

Long Island Weekly Desk; SECT14LI
Suffolk Plant: Big Mess or Minor Problem?

By JOHN RATHER

1447 words

15 January 2006

The New York Times

Late Edition - Final

3

English

Copyright 2006 The New York Times Company. All Rights Reserved.

Port Jefferson Station -- TUCKED away in the woods off a winding side road here, the Lawrence Aviation Industries plant has kept a very low profile since it was established in the 1950's. All that most locals ever saw of the place was the gate and guardhouse just beyond a private railroad crossing along Sheep Pasture Road.

And no wonder: Lawrence Aviation made titanium parts for advanced military aircraft like the Grumman F-14 fighter jet.

Environmental officials say that it also made a terrible mess.

There is substantial evidence, they say, that the 160-acre plant property is the scene of some of the most serious soil and groundwater pollution on Long Island, posing a threat of still unknown proportions to people living as far as a mile away.

The owner, Gerald Cohen, who has locked horns with officialdom many times over environmental issues, business practices and unpaid property taxes, says that it isn't so, and that the site has only minor problems.

The issue may come to a head soon, when the federal Environmental Protection Agency releases results of an investigation it is completing into chemical contamination at Lawrence Aviation. The report is expected to include recommendations for cleaning up the property, one of 11 in Suffolk County on the national Superfund list of high-priority contamination sites.

Mr. Cohen said in a telephone interview on Monday that the investigation would find only minimal problems. "We are hopeful that E.P.A. would take a reasonable view, and we can get on with our lives," he said.

Records of past government inspections at the site describe large numbers of 55-gallon drums, vats and other containers in and around the 200,000-square-foot plant building. Many of the drums contained contaminants and hazardous substances and were unlabeled or poorly labeled, the records indicate. In 2004, the federal agency removed more than 66 tons of hazardous waste from the plant for disposal.

State Department of Environmental Conservation investigators have reported spills and leaks at the property, including leaks from diesel generators. The state is suing Mr. Cohen and his company, charging them with a host of violations of state environmental law. Among other accusations, the state says that the generators were installed and run without necessary permits and in violation of orders from the department, and that Mr. Cohen continued operations at his plant in defiance of a court order.

The plant is now idle, its stock of titanium sheets seized for back taxes by county sheriffs (though still stored on the site). The state lawsuit is before Justice Elizabeth H. Emerson of State Supreme Court in Riverhead, where a ruling is awaited.

A central issue is whether Lawrence Aviation is the likely source of toxic contamination beyond the plant's perimeter, in the wells of 11 nearby homes and in Mill Creek and Mill Creek Pond, a mile north of the plant in the heart of Port Jefferson village.

Peter A. Scully, the Long Island regional director for the state conservation department, said that studies done so far indicated that contamination from Lawrence was seeping north to the pond and creek, which are downhill from the plant, and was continuing into Port Jefferson Harbor. Groundwater in the area generally flows northward.

The State Department of Health has posted signs at the pond warning against drinking the water or having prolonged exposure to it. In the late 1990's, the state paid to connect homes north of the plant to public water mains.

Salvatore Badalamenti, the E.P.A.'s project manager for the Lawrence Aviation site, said that determining whether the plant was the source of these problems was one focus of its investigation. Samples of soil, surface water, groundwater and sediment have been collected, and findings and a cleanup plan are to be presented by the agency at a public meeting in May.

On Nov. 29, the federal Agency for Toxic Substances and Disease Registry classified the Lawrence site as an "indeterminate public health hazard." Gregory Ulirsch, a senior environmental health scientist for the agency, said the risks could be better gauged once the E.P.A.'s report was completed. "We are somewhat uncertain at this point about potential exposure pathways," Dr. Ulirsch said.

Stephen M. Jones, the chief executive of the Suffolk County Water Authority, said that while there were about 47 public wells within five miles of Lawrence Aviation, none were in the area likely to be affected by groundwater flowing from the plant property. About 120,000 people live

within four miles of the plant.

In water samples drawn from monitoring wells at the edge of the Lawrence property and from residential wells nearby, the E.P.A. has found volatile industrial solvents like trichloroethylene and tetrachloroethylene. Over decades, drinking water containing traces of those solvents would moderately increase the risk of developing cancer, officials said.

Sy F. Robbins, a hydrogeologist for the Suffolk County Department of Health Services, said that while there appeared to be one "fairly well-defined plume" of groundwater contamination extending north from the Lawrence property, there was no direct evidence yet that the plant was the source of contamination in Mill Creek and Mill Creek Pond. "It's hard to prove these kinds of things," he said.

Mr. Cohen, the owner of Lawrence Aviation, denied that his plant was responsible for polluting Mill Creek Pond and Mill Creek, which can be seen from a public walkway behind the Port Jefferson Village Hall. "There is no way that could happen," he said.

"For at least 30 years, there has been no discharge to the ground whatsoever of any materials," he said. "To date, there is no indication that one pound of dirt has been contaminated."

Mr. Cohen said the plant's neighbors had never complained. "Not one single person has ever claimed illness because of any waste that might have been in the well of an adjacent neighbor," he said. "Not one complaint, not one suit, not one telephone call. I'd say that's a pretty good record for 50 years."

Mr. Cohen said he saw new civilian and military uses for titanium and hoped to resume production. He said that a home builder holds a contract to purchase parts of his property, which was once his family's turkey farm.

John J. Hart, a lawyer for Lawrence Aviation and for Mr. Cohen, said government agencies seemed to have singled out Mr. Cohen for special scrutiny. "What they have ended up saying is that he is a lousy housekeeper," Mr. Hart said. "He is not neat. But other than that, I don't think they have come up with anything."

Walter Hang, the president of Toxics Targeting of Ithaca, N.Y., a company that compiles information about contaminated sites, said that government records, including one from State Department of Environmental Conservation, showed a very different picture. "This is one of the worst dumps in the country, according to the E.P.A. and the D.E.C.," Mr. Hang said. "They have tanks and drums that have leaked hither and yon. This is a facility with a wild, sweeping array of violations."

State Assemblyman Steven C. Englebright, a Democrat from nearby Setauket who is often outspoken on environmental issues, said that some contamination was inevitable at the plant, given its long years of heavy industrial use. "Most of the contamination is in the vicinity of how far they could throw a bucket of liquid out the back door," he said. "This is not Love Canal."

Lawrence and Mr. Cohen also face millions of dollars in tax liens and judgments against the property. Capt. Theodore Sarian of the sheriff's department said that the titanium sheets at the plant would be auctioned sometime in February to satisfy some of the state's claims. After a previous seizure, Mr. Cohen paid the tax liens and got his titanium back.

Officials familiar with the Lawrence Aviation case said that one thing the county would almost certainly not do was seize the property itself. Doing that could make the county responsible for cleaning it up, they said, at a cost that could be many times greater than the back taxes.

Photos: The Lawrence Aviation Industries plant is hidden in the woods off Sheep Pasture Road in Port Jefferson Station. A sign at Mill Creek Pond, about a mile north of the plant, warns people not to drink the contaminated water. (Photographs by Maxine Hicks for The New York Times)

Map of Suffolk County, Long Island highlighting the location of Lawrence Aviation Industries.