



John P. Cahill
Commissioner

January 30, 2001

80978

Via Fax and Regular Mail

Michael Mintzer, Esq.
Office of Regional Counsel
United States Environmental Protection Agency
290 Broadway
New York, NY 10007

Re: Liberty Industrial Finishing Site
Farmingdale, NY

Dear Mr. Mintzer:

This Department has reviewed remedial alternative SL-2 (the stabilization alternative) as set forth in the draft Proposed Remedial Action Plan ("PRAP") for the Liberty Industrial Finishing Site, as requested. It is the Department's position that this remedial alternative would constitute operation of a new landfill because it would involve the intentional placement of solid waste into a unit in which the waste is intended to remain after closure. Given this finding, the Department has determined that the Long Island Landfill Law (ECL §27-0704) is an applicable or relevant and appropriate standard or criteria to which this remedial alternative must conform. It should be noted, however, that the regulations also provide that conformity with an applicable or relevant and appropriate standard/criteria may be dispensed with if good cause, as defined in the regulation, can be shown to exist (see 375-1.10(c)(1)(i)).

Please feel free to contact me if you have any questions regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Anthony B. Quartararo'.

Anthony B. Quartararo
Assistant Counsel



BE PART OF THE CENSUS
TOTAL P.01