Karen, Joanne, and Dan:

For your file, please find attached all documents received from NYSDEC with regards to the following FOIL requests for additional information related to the Carrier Salvage/CNY Scrap property:

1. FOIL # W122642-102323:  requested records documenting CNY Scrap actions taken to comply with cleanup requirements contained in NYSDEC’s Notice of Violation (NOV) dated 2 June 2014 (the NOV was issued in response to the NYSDEC’s May 2014 site inspection)
2. FOIL # W122645-102323:  requested records associated with a reported 15-gallon hydraulic oil spill from a truck at the site back in 2012 (NYSDEC Spill Number 11-13234) and any other records that NYSDEC’s Division of Environmental Remediation (DER) may have on the property. In response, NYSDEC also provided two additional spill report forms based on calls to the NYSDEC’s Spills Hotline made by Glenn Flynn back in 2019 (NYSDEC Spill Number 18-11348) and 2022 (NYSDEC Spill Number 22-03110).

As indicated in my email to you dated 8-Dec-2023, there is no documentation in the received FOIL documents of the soil cleanups that reportedly occurred after the documented 2012 and 2014 spill incidents. This absence of documentation does not prove that no cleanup occurred, but it does indicate that no data were provided to us that would allow us to conclude to a reasonable degree of scientific certainty that all affected soil was removed (or otherwise properly remediated) and that groundwater was not affected by these spills. This is the “data gap” I have previously referred to and this was the basis for my recent discussions with Steve Perrigo of NYSDEC asking if NYSDEC would consider collecting a groundwater sample from Carrier/CNY Scrap’s on-site water supply well since the operation is regulated by Steve’s division (the Division of Materials Management or DMM).

Thank you and please contact me if you have any questions.

Regards,

Jon

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