

Citizen Participation Plan

Prepared pursuant to the Consent Decree between the State of New York and Basil Seggos as the Commissioner of the New York State Department of Environmental Conservation, and Northrop Grumman Systems Corporation and the Operable Unit 3 Order on Consent.
DEC Site # 1-30-003A and 003B

Dated: February 2023

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1. Introduction and Objectives

The Citizen Participation Plan (CPP), prepared on behalf of Northrop Grumman Systems Corporation (Northrop Grumman) in cooperation with the New York State Department of Environmental Conservation (DEC) and the New York State Department of Health (DOH), is designed to describe the citizen participation activities to be undertaken during the remedial activities that will be conducted with respect to (a) groundwater pursuant to the Consent Decree between the State of New York and Basil Seggos (as Commissioner of DEC and Trustee of the State's Natural Resources) and Northrop Grumman Systems Corporation (the Consent Decree) and (b) certain Bethpage Community Park soils pursuant to the Operable Unit 3 (OU3) Order on Consent between DEC and Northrop Grumman.

Northrop Grumman remains committed to informing and involving the public in its ongoing environmental remedial activities. The intent of this CPP, which supersedes any prior citizen participation plan for the Sites, is to continue to promote active communication and engagement between Northrop Grumman and local citizens regarding ongoing and planned remedial activities. The primary goals of the CPP are to (a) provide citizen involvement (allowing the public the opportunity to have their diverse views heard and considered); and (b) apprising the public of progress in the implementation of the remedial design and progress in the approved remediation. The CPP includes a Citizen Participation Working Group (CPWG) that will be formed to enhance citizen participation during development of the design of the remediation Northrop Grumman will be implementing under the Consent Decree and OU3 Order on Consent.

The CPP provides for disclosure and sharing of information by the DEC, including technical data, using a document repository, which may be electronic in form, and public notices with a prescribed comment period at select milestones.

The CPP identifies community officials, groups and individuals that may be affected by or have an interest in the remedial design described above, and identifies locations where interested persons may obtain additional information.

2. Site Description and Background

Beginning in the 1930s, Northrop Grumman, through two of its predecessors, Grumman Aircraft Engineering Corporation and Grumman Corporation, along with the United States Department of the Navy (the Navy), used the 600-acre property in Bethpage for industrial and research purposes (the Navy/NG Site). The 18-acre property that is now Bethpage Community Park (the Park), which is operated by the Town of Oyster Bay, was also utilized by Northrop Grumman prior to its donation to the Town in 1962 (the Navy/NG Site and are collectively referred to as the Sites). The Town has constructed recreational facilities, along with a recharge basin, on the Park.

Northrop Grumman was a major manufacturer of military aircraft for the United States at the Sites during World War II and later, including through the Cold War. Northrop Grumman also manufactured the Apollo Program lunar module and various satellite and other equipment for the National Aeronautics and Space Administration at the Sites. The Navy utilized the Naval Weapons Industrial Reserve Plant (NWIRP) on roughly 105 acres of the Navy/NG Site. All manufacturing ceased at the

Sites in 1996.

DEC listed the Navy/NG Site on the State Registry of Inactive Hazardous Waste Disposal Sites based on the on-site and off-site presence of hazardous substances in the soil and groundwater. An operable unit at a site represents a portion of an overall program to investigate, eliminate or mitigate a release of hazardous substances that for technical or administrative reasons can be addressed separately. Response activities at the Sites have been divided into multiple operable units, two of which are primarily relevant to this CPP. Operable Unit 2 (OU2) consists of groundwater contamination allegedly originating in part from the release of hazardous substances at and from the Navy/NG Site. OU3 consists of soil and groundwater contamination allegedly originating in part from the release of hazardous substances at and from property that includes the southwestern portion of the Park, along with the former Plant 24 access road south of the Park.

Groundwater under and downgradient of the Sites contains volatile organic compounds (VOCs) and particularly, trichloroethene (known as TCE), the levels of which exceed State groundwater standards. During World War II, and for decades after, chlorinated solvents such as TCE were not regulated as hazardous substances or pollutants by federal or state laws. Over time, groundwater from the Sites has formed multiple underground Plumes, which continue to move further south-southeast from the Sites.¹

2.1 Historic Investigations and Remedial Work

Northrop Grumman and the Navy have undertaken response activities to address soil and groundwater contamination alleged to be from the release of hazardous substances at and from the Sites. Those activities have included: investigations; soil remediation; groundwater recovery, treatment and recharge; monitoring and wellhead treatment for affected or potentially affected public water supplies; and response actions for soil vapor.

2.2 Operable Unit 2

In 1997, after the discovery of elevated levels of VOCs in groundwater, Northrop Grumman began operating a groundwater extraction and treatment system serving as an on-site containment system along the southern and southwestern boundary of the Navy/NG Site. This system has prevented and treated and continues to prevent and treat further migration of contaminants beyond this boundary. In 1997, Northrop Grumman also began operating in OU2 a soil vapor extraction system, which has prevented and treated, and continues to prevent and treat volatile organic vapors from migrating from this operable unit.

In March 2001, DEC issued a Record of Decision (ROD) for the OU2 groundwater contamination from the Navy/NG Site (OU2 ROD). This ROD selected a remedy for such contamination that included continued operation of the on-site containment system. In January 2003, the Navy issued, and in April 2003 amended, a ROD for the OU2 groundwater contamination originating from the NWIRP. In April 2015, DEC and Northrop Grumman entered into an administrative Order on Consent for response actions to address OU2 groundwater contamination (the OU2 Order on Consent). As a result of

¹ Although there are public water supply wells that are downgradient from the Sites within the Plumes, all groundwater intake at these wells is subject to treatment before distribution to the public, and all water distributed to the public after treatment meets and has met all relevant drinking water standards.

response actions, contaminated soil at areas of the Navy/NG Site has been addressed; DEC has delisted nearly all of the former Northrop Grumman portion of this Site from the Registry.

2.3 Operable Unit 3

In 2009, Northrop Grumman began operating in OU3 a second groundwater extraction and treatment system (also referred to as an on-site containment system) along the southern boundary of the Park, as well as a soil vapor extraction system. On March 29, 2013, DEC issued a ROD for the OU3 soil and groundwater contamination (OU3 ROD). The OU3 ROD selected a remedy that included continued operation of the on-site containment system. In May 2014, DEC and Northrop Grumman entered into an administrative Order on Consent for response actions to address OU3 soil and groundwater contamination (the OU3 Order on Consent).

In accordance with the OU3 ROD and OU3 Order on Consent, Northrop Grumman has installed a third groundwater extraction and treatment system to address contamination in a portion of the Plumes downgradient from OU3 known as the RW-21 Remedial System. Northrop Grumman has, to date, installed three groundwater extraction wells and designed and installed approximately 11,000 linear feet of an underground piping network; it is currently constructing a treatment plant. Northrop Grumman anticipates – assuming no additional global supply chain delays -- to begin operation of the RW-21 Remedial System early in the second quarter of 2023.

There have also been extensive investigations of soils within the Park and the former Plant 24 access road by Northrop Grumman. These investigations found elevated levels of VOCs in the southwestern portion of the Park, in approximately 0.5 acres of the ballfield area, at depths to about 35-55 feet below grade (fbg). This area has been remediated in 2020-2021 by in-situ thermal remediation (ISTR).

Investigations have also revealed polychlorinated biphenyls (PCBs) and metals (primarily chromium) above DEC cleanup objectives in approximately three acre area known as the ballfield area, at depths up to about 25 fbg. These constituents were also found at shallow depths in the former access road and in yards south of that road (which were remediated several years ago). Northrop Grumman is currently in discussions with DEC, EPA, and the Town of Oyster Bay regarding the development of a remedy to address PCB soil contamination in portions of the former ballfield area, playground area, and pool area in the Park, and the former Plant 24 access road.

3. Current Conditions and Proposed Remediation

3.1 Operable Unit 2

In April 2019, DEC issued a feasibility study report, which included limited additional investigation and examined possible additional actions to remediate the ongoing groundwater contamination along with a proposed Amended ROD. In December 2019 DEC issued an Amended Record of Decision for OUs 2 and 3 (the AROD).

The AROD selected a remedy, denominated as Alternative 5B, to redress the Plumes' asserted ongoing downgradient expansion. The AROD provides for extraction wells to be placed along the perimeter of the Plumes to prevent them from migrating further, while other extraction wells will be placed at points of particularly high contaminant concentrations in the interior of the Plumes to remove significant

amounts of contaminants and to expedite cleanup of the Plumes.

The remedy also contemplates construction of new groundwater treatment plants as well as over 23 miles of underground piping to transport extracted water from the wells to the treatment plants and to transport the treated water from the plants to discharge locations. In addition, the Consent Decree provides for Northrop Grumman to add an additional extraction well to the RW-21 Remedial System.

After issuance of the AROD, DEC engaged in negotiations with both the Navy and Northrop Grumman. As a result, the Navy will be performing remedial work pursuant to a September 20, 2021, Explanation of Significant Differences (Navy ESD), and Northrop Grumman will be performing remedial work under the Consent Decree. Northrop Grumman will conduct further investigation to determine the extent of elevated concentrations of VOCs along the eastern and southeastern portions of the Plumes while the Navy will conduct further investigation along the southerly border of the Plumes. Subsequent to the investigations, Northrop Grumman and the Navy will install additional supplemental groundwater extraction and treatment systems to achieve remedial goals (and address as necessary impacts of 1,4-dioxane at downgradient supply wells). Thus, Northrop Grumman and the Navy will address the overwhelming majority of the Plumes; DEC will address the western portion of the Plumes, as there are other parties responsible for contamination of that area.

Pursuant to the Consent Decree and a related May 2022 settlement between the Bethpage Water District (BWD), Northrop Grumman and the Navy, Northrop Grumman will utilize BWD Plant 4 for the treatment of contaminated groundwater from the eastern portion of the Plumes. Exhibit C to the Consent Decree, attached hereto, shows the various commitments made by Northrop Grumman, the Navy and DEC.

3.2 Operable Unit 3

Recent investigations have revealed the presence of VOCs in soil under portions of the parking lot, Skatepark, Tennis Courts and recharge basin, as well as the northeast corner of the Ballfield; the need for remediation of these areas is currently under consideration by DEC.

The remediation of PCBs in soil cannot commence until further sampling is conducted and until the remediation of VOCs is completed. If ISTR is used for any further VOC soil remediation, PCB remediation cannot commence in the vicinity until the soil cools sufficiently to allow excavation of soils – which is the remedial approach selected in the OU3 ROD.

4. Citizen Participation (CP) Activities

4.1 Completed CP Activities

- Ongoing updates to the Northrop Grumman, Bethpage Facility “Contact List” to include residents near the OU3 Site; governmental officials; media; environmental, civic, and business groups; and other individuals, groups, and organizations affected by or interested in the Site. This list is currently over 150 people.
- Ongoing maintenance of document repositories at Bethpage Public Library, located at 47 Powell

Avenue, Bethpage, New York 11741. Phone: (516)931-3907 and DEC, Region I - Hazardous Waste Remediation Unit, SUNY at Stony Brook, Building 40, Stony Brook, NY 11790-2356. Phone: (631) 444-0350. Hours of Operation: 8:30 AM to 4:45 PM- Weekdays. Please call for an appointment. Contact: Girish Desai, Professional Engineer, Division of Environmental Remediation.

- Routine posts to project website www.northropgrumman.com/bethpage including meeting notices, upcoming work activities and project presentations.
- Conducted eight virtual community meetings in 2021; two in 2022 based on project milestones
- Issued over 140 daily progress reports during the installation of the RW-21 piping. Including hand delivery of fact sheets to homeowners in immediate area of work.
- Responded to dozens of questions from residents and community leaders during our work activities.
- Actively communicated with the Bethpage School District Transportation office during work in local residential streets.
- Issued hundreds of work zone letters to residents as part of the Northrop Grumman/US Navy Routine Groundwater Maintenance program.

4.2 Planned CP Activities

Northrop Grumman, in coordination and cooperation with the DEC and the DOH, will be responsible for implementing this CPP. DEC will review and approve supporting fact sheets. The CPP may be updated during the implementation of the remedial program. Under the CPP, Northrop Grumman will:

- Continue to maintain and expand community contact list
- Continue to maintain document repositories
- Continue to maintain www.northropgrumman.com/bethpage project site
- Continue to host regular virtual and/or in-person community meetings with residents and leaders based on project milestones as per project schedule
- Continue to provide a community contact person to receive and answer community questions
- Continue to issue progress reports to distribution list
- Utilize direct mail via USPS as needed

Northrop Grumman will also provide for the formation of, and support to, the CPWG for the remedial design of the groundwater remedy to be implemented by Northrop Grumman under the Consent Decree and for the Bethpage Community Park soils under the Operable Unit 3 Order on Consent. See Addendum A to this CPP.

5. Contact List of Potentially Affected/Interested Public

A contact list of potentially affected or interested parties will continue to be maintained including but not limited to:

- Citizens within or near the remedial design area.
- Citizens owning property within the remedial design area.
- Citizens that have requested to be on the distribution list
- Elected officials.
- Superintendents and Commissioners of local public water supply districts.
- Local news media.
- Community action groups
- Regulators.

The contact list also includes individuals who have attended a past site meeting or who have expressed an interest in being placed on the mailing list. See Addendum B to this CPP. Individuals participating in future site activities may, if requested, be added to the existing contact list for this project. Individuals or groups wishing to be added to or removed from the contact list can do so by contacting Dianne Baumert-Moyik at (516) 754-2645.

6. Project Contacts

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Additionally, information about this Site and the DEC's Hazardous Waste Remediation program, in general, may be found at the following web site:

[Environmental Investigation and Cleanup Activities at the Former U.S. Navy and Northrop Grumman Bethpage Facility Sites - NYS Dept. of Environmental Conservation](#)

Access to the AROD and other project documents can be made online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/130003A/>. Records related to this project are available by request under New York State's Freedom of Information Law (FOIL). The vast majority of files related to this project may be released. Data collected from individual homes or structures is considered confidential. Interested parties may also discuss information needs with the contacts listed above.

7. Glossary of Key Terms

CITIZEN PARTICIPATION: A process to inform and involve the interested/affected public in the decision-making process during the investigation and remediation of sites. The process helps to assure that the best decisions are made from an environmental, human health, economic, social and political perspective.

CITIZEN PARTICIPATION PLAN: A document that describes the site-specific citizen participation activities that will complement site investigative and remedial activities. It also provides site background and the rationale for the selected citizen participation program for the site.

CITIZEN PARTICIPATION SPECIALIST: A DEC staff member within the Division of Environmental Remediation who provides guidance, evaluation and assistance to the project manager in carrying out the site-specific Citizen Participation Plan.

CONSENT ORDER: A legal, enforceable, negotiated agreement between DEC and responsible parties where the latter agrees to undertake or pay for the costs of an investigation and/or cleanup of a site. The order includes a description of the actions to be undertaken at the site and the schedule for implementation.

CONTACT LIST: Names, addresses, and telephone numbers of individuals, groups, organizations and media interested and/or affected by a particular site in the remedial program. It is used to inform and involve the interested/affected public.

DOCUMENT REPOSITORY: Typically, a local DEC office and/or public building, such as a library, at which documents related to site investigation, remediation, and citizen participation activities are available for public review.

FACT SHEET: A written discussion of a site's investigation and/or remedial process, or some part of it, prepared for the public and written in easily understandable language. A sheet may be prepared for the public or a particular sector. Its uses may include discussion of an element

of the investigation/remedial program, opportunities for public involvement, availability of a report or other information, or announcement of a public meeting. It may be mailed to all or part of the interested public, distributed at meetings or during sampling efforts, or sent when requested.

DEC PROJECT MANAGER: A DEC staff member, usually an engineer, geologist, or hydrogeologist within the Division of Environmental Remediation (DER) who is responsible for the day-to-day administration and ultimate disposition of one or more hazardous waste sites. The project manager works with the Division of Public Affairs and Education as well as fiscal and legal staff to accomplish site-related goals and objectives.

PUBLIC AVAILABILITY SESSION: Scheduled gathering of appropriate DEC staff with the affected/interested public to give and receive information in a casual setting, without formal presentations or agenda. Staff from other state agencies and /or local government may also participate along with staff from consultants, and the responsible parties. Usually focuses on a specific aspect of a site's investigation/remedial process.

PUBLIC MEETING: Scheduled gathering of appropriate DEC staff with the affected/interested public to give and receive information, ask questions and discuss concerns about a site's remedial program. Staff from other state agencies and/or local government may also participate along with staff from consultants, and the responsible parties. Generally, features a detailed agenda with formal presentations. These meeting may be virtual as well as in person.

PUBLIC NOTICE: A written informational technique used to inform the public of an important upcoming activity or phase in a site's remedial program. Some public notices are formal and meet legal requirements, such as those published in a local newspaper of general circulation. Others are informal notices, which may be made through telephone calls to key citizen leaders or through targeted mailings.

RESPONSIVENESS SUMMARY: A formal or informal written or verbal summary and response to public questions and comments. It is usually prepared during or after important elements in a site's remedial program. The responsiveness summary may list and respond to each question or summarize and respond to questions in categories.

Addendum A: Bethpage Area Community Participation Work Group

- Providing a forum for the greater Bethpage community to discuss the progress on the remedial design of the remedy to be implemented by Northrop Grumman for groundwater pursuant to the Consent Decree and for Bethpage Community Park soils pursuant to the Operable Unit 3 Order on Consent.
- Providing residents with a voice in the process with an opportunity to provide information, opinions and perspectives on the proposed remedial design.

Bethpage Area CPWG

ORGANIZATION AND CHARGE

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PURPOSE

The Community Participation Working Group for the Remediation of the Navy Grumman Groundwater Plume (CPWG) is being established in response to feedback from the Bethpage community on the proposed Consent Decree that was circulated for public comment in the Fall of 2020.

Northrop Grumman and the New York State Departments of Environmental Conservation (DEC) and Health (DOH) will provide updated information about the ongoing remedial design. An emphasis will be placed on informing project progress in a structured forum and soliciting feedback from the community.

The CPWG may provide recommendations and input as to appropriate and effective strategies for communication to the residents and the public by Northrop Grumman and state agencies regarding the remedial design.

ROLE

The CPWG will be a self-governing and voluntary body—its role will include, but not be limited to:

- Providing a forum for enhancing public dialogue, fostering public understanding, and encouraging input and discussion about the remedial design of the remedy to be implemented by Northrop Grumman for groundwater pursuant to the Consent Decree and for Bethpage Community Park soils pursuant to the Operable Unit 3 Order on Consent;
- Working closely with Northrop Grumman, DEC and DOH to ensure the sharing of information relevant to the remedial design;
- Establishing a schedule to ensure the release of information relevant to the remedial design to the community in a timely fashion so that community residents have time to have their questions and/or concerns addressed before the remedial design is approved;

- Making recommendations on outreach and public participation activities and facilitating outreach, communication, and citizen participation aspects regarding the remedial design.

The Bethpage CPWG will not serve as a decision-making body. It does not set policy or make decisions regarding the remedial design. Northrop Grumman and DEC will consider whether the CPWG will continue to function and if so, to what extent, after DEC approval of the remedial design under the Consent Decree and the Operable Unit 3 Order on Consent.

MANAGEMENT

A third-party Facilitator will be selected by the DEC to establish the CPWG and to prepare bylaws that provide a framework by which the CPWG will operate. The Facilitator is to help the CPWG. As described in more detail below, Bylaws shall, among other things, allow for committees, describe the duties of each of the CPWG chairs, prescribe membership in subcommittees, provide for conducting committee chair elections. The Facilitator will establish a semi-annual meeting schedule and locations, and provide an agenda for such meetings to DEC, DOH and Northrop Grumman in a timely manner for review and comment prior to the agenda being distributed to the public as set forth below. Northrop Grumman and DEC will consider whether circumstances warrant holding more frequent meetings.

The Facilitator will work with state and local officials and agencies to solicit interest and membership in the CPWG. The Facilitator will inform the community of meetings through on-line fact sheets, which will be distributed in hard copy and via email, as well as by public notice in print media. An agenda will be included in the fact sheets and on-line.

MEMBERSHIP

The CPWG will be a voluntary group consisting of citizens, community and

business leaders, public officials, and other local community stakeholders. Interested members shall submit letters of interest to the Facilitator for consideration of appointment to the CPWG. Membership should represent a broad cross section of the community but applicants who are determined to have a conflict of interest will be disqualified from consideration; a conflict of interest will include a person with a financial interest in a remedial design or representatives of Potentially Responsible Parties.

The Facilitator will document the basis for the rejection of any applicant for membership, and such documentation will be publicly available. CPWG meetings will be open to the public. To allow a continual sharing of ideas and encourage new voices, it is recommended that CPWG members serve limited terms.

TECHNICAL SUPPORT

DEC and DOH will provide technical support for the CPWG, in consultation with the Facilitator and Northrop Grumman, to facilitate public understand of the remedial design.

GUIDING PRINCIPLES

The Facilitator will develop bylaws that will include the following:

OFFICERS

The officers of the CPWG shall include a Chairperson, Vice-Chairperson, and Secretary Officers will serve renewable one-year terms with elections occurring annually. In the absence of the CPWG Chairperson and Vice Chairperson, the CPWG shall elect a temporary chairperson. Officer duties will be in accordance with Robert's Rules of Order.

COMMITTEES

The CPWG Officer shall establish committees, membership of which will be open to CPWG members. The Bylaws will set or the procedure for the

selection of committee chairs and vice-chairs and the responsibilities of each.

SUB-COMMITTEES

The CPWG officers shall define and create sub-committees on an “as needed” basis to address specific subjects. Subcommittees will present recommendations for the consideration of the CPWG officers.

QUORUM

A quorum, for the purposes of having an official meeting of the CPWG and/or conducting official business shall be a minimum of one half of the members plus one, not counting technical support staff.

CONFLICT OF INTEREST

If a CPWG member stands, or appears to stand, to personally benefit, professionally or otherwise, from a formal recommendation, s/he should recuse him/herself from the discussion and any voting on that recommendation. This recusal shall be noted in the minutes by the Secretary.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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