



BETHPAGE WATER DISTRICT
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**Testimony for the
Senate and Assembly Joint Public Hearing on
Water Quality & Contamination**

September 12, 2016 at 11 a.m.

Legislative Auditorium, William H. Rogers Building

Smithtown, NY

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(Introduction)

I would like to begin by thanking the Honorable Chairs—Senator Hannon, Assemblyman Gottfried, Senator O'Mara, and Assemblyman Englebright, and the other distinguished members of the Health and Environmental Conservation Committees of the Senate and Assembly for the opportunity to testify in relation to the Bethpage Water District and our experience with the great challenge of reacting to the Northrop Grumman contamination plume, its significant impact on the groundwater quality of our aquifer, our efforts to provide the highest possible water quality to the people of the Bethpage community, and our call for action from New York State to lead the protection and restoration of our greatly damaged aquifer.

My name is Michael J. Boufis. I am the Superintendent of the Bethpage Water District, and I am here today on behalf of the District's Board of Water Commissioners William J. Ellinger, John R. Sullivan and John F. Coumatos, in addition to the 33,000 men, women and children to whom we provide drinking water on a daily basis. Those 33,000 men, woman and children of the Bethpage community, along with our water district, have had to bear for decades the technical challenges and financial burden caused by a legacy of groundwater contamination, with nothing but silence from New York State and this committee

in lieu of the support, guidance and action which was so desperately needed and wanted.

As background, the Northrop Grumman plume is one of the largest and most concentrated groundwater plumes in the entire nation, let alone New York State. Northrop Grumman, by its predecessor Grumman Aerospace Corporation, is responsible for this environmental disaster. Years of dumping harmful industrial chemicals as part of routine military manufacturing has continually plagued Bethpage residents and our sole-source aquifer. While we are grateful for the recent efforts made by Governor Andrew M. Cuomo and the New York State Department of Environmental Conservation in addressing this massive plume, decades of **inaction** and oftentimes outright obstinance by New York State have allowed the groundwater contamination to reach new communities and further burden the Bethpage people, our District and our neighbors. This is not a Bethpage problem. We did not cause this problem. This is not the Bethpage Water District's sole responsibility, although we have been alone on the front line. This is the responsibility of the polluters, the regulators and our elected officials. This plume is of statewide significance and it is about time it received the level of attention and engagement it deserves from this committee. Everyone involved should be ashamed to admit that this plume has been known about since the 1970s, and 40

years later, it is bigger, deeper and worse than ever. A complete and utter failure of the system.

The Bethpage people have suffered as the District tirelessly spends every last resource we have on water treatment processes—including air-stripping treatment, granular activated carbon filtration, and ion exchange treatment. Over the years, New York State sat idly by and watched as the District completed construction on a brand new well located outside the plume, began construction on a new booster pumping facility, and completed a 2-million gallon ground storage tank—also located out of reach of contamination, at a cost to our taxpayers of nearly \$10 million as our latest reaction to the worsening groundwater contamination. During this time, we were all the while getting hit with investigation after investigation, test result after test result, hot spot after hot spot, struggling with decisions whether or not to shut down wells, scrambling to find ways to continue uninterrupted service to our customers, and grasping for answers to questions of frustration from our neighbors. All of this without the money, the resources, the time and the guidance of this committee or New York State. The State had the ability to write checks for \$25 million to Hoosick Falls, with a population of 3,500, to respond to that drinking water crisis. Where is the financial support for Bethpage? Bethpage, who is supplying drinking water to 10 times the number of people in this state and combatting significantly greater water quality challenges? Are we the victims of

being proactive in protecting the health and welfare of our community? Should we have allowed contaminated drinking water be provided to our customers to get the State's attention?

The latest unprecedented impact of the Northrop Grumman contamination plume on our District and our community just came in hot off the presses this week. Our insurance carrier, who provides all the coverage we require as a municipal governmental entity, sent a policy change notice to us which stated the following: "The following exclusion will be added to the policy effective 10/31/16. No coverage shall be afforded for "bodily injury", "property damage", "personal injury", or "advertising injury" that is based upon, arises from, or is in any way related to actual or **alleged contamination of any public or private water supply by Northrop-Grumman and/or the United States Navy.**

Have you ever heard of such a thing? An insurance policy exclusion that is based on a single and specific groundwater plume? I have never seen anything so unprecedented. So now, if a customer wants to sue the Water District because his or her tomatoes didn't grow properly because of the water, our insurance company will not defend it. Our tax payers will be burdened with the cost of defense. That's utterly ridiculous, but a prime example of the consequences we deal with every day because of this plume.

All of us need to be committed and work together to remediate this contamination once and for all and make whole the community that has been most directly impacted. The only way we can be successful at this point is with the leadership, the commitment, the ownership and the resources of New York State.

To date, the Bethpage Water District has spent over \$20 million and needs to spend about \$20 million more on water treatment, replacement capacity, and infrastructure upgrades. As we have had absolutely no financial support from the State over the years, our only course of action has been to legally pursue Northrop Grumman and the Navy in an attempt to make them financially responsible for the mess they created. This is an unbelievable, unrealistic and unfair burden being placed squarely on the shoulders of the Bethpage taxpayers.

(Call to Action)

What we ask for is simple: We need your help, your leadership and your commitment. We need financial assistance and ask that the State pay for or compel Northrop Grumman to pay for the water treatment and infrastructure improvements performed by the Bethpage Water District to remove contamination from the water supply and respond to the plume. We need your advocacy and support to hold Northrop Grumman responsible for the damage they caused to our aquifer, our environment and our livelihoods. We ask that you help educate our residents on

the status of the plume and the recent efforts made by the State to remediate it. Furthermore, we ask that you help address the public's concerns regarding the delay in responding to this environmental disaster. We call on you to help bring more attention to this national crisis in order to make its remediation a priority in the minds of authorities and decision makers; to stress the importance of establishing regulations that prevent this from occurring elsewhere and in the future; and if it should, to put a clear and enforceable procedure in place for dealing with such a crisis more systematically and swiftly.

In summary, the efforts to correct a situation that has plagued our community for decades is missing an essential part, and that is this committee's direct involvement. More can be done for the Bethpage community-a community that has been passionately reacting to a crushing environmental burden that they should never have had to shoulder alone. After Grumman's acquisition by Northrop, the Bethpage residents were sacrificed; their jobs evaporated; and all that remained was the residue of an environmental, financial and public health disaster. We deserve better.

We welcome the opportunity to work with you to implement the much needed change that will bring us out of environmental and financial ruin and into a better future. I thank you for the opportunity to address the committee and for your future consideration.

