

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
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Sent:

EMAIL: mrbig136@aol.com

CERTIFIED MAIL: 7017 2400 0000 1078 8843

RETURN RECEIPT REQUESTED

October 18, 2018

William Richards
45 Sand Hill Road
Gardiner NY, 12525

Freefall Express, Inc.
45 Sand Hill Rd,
Gardiner NY, 12525

NOTICE OF VIOLATION

Re: Spill No.: 1807241
PBS No.: 3-601643
Location: 45 Sand Hill Road
Gardiner NY, 12525

Dear Mr. Richards and Freefall Express, Inc:

This is to advise you that as the result of the October 7th, 2018 investigation by the NYS Department of Environmental Conservation, you are considered responsible for the above referenced petroleum spill, which occurred on October 7, 2018. Under Article 12 of the Navigation Law, the discharge of petroleum is prohibited and a person discharging petroleum is required to immediately cleanup and remove such a discharge. Violations of Article 12 of the Navigation Law are punishable by penalties of up to \$25,000 per day. Under Article 17 of the New York State Environmental Conservation Law, discharges to waters of the state in violation of water quality standards are prohibited and punishable by penalties of up to \$37,500 per day.

Under 181 of the Navigation Law, a person discharging petroleum is strictly liable for all cleanup and removal costs and all direct and indirect damages no matter by whom sustained. Your failure to initiate and complete timely and proper cleanup and removal of this spill will result in the Department hiring a contractor to perform the necessary work. You will then be billed by the attorney general's office for all actual costs incurred by the State of New York, as well as interest and penalties.

If you have any questions or comments, you can contact me at (845) 256-3120.

Sincerely,



Meagan Lenna
Environmental Program -
Specialist Trainee I
Region 3



cc: D. Bendell
J. Urda

