



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

September 30, 2013

Acting Secretary Rand Beers  
Department of Homeland Security

Administrator Dan M. Tangherlini  
U.S. General Services Administration,

Re: Sale of Plum Island

Dear Acting Secretary Beers and Administrator Tangherlini:

The General Services Administration (GSA) and Department of Homeland Security (DHS) have recently issued a Record of Decision (RoD) documenting the decision by the Federal Government to proceed with the public sale of Plum Island in Suffolk County. The RoD acknowledges the federal government's obligation to comply with all appropriate environmental laws and requirements. However, more than three years have passed since the New York State Department of Environmental Conservation (DEC) first alerted GSA to numerous environmental issues to be resolved prior to the closure of the Plum Island Animal Disease Center (PIADC) or any sale of the island. In particular, DEC alerted GSA to the lack of a comprehensive investigation of the impact of federal operations on groundwater quality. GSA and DHS failed to address New York's concerns. Accordingly, before GSA and DHS do anything further, they must agree to a binding order with an enforceable schedule so that New York's environmental concerns can be fully investigated and addressed.

On April 30, 2010, DEC wrote to GSA and expressed concerns related to historic waste disposal activities on the island. DEC's letter identified a number of issues warranting further investigation before the GSA took action to close PIADC or sell Plum Island. These included the need for additional sampling to locate the source of PCBs in groundwater; the requirement to survey and record deed restrictions covering known landfills and the need to properly close Building 257. As noted by DEC's letter, the central issue, and the largest unanswered question, is groundwater quality. In numerous areas with intensive surface operations groundwater has never been investigated and there has never been an island-wide assessment of groundwater quality. The final EIS acknowledges that questions concerning possible contamination identified by DEC have never been fully investigated but fails to provide any details about when or even whether these issues will be resolved.

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Moreover, during inspections in 2011, DEC staff determined that PIADC is not properly managing solid waste and determined that PIADC's quality control procedures and testing procedures for laboratory waste treated in the autoclaves are deficient. These deficiencies create an unacceptable risk for the exposure during transportation of this material off the island as well as a risk of improper disposal. DHS' recent agreement to finally develop a waste minimization and quality control plan is an important first step. However, New York's concerns about ongoing operations will not be resolved until DHS obtains DEC's approval and implements an enhanced waste management program.

Accordingly, DHS must promptly propose a work plan to finally address all of these remaining issues and implement a site-wide groundwater investigation. To ensure that GSA and DHS act as soon as possible and before taking further steps to sell the island, all of these activities must be governed by an enforceable order with an aggressive schedule.

Plum Island is an important natural and economic resource that must be fully protected and remediated before the federal government takes further action. I am calling upon GSA and DHS to immediately arrange an island-wide inspection for DEC so that a comprehensive investigation can be planned, an enforceable order executed and then implemented prior to any sale of the island.

Sincerely,



ANDREW M. CUOMO