwest to the southeast. The aquifer system on Long Island has been designated as a sole source aquifer. The aquifer system beneath the Site is approximately 1,300 feet thick and consists of four major aquifers. These are from upper to lower: the Upper Glacial aquifer, the Magothy aquifer, the Raritan Clay aquitard, and the Lloyd aquifer. The primary aquifer utilized for water supply in the Hicksville area is the Magothy Aquifer (USGS, 1989).

According to water-level data for Long Island (USGS, 1989), the water table at the Site is in the Upper Glacial aquifer and the regional depth to groundwater ranges from 55- to 65-feet below land surface within 1/2-mile of the Site. The regional groundwater flow direction at the Site is south-southeast. The direction of regional groundwater flow was utilized to evaluate any potential threats from surrounding properties identified during the record review.

Surficial features at the Site consist of various areas of concrete, asphalt and grassed soil. The remaining pervious areas are generally well drained to excessively drained soils. The topography of the Site is essentially flat with only a slight grade. The ground surface elevation of the Site is approximately 135 feet above mean sea level (MSL).