CITY OF NEWBURGH

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Michael G. Ciaravino, City Manager
June 2, 2016

Martin Brand
Regional Director
Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 10561
Email: martin.brand@dec.ny.gov

Re: Ongoing PFOS Contamination of Silver Stream

Dear Mr. Brand:

I am writing to notify you of one of the consequences of the continuing Perfluorooctane Sulfonate ("PFOS") discharge which we understand, based on your Department's sampling, to be primarily from sources at Stewart International Airport ("Stewart Airport"). As you know, those discharges have contaminated Silver Stream and Washington Lake, the primary source of drinking water for the City of Newburgh and its other customers.

Washington Lake receives water from Silver Stream through a man-made diversion which connects Washington Lake to the stream at the Silver Stream Diversion Basin ("Basin"). Diversion gates at the Basin allow the City to manage the flow into Washington Lake. One of the required functions of managing flow into Washington Lake is to ensure that the water level in the Lake is kept at such a level as to minimize the risk of overtopping the the Class-C high hazard earthen dam. The NYSDEC has identified that the emergency spillway for this dam is not of adequate size to handle the spillway design flood. Presently, the water levels inside Washington Lake continue to increase substantially because we are unable to utilize our lake as our primary source of drinking water.

Attached as exhibit "A" you will find our telemetry documenting the rise in water level at Washington Lake by nearly 5 feet since I declared the State of Emergency in Newburgh, New York on May 2, 2016. As you will note from the telemetry measurements, within the just the past month alone our lake has risen from 41 feet to 46 feet after experiencing only moderate rainfall thus far into early summer.

Moreover, there is a present forecast substantial rainfall related to a troublesome hurricane season described as "above-normal" with 14 named storms forecast for the

Atlantic basin alone, of which 8 are predicted to become hurricanes and 4 are predicted to become major hurricanes. I have attached as exhibit 'B" an article authored by Jillian MacMath, a staff writer for Accuweather.com addressing the possibility that an El Nino weather pattern could transition to a La Nina weather pattern. Although this will primarily impact the Atlantic basin, substantial rainfall would be obviously anticipated throughout the eastern United States.

Given the anticipated rainfall and subsequent projected rise in water level at Washington Lake, I am taking every precaution to minimize contributing sources of water. The City cannot allow the dam to be overtopped due to the possibility of destabilization and scouring/failure of the earthen dam. When the Silver Stream Diversion Gates are closed, the water in Silver Stream follows its natural course to the Moodna Creek.

This notification is to advise you that it is now necessary to close the Silver Stream Diversion Gates to maximize the freeboard in Washington Lake to minimize the risk of overtopping the dam. The consequence of this necessary step is that as the Silver Stream will return to its natural course, any PFOS contamination within Silver Stream upstream of the diversion gates may flow to the lower reaches of Silver Stream to the Moodna Creek.

As you know, the City of Newburgh was temporarily able to switch its water supply from Washington Lake to Brown's Pond to protect the people of the City and other users. Because of the limited capacity of Brown's Pond, the City will soon need to tap into the Catskill Aqueduct for additional clean water supply at great expense.

I call on you now to use every authority you have to stop the discharge of PFOS from the source or sources at Stewart Airport not only for the safety of the people of the City of Newburgh, but also for the safety of those who rely on or use Moodna Creek. There is no way the City can permanently intercept all of the water in Silver Stream without jeopardizing its Class-C high hazard earthen dam.

I thank you for your attention and stand willing to cooperate in any way possible to assure that this and other threats to the Washington Lake watershed are eliminated.

Sincerely,

Michael G. Ciaravino
City Manager
City of Newburgh

cc: Thomas Scaglione, Governor's Office
Robert Schick, Division of Environmental Remediation
James Tierney, Division of Water
Judith Enck, Regional Administrator, EPA

City of Newburgh City Hall

SMARTCOVER® MONITORING SYSTEM

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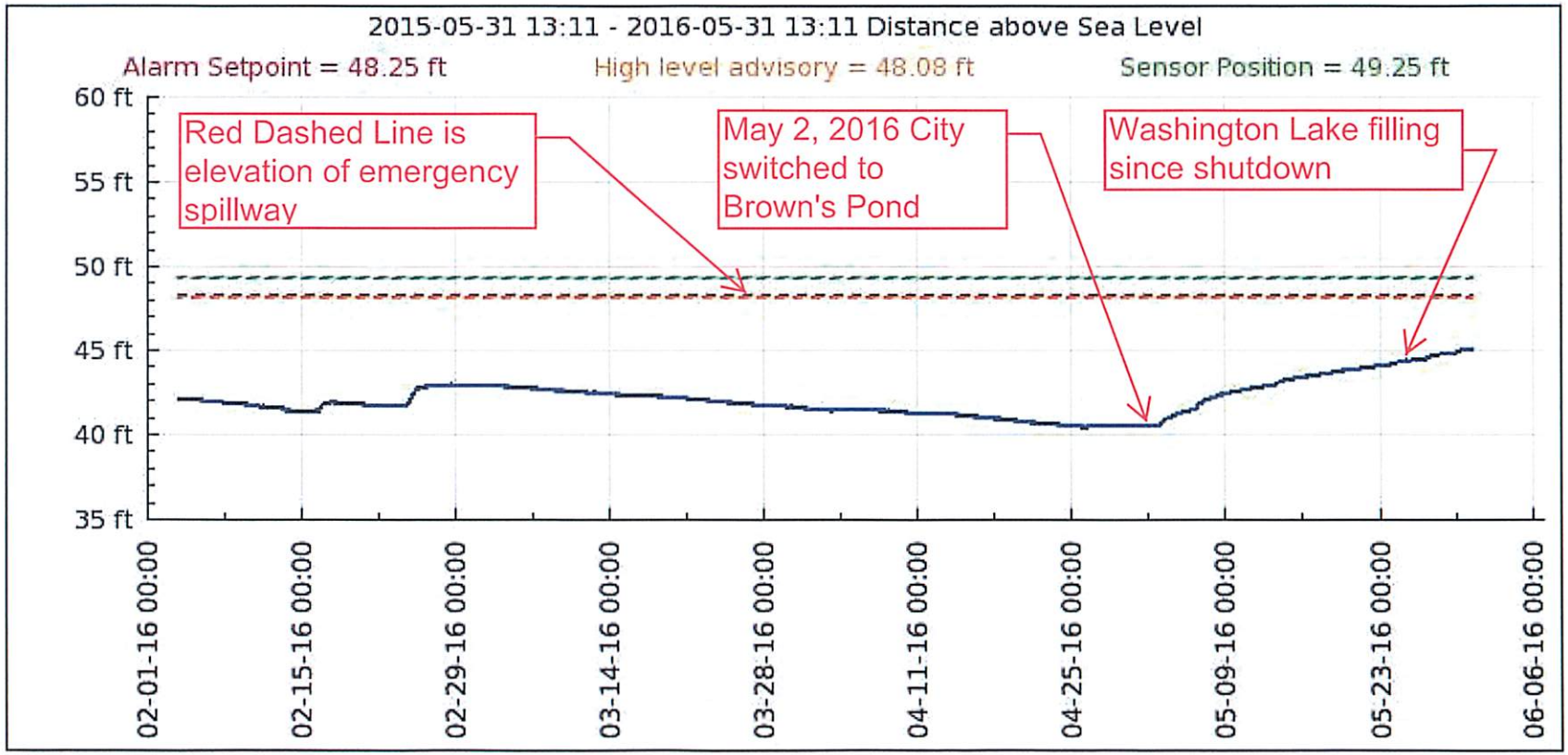
Map | SmartTrend™ | Alarms and Alerts | System Operations | Multi Graphs | Contact | Super Admin | Support

SmartCover® Unit Location: Washington Lake | Go | Application: Reservoir

Charts | Management | Status | Alarm Settings | Info | Maintenance

Washington Lake



PowerPack Voltage
Distance
Signal Strength
Signal Quality

Time Period: Last Year

From: 2015-05-31 13:11

To: 2016-05-31 13:11

Change Graph

Adjust Scale

Max Y: 59.25

Min Y: 39.22

Reset Zoom

Download Data

Long Filter
Gaps
Fill Gaps
No Filter

Ex. A

Atlantic hurricane season begins: La Nina may fuel most active season in 3 years

By **Jillian MacMath**, AccuWeather.com Staff Writer

June 2, 2016; 3:29 PM ET

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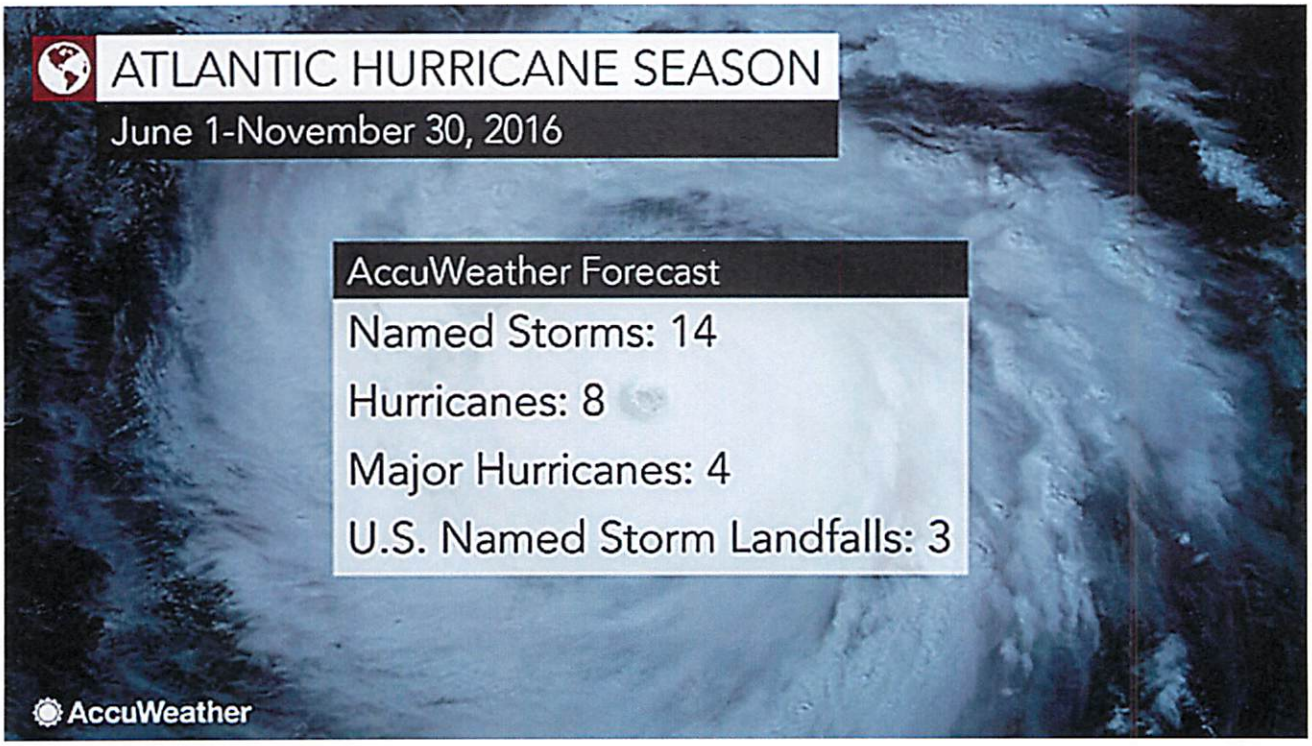
Experts are calling for an above-normal hurricane season this year with 14 named storms forecast for the Atlantic basin.

Of those, eight are predicted to become hurricanes and four are predicted to become major hurricanes.

Due to a combination of factors, this season is expected to be more active than any season in the past three years. Experts warn that those living along the Atlantic coast should be on alert.

"During the early part of the season, of course, we look off the Southeast coast of the United States, where we've already had one with Bonnie, but we also look in the Gulf of Mexico especially the northwestern portion of the Caribbean into the Gulf of Mexico," AccuWeather Atlantic Hurricane Expert Dan Kottlowski said.

"Those are two areas that we're watching very closely and those are the prime areas," Kottlowski said.



For months, meteorologists have been monitoring the possibility for the El Niño weather pattern to transition to a La Niña - a change that would have a significant impact on how active the season becomes.

Earlier this spring, it was unclear whether or not this transition would occur, but experts say it's now looking more likely.

Ex. B-1

La Niña is characterized by below-normal water temperatures in the Pacific Ocean near the equator.

When this occurs, less wind shear is found in the developmental regions of the Atlantic, increasing the potential for a higher-than-normal amount of tropical systems.

"There's even more information now strongly suggesting that there's at least a 75 to 80 percent chance that we will go into a La Niña pattern," Kottlowski said.

RELATED:
AccuWeather.com Hurricane Center: Bonnie is reborn
Tropical system may eye, drench Florida early next week
Soaking rain, thunderstorms to return to northeastern US this weekend

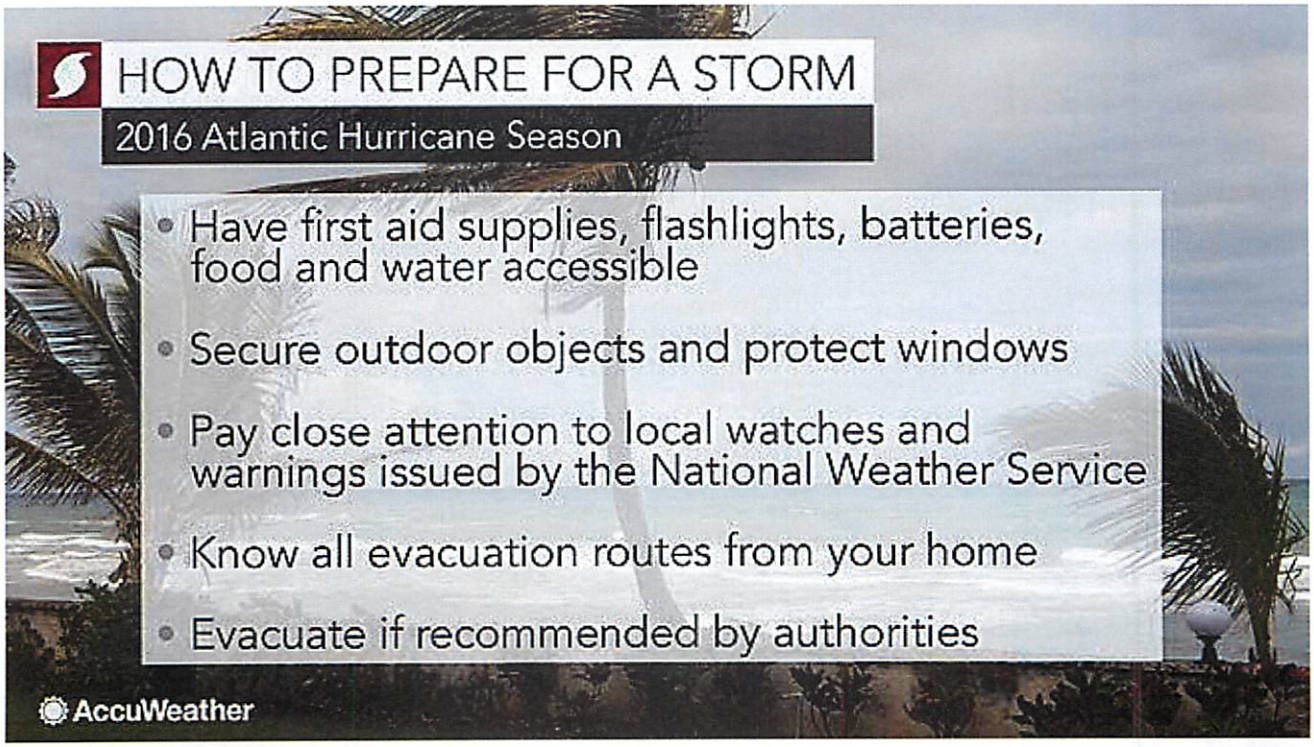
"Historically, some hurricane seasons that have followed a transition from El Niño to La Niña have been very active. It's possible we could flip from one extreme to the other, from below-normal seasons the past three years to an above-normal year in 2016," he said.

The 2015 Atlantic hurricane season yielded 11 named storms in total, of which four became hurricanes and two became major hurricanes.

Historical data also indicates that seasons which are active during the months of May, June and July have a higher likelihood of becoming a normal or above-normal season.

Meteorologists are monitoring the northwestern Caribbean and eastern Gulf of Mexico for potential development next week. Should a storm develop, it will take the name Colin.

Atlantic hurricane season runs from June 1 to Nov. 30.



Ex. B-2