



THE CITY OF NEW YORK ENVIRONMENTAL CONTROL BOARD

ECB 396 (3/87)
Decision and Order

IWCS

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LOCATED AT:
☒ 1250 Broadway
New York, N.Y. 10001
(212) 971-3800

☐ 233 Schermerhorn Street
11th Floor
Brooklyn, NY 11201
(718) 858-1005

☐ 91-14 Merrick Blvd.
6th Floor
Jamaica, NY 11432
(718) 297-1080

☐ Staten Island
Borough Hall
10 Richmond Terrace
Staten Island, NY 10301

Disposition

- ☐ In Violation
☒ Admission
☐ Dismissed
☐ Default

Method of Appearance

- ☒ At Hearing
☐ By Mail
☐ Fail To Appear

Master

DECISION AND ORDER

Violation # 048843 778

Hearing Date: 7/18/89

City of New York V: Proctor & Gamble

Place of Occurrence: 40 Western Ave

Borough: Staten Island

Issuing Officer: Moloney Agency: IWCS

A Notice of Violation was duly served, charging that on 3/28, 3/29, 3/30 at various times (pm) the Respondent violated

() NYS Public Health Law § 1310 () NYC Health Code § 24.1 of IWCS

() NYC Administrative Code: () § 20-4 () Sewer Use

() § 16-116 () () § 17-3 ()

() § 16-118 () () § 24 ()

() § 16-120 () () § ()

☒ The Respondent appeared and entered a plea of ☒ Admit and a hearing was held before me on the above-cited date.

☐ The Respondent did not appear on the date scheduled for hearing.

On the record before me, I find that:

☒ **VIOLATION:** At the time and place specified in the Notice of Violation, and upon any further findings stated below, the Respondent caused or permitted the violation, as charged.

☐ **DISMISSAL:** For the reasons stated below, the Notice of Violation is dismissed.
FURTHER FINDINGS OF FACT/CONCLUSIONS OF LAW: /

048843 805

048843 814

048843 823

048843 796

048843 787

*see above
for details*

Respondent appeared by George Brown who was authorized to represent Respondent. Petitioner was represented by its attorney Jane Moloney. Mr. Brown admitted to the violations on behalf of respondent. Ms. Moloney recommended a penalty of \$150.- per NOV due to respondent's quick ~~response~~ ^{response} in allowing its operations to operate within acceptable limits of § 24.1 of the IWCS. Sewer Use. I adopt Ms. Moloney's recommendation in my decision. BBC000028

150 + 150 + 150 + 150 + 150 + 150

☒ **CIVIL PENALTY:** I order the Respondent to pay a CIVIL PENALTY of \$ 900.-

☐ **ADMISSION:** I admit the above-described violation

Signature

Date

Catherine J. Turris
Signature of Administrative Law Judge

TURRIZ 448
Stamp and No.

7/18/89
Date

Date Mailed: _____

See back of this order for instructions.

No. E04 8 840 725

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) Proctor & Gamble Mfg. Co.		FIRST NAME C.		INITIAL	Sex
STREET ADDRESS 40 Western Avenue		CITY STATEN ISLAND		STATE NY	ZIP 11631
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER		ISSUED BY		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle	
1 <input type="checkbox"/> Consumer Affairs License 2 <input type="checkbox"/> Health Dept. License 3 <input type="checkbox"/> Motorist Identification		4 <input type="checkbox"/> Vehicle Plate 5 <input type="checkbox"/> Meter Number 6 <input type="checkbox"/> Soc. Sec. No.		7 <input type="checkbox"/> Build Reg. No. 8 <input type="checkbox"/> Telephone No. 9 <input type="checkbox"/> Other	
NOTICE ALSO SENT TO		FIRST NAME		INITIAL	
LAST NAME		STREET ADDRESS		CITY	
STATE		ZIP		MAILED	

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense 2/1/89	AM	Time 2:30	PM	County M	City BK	State NY	Viol. Code P 23
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ADMINISTRATIVE CODE		OTHER CODES	
1. <input type="checkbox"/> "Air Code" Provisions	5. <input type="checkbox"/> Sanitation Provisions	9. <input type="checkbox"/> Public Health Law	
2. <input type="checkbox"/> "Noise Code" Provisions	6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations	10. <input type="checkbox"/> Health Code Provisions	
3. <input type="checkbox"/> "Water Code" Provisions	7. <input type="checkbox"/> Food Vendor Provisions / Regulations	11. <input type="checkbox"/> Other	
4. <input checked="" type="checkbox"/> "Sewer Code" Provisions	8. <input type="checkbox"/> Other		

SECTION 4.6	REGULATION Sewer Use
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At Front of	Place of Occurrence	Opposite
<input checked="" type="checkbox"/> 40 Western Avenue		

DETAILS OF VIOLATION: IWC inspection of the wastewater
pH probe revealed that it was malfunctioning.
The pH of the wastewater was 11 as
high as 12. The pH probe was found to be
off 0.5 to 1.0 units.

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/> Single unit <input type="checkbox"/> Multiple unit	1 <input type="checkbox"/> Single unit <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other		NONE - YOU MUST APPEAR See Date, Time and Place Below:	
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		Maximum Penalty For Violations \$ 1000.00 or see reverse side	

Date of Appearance	7	Day of	March	1989	1	2	3	4
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Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT Alicia Vitano	REPORT LEVEL FIR & Sanitation Comm'd. Sol. Unit, etc.	1	2	3	4
COMPLAINANT'S NAME (Printed) Alicia Vitano	TAX REGISTRATION NUMBER 110110811	AGENCY IWC			

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☐ YES ☐ NO Date

OFFICE

BBC000018

TIERRA-B-016721

No. E04 8 840 716

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>Proctor & Gamble Mfg. Co.</i>		FIRST NAME <i>CO.</i>	INITIAL	Sex
STREET ADDRESS <i>40 Western Avenue</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>STATEN</i>	STATE <i>ILLINOIS</i>	ZIP <i>60131</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				
1 <input type="checkbox"/> Consumer Affairs License 4 <input type="checkbox"/> Vehicle Plate 7 <input type="checkbox"/> Build Reg. No. 2 <input type="checkbox"/> Health Dept. License 5 <input type="checkbox"/> Meter Number 8 <input type="checkbox"/> Telephone No. 3 <input type="checkbox"/> Motorist Identification 6 <input type="checkbox"/> Soc. Sec. No. 9 <input type="checkbox"/> Other				
ISSUED BY				
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>2/1/89</i>	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	Time <i>2:15</i>	County <i>M Bk Q S</i>	BD. NO. <i>6</i>	Violation Code <i>P 12.13</i>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

4.1 (1)

REGULATION

Sewer Use

At Front of	Place of Occurrence	Opposite
<input checked="" type="checkbox"/> <i>40 Western Avenue</i>		<input type="checkbox"/>
DETAILS OF VIOLATION <i>Wastewater discharge with a pH of 11, outside the permissible pH range of 5.0 to 9.5. The pH was recorded by IWC's investigators.</i>		

Property Removed Yes <input type="checkbox"/> No <input type="checkbox"/>	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial 2 <input type="checkbox"/> Multiple unit
Mailable Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>	<input checked="" type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below:	Maximum Penalty For Violation <i>\$1000.00</i> or see reverse side
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 P
Date of Appearance <i>7</i> Day of <i>March</i> 19 <i>89</i>		<i>2</i> <i>3</i> <i>4</i>

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>Affirmed Under</i>	REPORT LEVEL (FBI 4 Stages) Class of Viol. Unit, etc.
COMPLAINANT'S NAME (Printed) <i>Affirmed Under</i>	TAX REGISTRY NUMBER <i>116101311</i>
AGENCY <i>IWC's</i>	

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☐ YES ☐ NO ☐ Date

OFFICE

146

No. E04 8 841 430

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Picher & Gamble Manufacturing Co</i>		FIRST NAME	INITIAL	Sex
STREET ADDRESS <i>40 Western Ave</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>Staten Island</i>	STATE <i>NY</i>	ZIP <i>10310</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				ISSUED BY
1 <input type="checkbox"/> Consumer Affairs License 4 <input type="checkbox"/> Vehicle Plate 7 <input type="checkbox"/> Build Reg. No. 2 <input type="checkbox"/> Health Dept. License 5 <input type="checkbox"/> Meter Number 8 <input type="checkbox"/> Telephone No. 3 <input type="checkbox"/> Motorist Identification 6 <input type="checkbox"/> Soc. Sec. No. 9 <input type="checkbox"/> Other				
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/6/88</i>	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Time <i>5:00</i>	County <i>S</i>	BD. NO.	Violation Code <i>P 23</i>
ADMINISTRATIVE CODE			OTHER CODES		

- | | | |
|--|---|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions | 9. <input type="checkbox"/> Public Health Law |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations | 10. <input type="checkbox"/> Health Code Provisions |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations | 11. <input type="checkbox"/> Other |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other | |

SECTION <i>Sewer Use</i>	REGULATION <i>4.1(i)</i>
At Front of <input checked="" type="checkbox"/> Opposite <input type="checkbox"/>	Place of Occurrence <i>40 Western Ave</i>
DETAILS OF VIOLATION <i>Firm's Strip Chart on 8/6/88 shows a wastewater discharge with a pH of 11.8 in excess of Section 4.1(i) limit of 5-9.5</i>	

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial 2 <input type="checkbox"/> Multiple unit
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	<input checked="" type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below:	Maximum Penalty For Violation \$ <i>1000</i> or see reverse side
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 PM 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>

Date of Appearance *21* Day of *MARCH* 19 *89*

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>Frank L. Walsh</i>	REPORT LEVEL (PR & Sanitary Control & Soil Unit, etc.) <i>PR 56</i>
COMPLAINANT'S NAME (Printed) <i>FRANK L. WALSH</i>	TAX REGISTRY NUMBER <i>11111</i>
AGENCY <i>EWCS</i>	

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date *2/16/89*

OFFICER

No. E04 8 841 412

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Doctor & Sample Manufacturing Co</i>		FIRST NAME	INITIAL	Sex
STREET ADDRESS <i>40 Western Avenue</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>Staten Island</i>	STATE <i>NY</i>	ZIP <i>10313</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER			ISSUED BY	
1 <input type="checkbox"/> Consumer Affairs License 2 <input type="checkbox"/> Health Dept. License 3 <input type="checkbox"/> Motorist Identification 4 <input type="checkbox"/> Vehicle Plate 5 <input type="checkbox"/> Meter Number 6 <input type="checkbox"/> Soc. Sec. No. 7 <input type="checkbox"/> Build Reg. No. 8 <input type="checkbox"/> Telephone No. 9 <input type="checkbox"/> Other				
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/8/88</i>	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Time <i>9:00</i>	County <i>Staten Island</i>	City <i>Staten Island</i>	BD. NO. <i>2123</i>	Violation Code <i>2123</i>
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ADMINISTRATIVE CODE		OTHER CODES	
1. <input type="checkbox"/> "Air Code" Provisions	5. <input type="checkbox"/> Sanitation Provisions	9. <input type="checkbox"/> Public Health Law	
2. <input type="checkbox"/> "Noise Code" Provisions	6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations	10. <input type="checkbox"/> Health Code Provisions	
3. <input type="checkbox"/> "Water Code" Provisions	7. <input type="checkbox"/> Food Vendor Provisions / Regulations	11. <input type="checkbox"/> Other	
4. <input checked="" type="checkbox"/> "Sewer Code" Provisions	8. <input type="checkbox"/> Other		

SECTION <i>Sewer Use</i>	REGULATION <i>4.1(i)</i>
At Front of <input checked="" type="checkbox"/> <i>40 Western Ave</i>	Place of Occurrence <input type="checkbox"/>

DETAILS OF VIOLATION: *Firm's strip chart on 8/8/88 shows a wastewater discharge with a pH of 11.5 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Mailable Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>		Maximum Penalty For Violation \$ <i>1000</i> or see reverse side	
Multiple Offense Schedule (See Reverse Side) <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 PM 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	

Date of Appearance *21* Day of *MARCH* 19 *88*

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>IRENE DIVAL</i>	REPORT LEVEL (Fill 4 Spaces) Class, E, Sol, Unit, etc. <i>FR56</i>
COMPLAINANT'S NAME (Printed) <i>IRENE DIVAL</i>	AGENCY <i>IWCS</i>

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date *2/16/88*

OFFICER

14d

No. EP4 8 842 301

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <u>The Kektor & Gamble Manufacturing Co.</u>		FIRST NAME		INITIAL	Sex
STREET ADDRESS <u>40 Western Avenue</u>					
CITY <u>Staten Island</u>	STATE <u>NY</u>	ZIP <u>1103103</u>	Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER 1 <input type="checkbox"/> Consumer Affairs License 4 <input type="checkbox"/> Vehicle Plate 7 <input type="checkbox"/> Build Reg. No. 2 <input type="checkbox"/> Health Dept. License 5 <input type="checkbox"/> Meter Number 8 <input type="checkbox"/> Telephone No. 3 <input type="checkbox"/> Motorist Identification 6 <input type="checkbox"/> Soc. Sec. No. 9 <input type="checkbox"/> Other					
ISSUED BY					
NOTICE ALSO SENT TO					
LAST NAME		FIRST NAME		INITIAL	
STREET ADDRESS					
CITY					
STATE					
ZIP					
MAILED					

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <u>9/8/88</u>	AM	Time <u>4:00</u>	PM	County <u>Q</u>	CD <u>Q</u>	BD. NO.	Violation Code <u>D23</u>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

At Front of	Place of Occurrence	Opposite
<input checked="" type="checkbox"/> <u>40 Western Ave</u>		

DETAILS OF VIOLATION Firm's step chart on 9/8/88
shows a wastewater discharge with
a pH of 12 in excess of Section 4.1(k)
limit of 5-9.5

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ <u> </u> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>		NONE - YOU MUST APPEAR See Date, Time and Place Below: \$ <u>1000</u> or see reverse side	
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		Date of Appearance <u>21</u> Day of <u>MARCH</u> 19 <u>89</u> 8:30 AM 10:30 AM 1:00 PM 2:30 PM <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4	

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <u>IRVING SILVER</u>	REPORT LEVEL (FBI 4, Special Comm 4, Sub. Unit, etc.) <u>PR56</u>
COMPLAINANT'S NAME (Printed) <u>IRVING SILVER</u>	TAX REGISTRY NUMBER <u>INCE</u>

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date 2/16/89

OFFICER

14e

No. EP 8 842 292

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Printing & Sample Manufacturing Co.</i>		FIRST NAME	INITIAL	Sex
STREET ADDRESS <i>40 Western Avenue</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>Staten Island,</i>	STATE <i>NY</i>	ZIP <i>11030</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				ISSUED BY
1 <input type="checkbox"/> Consumer Affairs License 2 <input type="checkbox"/> Health Dept. License 3 <input type="checkbox"/> Motorist Identification 4 <input type="checkbox"/> Vehicle Plate 5 <input type="checkbox"/> Meter Number 6 <input type="checkbox"/> Soc. Sec. No. 7 <input type="checkbox"/> Build Reg. No. 8 <input type="checkbox"/> Telephone No. 9 <input type="checkbox"/> Other				
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>9/9/88</i>	AM	Time <i>1:00</i>	PM	County <i>SI</i>	BO. NO.	Violation Code <i>P 2 3</i>
ADMINISTRATIVE CODE				OTHER CODES		
1. <input type="checkbox"/> "Air Code" Provisions 2. <input type="checkbox"/> "Noise Code" Provisions 3. <input type="checkbox"/> "Water Code" Provisions 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions				5. <input type="checkbox"/> Sanitation Provisions 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations 7. <input type="checkbox"/> Food Vendor Provisions / Regulations 8. <input type="checkbox"/> Other 9. <input type="checkbox"/> Public Health Law 10. <input type="checkbox"/> Health Code Provisions 11. <input type="checkbox"/> Other		

SECTION <i>Sewer Use</i>	REGULATION <i>4.1(i)</i>
At Front of <input checked="" type="checkbox"/> <i>40 Western Ave</i>	Place of Occurrence <input type="checkbox"/>
DETAILS OF VIOLATION <i>Firm's Sept chart on 9/9/88 shows a wastewater discharge with a pH of 11.9 in excess of Section 4.1(i) Limit of 5-9.5</i>	

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> ALTERNATIVE SERVICE	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	<input type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below:	Maximum Penalty For Violation \$ <i>1000</i> or see reverse side	
Date of Appearance <i>21</i> Day of <i>MARCH</i> 1989		Time 8:30 AM 10:30 AM 1:00 PM 2:30 PM <i>2</i> <input checked="" type="checkbox"/> <i>3</i> <input type="checkbox"/> <i>4</i> <input type="checkbox"/>	

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>[Signature]</i>	REPORT LEVEL (Fill 4 Spaces) Comm. #, Sup. Unit, etc. <i>AR 56</i>
COMPLAINANT'S NAME (Printed) <i>THE PRINTING & SAMPLE MANUFACTURING CO.</i>	AGENCY <i>EWCS</i>

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date *2/16/89*

OFFICER

148

No. EPM 8 842 283

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Draper & Gamble Manufacturing Co.</i>		FIRST NAME		INITIAL	Sex
STREET ADDRESS <i>40 Western Avenue</i>		CITY <i>Staten Island</i>		STATE <i>NY</i>	ZIP <i>11030</i>
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER		ISSUED BY		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle	
1 <input type="checkbox"/> Consumer Affairs License 2 <input type="checkbox"/> Health Dept. License 3 <input type="checkbox"/> Motorist Identification		4 <input type="checkbox"/> Vehicle Plate 5 <input type="checkbox"/> Meter Number 6 <input type="checkbox"/> Soc. Sec. No.		7 <input type="checkbox"/> Build Reg. No. 8 <input type="checkbox"/> Telephone No. 9 <input type="checkbox"/> Other	
NOTICE ALSO SENT TO		FIRST NAME		INITIAL	
LAST NAME		STREET ADDRESS		CITY	
STATE		ZIP		MAILED	

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>9/10/88</i>	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	Time <i>9:10</i>	County <i>M</i>	City <i>Bk</i>	BD. NO. <i>0</i>	Violation Code <i>P 213</i>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

*Section 4.1(i)*At Front of ☒ Opposite ☐
Place of Occurrence *40 Western Ave*DETAILS OF VIOLATION *From Strip Chart on 9/10/88 shows a wastewater discharge with a pH of 11.6 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	NONE - YOU MUST APPEAR See Date, Time and Place Below:	Maximum Penalty For Violation \$ <i>1000</i> or see reverse side	
Date of Appearance <i>21</i> Day of <i>MARCH</i> 19 <i>89</i>		8:30 AM 10:30 AM 1:00 PM 2:30 PM 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT
*James Duval*COMPLAINANT'S NAME (Printed)
*JAMES DUVAL*IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date *2/16/89*

OFFICER

No. **EQ 8 841 440**ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES

City of New York, Petitioner vs Respondent:

LAST NAME (Print) The Hunter & Gamble Manufacturing Co		FIRST NAME Co		INITIAL	Sex
STREET ADDRESS 40 Western Avenue					
CITY Staten Island		STATE NY	ZIP 10310		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER					
1 <input type="checkbox"/> Consumer Affairs License		4 <input type="checkbox"/> Vehicle Plate		7 <input type="checkbox"/> Build Reg. No.	
2 <input type="checkbox"/> Health Dept. License		5 <input type="checkbox"/> Meter Number		8 <input type="checkbox"/> Telephone No.	
3 <input type="checkbox"/> Motorist Identification		6 <input type="checkbox"/> Soc. Sec. No.		9 <input type="checkbox"/> Other	
ISSUED BY					
NOTICE ALSO SENT TO					
LAST NAME		FIRST NAME		INITIAL	
STREET ADDRESS					
CITY		STATE		ZIP	
MAILED					

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense 9/1/89	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Time 5:00	County M	City Bk	Dist. 11	CD 5	BD. NO. P123	Violation Code 123
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

At Front of **Sewer use** Place of Occurrence **4-1(i)** Opposite☒ **40 Western Ave**DETAILS OF VIOLATION **Firm's Strip chart on 9/1/89 shows a wastewater discharge with a pH of 10.5 in excess of Section 4-1(i) limit of 5-9.5**

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> ALTERNATIVE SERVICE	1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>		2 <input type="checkbox"/> Multiple unit
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		Maximum Penalty For Violation \$1000 or see reverse side
Date of Appearance 21 Day of MARCH 19 89		8:30 AM 10:30 AM 1:00 PM 2:30 PM 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT James J. Javal		REPORT LEVEL (Fill in Spaces) Comm'd. Sol. Unit, etc. DR56
COMPLAINANT'S NAME (Printed) JAMES JAVAL	TAX REGISTRY NUMBER	AGENCY JWCS

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date **2/14/89**

OFFICER

146

No. **EP 8 842 310**ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) The Pracher & Gamble Manufacturing Co		FIRST NAME	INITIAL	Sex
STREET ADDRESS 40 Western Ave		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY Staten Island	STATE NY	ZIP 110303		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				
1 <input type="checkbox"/> Consumer Affairs License 4 <input type="checkbox"/> Vehicle Plate 7 <input type="checkbox"/> Build Reg. No. 2 <input type="checkbox"/> Health Dept. License 5 <input type="checkbox"/> Meter Number 8 <input type="checkbox"/> Telephone No. 3 <input type="checkbox"/> Motorist Identification 6 <input type="checkbox"/> Soc. Sec. No. 9 <input type="checkbox"/> Other				
ISSUED BY				
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense 9/7/88	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Time 9:00	County MS	City Staten Island	BD. NO. 103	Violation Code P 23
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

Sewer Use

REGULATION

4.1(c)

At Front of	Place of Occurrence	Opposite
<input checked="" type="checkbox"/> 40 Western Ave		
DETAILS OF VIOLATION Firm's Strip chart on 9/7/88 shows a wastewater discharge with a pH of 10.8 in excess of Section 4.1(c) limit of 5-9.5		

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> ALTERNATIVE SERVICE	1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial 2 <input type="checkbox"/> Multiple unit
Maritable Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>	<input type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below:	Maximum Penalty For Violation \$ 1000 or see reverse side
Date of Appearance 21 Day of MARCH 19 89		

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT Irene Duval	REPORT LEVEL (Fill 4 Spaces) Comm'd, Supd, Unit, etc. PR56
COMPLAINANT'S NAME (Printed) IRENE DUVAL	AGENCY INWCS

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date **2/16/89**

OFFICER

**ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY**

City of New York, Petitioner vs Respondent:

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

ADMINISTRATIVE CODE

- ## SECTION

REGULATION

Sewer use

4.1(ii)

At Front of

Place of Occurrence

Opposite

☒ ☐ 40 Western Ave

DETAILS OF LEGISLATION

Shows a wastewater discharge with a pH of 10.5 in excess of Section 401 limit of 9.5

<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <div style="border: 1px solid black; padding: 2px;"> <input type="checkbox"/> Alternative Service <input type="checkbox"/> Single unit <input type="checkbox"/> Commercial <input type="checkbox"/> Multiple unit </div>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> Mailable Penalty Schedule \$25 \$50 \$100 \$250 \$ _____ 1 2 3 4 Other </div> <div style="border: 1px solid black; padding: 2px;"> <input checked="" type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below: </div> <div style="border: 1px solid black; padding: 2px;"> Maximum Penalty For Violation \$ <u>1000</u> or see reverse side </div>								
Multiple Offense Schedule (See Reverse Side) <input type="checkbox"/>									
<table style="width: 100%;"> <tr> <td style="width: 25%;">Date of Appearance</td> <td style="width: 25%;">Day of</td> <td style="width: 25%;">Month</td> <td style="width: 25%;">Year</td> </tr> <tr> <td><u>31</u></td> <td><u>MARCH</u></td> <td><u>1989</u></td> <td><u>1</u></td> </tr> </table>		Date of Appearance	Day of	Month	Year	<u>31</u>	<u>MARCH</u>	<u>1989</u>	<u>1</u>
Date of Appearance	Day of	Month	Year						
<u>31</u>	<u>MARCH</u>	<u>1989</u>	<u>1</u>						

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>[Signature]</i>		REPORT LEVEL (Fill 4 Spaces) Carry'd, Std, Univ, etc.	<i>AR56</i>
COMPLAINANT'S NAME (Printed) <i>FRANK DUNN</i>	TAX REGISTRY NUMBER 	AGENCY <i>INCS</i>	

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date 2/16/59

OFFICER

No. EP4 8 841 468

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Proctor & Gamble Manufacturing Co</i>		FIRST NAME	INITIAL	Sex
STREET ADDRESS <i>40 Western Avenue</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>Staten Island</i>	STATE <i>NY</i>	ZIP <i>10310</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				ISSUED BY
1 <input type="checkbox"/> Consumer Affairs License		4 <input type="checkbox"/> Vehicle Plate	7 <input type="checkbox"/> Build Reg. No.	
2 <input type="checkbox"/> Health Dept. License		5 <input type="checkbox"/> Meter Number	8 <input type="checkbox"/> Telephone No.	
3 <input type="checkbox"/> Motorist Identification		6 <input type="checkbox"/> Soc. Sec. No.	9 <input type="checkbox"/> Other	
NOTICE ALSO SENT TO		FIRST NAME	INITIAL	
LAST NAME				
STREET ADDRESS		MAILED		
CITY	STATE	ZIP		

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/30/88</i>	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	Time <i>5:00</i>	County <i>M</i>	City <i>Bk</i>	Dist. <i>11</i>	BD. NO. <i>1</i>	Violation Code <i>P 213</i>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

Sewer use *4.1(i)*At Front of ☒ Place of Occurrence ☐ Opposite ☐
*40 Western Ave*DETAILS OF VIOLATION *Firm's Strip chart on 8/30/88 shows a wastewater discharge with a pH of 10.8 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/> 1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial 2 <input type="checkbox"/> Multiple unit
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>	<input checked="" type="checkbox"/> NONE - YOU MUST APPEAR See Date, Time and Place Below: Maximum Penalty For Violation \$ <i>1000</i> or see reverse side 8:30 AM 10:30 AM 1:00 PM 2:30 PM 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>
Date of Appearance <i>21</i> Day of <i>MARCH</i> 19 <i>89</i>	

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>Irene Duval</i>	REPORT LEVEL (Fill 4 Spaces) Class of Viol. Unit, etc. <i>PR 56</i>
COMPLAINANT'S NAME (Printed) <i>IRENE DUVAL</i>	TAX REGISTRY NUMBER <i>11111</i>
AGENCY <i>EHCS</i>	

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date *2/16/89*

OFFICER

14K

No. E04 8 841 385

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Wixor & Gamble Manufacturing Co</i>		FIRST NAME <i>Wixor</i>	INITIAL <i>W</i>	Sex <i>M</i>
STREET ADDRESS <i>45 Western Avenue</i>		Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle		
CITY <i>Staten Island</i>	STATE <i>NY</i>	ZIP <i>10303</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER				
1 <input type="checkbox"/> Consumer Affairs License		4 <input type="checkbox"/> Vehicle Plate		7 <input type="checkbox"/> Build Reg. No.
2 <input type="checkbox"/> Health Dept. License		5 <input type="checkbox"/> Meter Number		8 <input type="checkbox"/> Telephone No.
3 <input type="checkbox"/> Motorist Identification		6 <input type="checkbox"/> Soc. Sec. No.		9 <input type="checkbox"/> Other
ISSUED BY				
NOTICE ALSO SENT TO				
LAST NAME		FIRST NAME		INITIAL
STREET ADDRESS				
CITY				
STATE				
ZIP				
MAILED				

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/21/88</i>	AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	Time <i>1:00</i>	County <i>M</i>	City <i>Bk</i>	Dist. <i>10</i>	RD. NO. <i>5</i>	Violation Code <i>P 2 3</i>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

Sewer use *4.1(i)*At Front of ☒ Place of Occurrence Opposite ☐*40 Western Ave*

DETAILS OF VIOLATION *Firm's strip chart on 8/20/88 shows a wastewater discharge with a pH of 11.2 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Mailable Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>		NONE - YOU MUST APPEAR See Date, Time and Place Below: Maximum Penalty For Violation \$ <i>1000</i> or see reverse side	
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 PM Date of Appearance <i>21</i> Day of <i>MARCH</i> 19 <i>89</i> <i>2</i> <i>X</i> <i>3</i> <i>4</i>	

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>Irene Duval</i>	REPORT LEVEL (Per 4. Spaced) Comes 4. Set. Unit, etc. <i>AR 56</i>
COMPLAINANT'S NAME (Printed) <i>IRENE DUVAL</i>	TAX REGISTRY NUMBER <i>INCS</i>

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date *2/16/87*

OFFICER

14L

No. EP 8 841 394

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTY

City of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Parker & Sample Manufacturing Co.</i>		FIRST NAME <i>C.</i>		INITIAL <i>C.</i>	Sex <i>M</i>
STREET ADDRESS <i>40 Western Ave</i>					Respondent is: 1 <input type="checkbox"/> Owner or 2 <input type="checkbox"/> Operator of Vehicle
CITY <i>Statens Island</i>		STATE <i>NY</i>	ZIP <i>11013-013</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER					ISSUED BY
1 <input type="checkbox"/> Consumer Affairs License 2 <input type="checkbox"/> Health Dept. License 3 <input type="checkbox"/> Motorist Identification					4 <input type="checkbox"/> Vehicle Plate 5 <input type="checkbox"/> Meter Number 6 <input type="checkbox"/> Soc. Sec. No.
7 <input type="checkbox"/> Build Reg. No. 8 <input type="checkbox"/> Telephone No. 9 <input type="checkbox"/> Other					
NOTICE ALSO SENT TO					
LAST NAME		FIRST NAME		INITIAL	
STREET ADDRESS					MAILED
CITY		STATE		ZIP	

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/19/88</i>	AM <input checked="" type="checkbox"/>	Time <i>11:00</i>	PM <input type="checkbox"/>	County <i>ESSEX</i>	BD. NO. <i>6</i>	Violation Code <i>P 23</i>
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ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

*Sewer Use**4.1(i)*

At Front of Opposite

☒ *40 Western Avenue*DETAILS OF VIOLATION *Firm's Strip chart on 8/19/88 shows a wastewater discharge with a pH of 12 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed Yes <input type="checkbox"/> No <input type="checkbox"/>	ALTERNATIVE SERVICE <input type="checkbox"/>	1 <input type="checkbox"/> Single unit 2 <input type="checkbox"/> Multiple unit	3 <input type="checkbox"/> Commercial
Available Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other <input type="checkbox"/>		Maximum Penalty For Violation \$ <i>1000</i> or see reverse side	
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 PM 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>	

Date of Appearance *21* Day of *MARCH* 19*89*

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>Crime Reporter</i>	REPORT LEVEL (FBI & Spouses) Comm'd. & Spcl. Unit, etc. <i>AR 56</i>
COMPLAINANT'S NAME (Printed) <i>TRENE DUAL</i>	TAX REGISTRY NUMBER <i>INCS</i>

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES NO ☐ Date *2/16/89*

OFFICER

14M

No. EP 8 841 403

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES

of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Perfor & Gamble Manufacturing Co</i>		FIRST NAME <i>Co</i>		INITIAL <i>Co</i>	Sex
STREET ADDRESS <i>40 Western Avenue</i>					
CITY <i>Staten Island</i>		STATE <i>NY</i>		ZIP <i>10310</i>	
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER					
1 <input type="checkbox"/> Consumer Affairs License		4 <input type="checkbox"/> Vehicle Plate		7 <input type="checkbox"/> Build Reg. No.	
2 <input type="checkbox"/> Health Dept. License		5 <input type="checkbox"/> Meter Number		8 <input type="checkbox"/> Telephone No.	
3 <input type="checkbox"/> Motorist Identification		6 <input type="checkbox"/> Soc. Sec. No.		9 <input type="checkbox"/> Other	
NOTICE ALSO SENT TO					
LAST NAME		FIRST NAME		INITIAL	
STREET ADDRESS					
CITY		STATE		ZIP	
MAILED					

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense	AM	Time	PM	County	C	BD. NO.	Violation Code
<i>8/9/88</i>	<input type="checkbox"/>	<i>2:00</i>	<input checked="" type="checkbox"/>	<i>M Bk Q S</i>	<i>COM</i>	<i>P 23</i>	

ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

At Front of	Place of Occurrence	Opposite
<input checked="" type="checkbox"/>	<i>40 Western Ave</i>	<input type="checkbox"/>

DETAILS OF VIOLATION *Firm's Strip Chart on 8/9/88 shows a wastewater discharge with a pH of 11.9 in excess of Section 4.1(i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> ALTERNATIVE SERVICE	1 <input type="checkbox"/> Single unit	3 <input type="checkbox"/> Commercial								
Available Penalty Schedule		2 <input type="checkbox"/> Multiple unit									
<table border="0"><tr><td>\$25</td><td>\$50</td><td>\$100</td><td>\$250</td></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td></tr></table>		\$25	\$50	\$100	\$250	1	2	3	4	Maximum Penalty For Violation <i>\$ 1000</i>	
\$25	\$50	\$100	\$250								
1	2	3	4								
Date of Appearance <i>21</i> Day of <i>MARCH</i> 1989		or see reverse side 8:30 AM 10:30 AM 1:00 PM 2:30 PM									

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>JEANE DUVAL</i>		REPORT LEVEL (Fill in Spaces) Com'n'd, Sol., Unit, etc. <i>PR 56</i>
COMPLAINANT'S NAME (Printed) <i>JEANE DUVAL</i>		AGENCY <i>INCS</i>
IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Date <i>2/16/89</i>

OFFICER

No. ED4 8 841 421

ENVIRONMENTAL CONTROL BOARD
NOTICE OF VIOLATION AND HEARING
FOR CIVIL PENALTIES ONLY

of New York, Petitioner vs Respondent:

LAST NAME (Print) <i>The Harbor & Sample Manufacturing Co.</i>		FIRST NAME <i>Co.</i>		INITIAL	Sex
STREET ADDRESS <i>40 Western Ave</i>					
CITY <i>Staten Island</i>		STATE <i>NY</i>	ZIP <i>10313</i>		
TYPE OF LICENSE / PERMIT OR IDENTIFICATION NUMBER 1 <input type="checkbox"/> Consumer Affairs License 4 <input type="checkbox"/> Vehicle Plate 7 <input type="checkbox"/> Build Reg. No. 2 <input type="checkbox"/> Health Dept. License 5 <input type="checkbox"/> Meter Number 8 <input type="checkbox"/> Telephone No. 3 <input type="checkbox"/> Motorist Identification 6 <input type="checkbox"/> Soc. Sec. No. 9 <input type="checkbox"/> Other					
ISSUED BY					
NOTICE ALSO SENT TO FIRST NAME INITIAL					
LAST NAME					
STREET ADDRESS					
CITY STATE ZIP					
MAILED					

The Respondent is charged with violation of Law, Regulation or Admin. Code, cited below:

Date of Offense <i>8/7/88</i>	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Time <i>9:00</i>	County <i>M</i>	City <i>Bx</i>	CD <i>0</i>	BD. NO. <i>0</i>	Violation Code <i>P 2 3</i>
----------------------------------	--	---------------------	--------------------	-------------------	----------------	---------------------	--------------------------------

ADMINISTRATIVE CODE

- | | |
|--|---|
| 1. <input type="checkbox"/> "Air Code" Provisions | 5. <input type="checkbox"/> Sanitation Provisions |
| 2. <input type="checkbox"/> "Noise Code" Provisions | 6. <input type="checkbox"/> Consumer Affairs Provisions / Regulations |
| 3. <input type="checkbox"/> "Water Code" Provisions | 7. <input type="checkbox"/> Food Vendor Provisions / Regulations |
| 4. <input checked="" type="checkbox"/> "Sewer Code" Provisions | 8. <input type="checkbox"/> Other |

OTHER CODES

- | |
|---|
| 9. <input type="checkbox"/> Public Health Law |
| 10. <input type="checkbox"/> Health Code Provisions |
| 11. <input type="checkbox"/> Other |

SECTION

REGULATION

*Sewer Use**4.1 (i)*At Front of ☒ Place of Occurrence Opposite ☐

DETAILS OF VIOLATION *Firm's Strip Chart on 8/7/88 shows a wastewater discharge with a pH of 11.5 in excess of Section 4.1 (i) limit of 5-9.5*

Property Removed <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> ALTERNATIVE SERVICE	1 <input type="checkbox"/> Single unit 3 <input type="checkbox"/> Commercial 2 <input type="checkbox"/> Multiple unit
Mailable Penalty Schedule \$25 \$50 \$100 \$250 \$ 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other		Maximum Penalty For Violation \$ <i>1000</i> or see reverse side
Multiple Offense Schedule (See Reverse Side) 9 <input type="checkbox"/>		8:30 AM 10:30 AM 1:00 PM 2:30 PM 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>

Date of Appearance *21* Day of *MARCH* 19*89*

Respondent named above is required and hereby directed, if not answering by mail, to appear for a hearing at an Environmental Control Board Office listed on the reverse side.

WARNING: If you do not appear (or pay by mail if permitted) you will be held in default and subject to the maximum penalties permitted by law. Failure to appear or pay a penalty imposed may lead to suspension of your license or other action affecting licenses you now have or may apply for.

I personally observed the commission of the civil violation charged above. False statements made herein are punishable as a class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of perjury.

RANK (TITLE) SIGNATURE OF COMPLAINANT <i>James J. Dwyer</i>	REPORT LEVEL (Fill & Submit) Class of Viol. Unit, etc. <i>PR 56</i>
COMPLAINANT'S NAME (Printed) <i>JAMES DWYER</i>	TAX REGISTRY NUMBER <i>11111</i>
AGENCY <i>EWCS</i>	

IS AFFIDAVIT OF SERVICE ON REVERSE SIDE SIGNED? ☒ YES ☐ NO Date *2/16/89*

OFFICER

140.

April 13, 1989

Mr. Arthur J. Beebe, Jr.
Regional Director
Food and Drug Administration
830 Third Avenue
Brooklyn, New York 11232

Re: Proctor & Gamble
Manufacturing Company
40 Western Avenue
Staten Island, NY 10303

Certified Mail/Return Receipt Requested

Dear Mr. Beebe:

Our Bureau is charged with investigating premises used for manufacturing, within the City of New York, to insure compliance with the Sewer Use Regulations. We recently conducted an investigation of the Proctor and Gamble Manufacturing Company complex at 40 Western Avenue, Staten Island New York 10303. This facility produces soaps, orange juice and powdered cake mixes.

During the course of our investigation, the Industrial Wastes Control Section sampled, for three consecutive days beginning on March 28th, the wastewater being generated by the facility. Sampling was performed where all wastewater from the facility is combined, prior to discharge to the public sewer. Laboratory analyses from this sampling program indicate high concentrations of both lead and zinc in the wastewater; daily discharges of these metals is approximated at 50 pounds of lead and 80 pounds of zinc.

The Bureau of Wastewater Treatment has initiated enforcement proceedings against Procter & Gamble, because its discharge violates the Sewer Use Regulations. Additionally, we believe that it would be prudent to alert your agency concerning our findings.

BBC000021

Mr. Arthur J. Beebe, Jr.
Regional Director
Food and Drug Administration
830 Third Avenue
Brooklyn, New York 11232

If you need any additional information concerning this matter,
please telephone Mr. Larry A. Klein, P.E., Chief, Industrial
Wastes Control Section at (212) 860-9318.

Sincerely,
Original Signed By

Edward O. Wagner, P.E.
Assistant Commissioner
Director
Bureau of Wastewater Treatment

cc: Lutzic
Klein
LaGrotta
Neptune
Comninakis
File P-616
File S-5004

RLG/LAK/dw

CITY OF NEW YORK
ENVIRONMENTAL CONTROL BOARD

Please
DRAFT

COMMISSIONER OF THE DEPARTMENT:
OF ENVIRONMENTAL PROTECTION,
CITY OF NEW YORK,

PETITIONER,

vs.

The Procter &
Gamble Manufacturing
Company

Respondent.

STIPULATION ORDER

NOTICES OF VIOLATION
NUMBERED: As listed
in Appendix A

*type
corrected
RLL
(LEAVE
SINGLE
SPACED)*

WHEREAS, the Commissioner of the City New York Department of Environmental Protection (hereinafter, "DEP") has issued 34 Notices of Violation, as listed in Appendix A, to Respondent, The Procter & Gamble Manufacturing Company(hereinafter, "the Company") pursuant to Section 24-524 of the Administrative Code of the City of New York and the Rules and Regulations Relating to the Use of Public Sewers, Including Sewer Surcharges (hereinafter, "the Sewer Use Regulations") and

WHEREAS, said Notices of Violation charged the Company with violations of Sections 4.1(i) and 4.6 of the Sewer Use Regulations; and

WHEREAS, the DEP and the Company wish to resolve the foregoing Notices of Violation as listed in Appendix A, (hereinafter collectively referred to as the "Proceedings"); and

WHEREAS, DEP believes, and the Company agrees, that resolution of the Proceedings without further litigation is in the best interests of the parties and in the public interest and that issuance of this Stipulation Order is the most appropriate means of resolving the Proceedings; and

WHEREAS, the Company and DEP agree that it is in the best interests of the parties and the public to implement the measures outlined in Appendix B at the Company's facility at 40 Western Avenue, Staten Island New York (hereinafter, the "Site");and

WHEREAS, the Company agrees to be bound by the terms of this Stipulation Order and further not to contest the terms of this Order in any action or proceeding to enforce its provisions; however, notwithstanding the foregoing, nothing contained herein shall constitute a waiver or an admission by the Company of any issues not provided for herein.

NOW, THEREFORE, before the taking of any testimony, upon the pleadings, correspondence and discussions between the parties, without trial or adjudication of any allegation of fact or law

BBC000024

TIERRA-B-016738

DRAFT

and subject to the approval of the ECB, it is hereby ordered and agreed that:

1. The Company shall develop and implement a pretreatment program to undertake the improvements outlined in Appendix B in accordance with the schedule set forth therein.

2. The Company agrees:

- A. not to discharge industrial wastewater to the New York City sewer system except through its existing houseline;
- B. to provide authorized departmental personnel immediate access to the Site for the purpose of sampling, inspection, or investigation, under emergency conditions and at all other reasonable times;
- C. to immediately notify DEP at (212) 996-7500 (24-hour number), of any accidental spill to a public sewer in accordance with Section 4.4 of the Sewer Use Regulations;
- D. to notify DEP of any significant change in industrial processes or operations that would likely result in new, different or increased discharges of pollutants and/or wastewater;
- E. to store, transport, treat and dispose of sludge, residue or waste, if any, generated by the installed pretreatment equipment in accordance with all applicable federal, state and local sludge disposal and transportation requirements;
- F. to comply with all provisions and requirements of the Sewer Use Regulations (DEP and the Company acknowledge that enforcement proceedings are pending against the Company with respect to alleged violations of Section 5.1 of the Sewer Use Regulations);
- G. to notify the DEP of any change in ownership or control of the Company; and
- H. to furnish such additional information as the DEP may reasonably require.

3. This Order can only be modified by ECB and upon application of both the parties hereto, and only for circumstances that could not have been reasonably foreseen or prevented or are without the control of the Company, such as acts of God, fire, flood, riot or strike. The Company shall, within a reasonable period of time, notify DEP in writing upon obtaining knowledge of any such condition. Nothing in this paragraph shall be construed to obligate ECB to grant any such applications.

4. DEP inspectors shall comply with the Company's regularly posted reasonable safety protocols when at the Site.

5. This Order is to be signed by the Company and DEP and subject to approval by the ECB; the effective date of this Order shall be the date of such approval.

DRAFT

6. The Company agrees to pay a civil penalty of eight thousand (\$8,000) dollars in full satisfaction of the 34 Notices of Violation listed in Appendix A as so designated in Appendix A.

7. The parties understand and agree that the terms of this Order cannot be appealed.

8. All communications required hereby to be made between the parties shall be made in writing and transmitted by United States Postal Service certified mail return receipt requested or hand delivered to the addresses listed hereunder.

A. Communication to be made to DEP shall be made to:

Mr. Lawrence A. Klein, P.E., Chief
New York City Department of
Environmental Protection
Industrial Wastes Control Section
Wards Island, New York 10035

B. Communication to be made to ECB shall be made to:

Mr. John Boden
Executive Director
Environmental Control Board
1250 Broadway
8th Floor
New York, New York 10001

C. Communication to be made to the Company shall be made to:

Mr. Philip E. Robinson
Procter & Gamble Manufacturing Company
P.O. Box 140707
Staten Island, New York 10314

D. DEP and the Company reserve the right to designate other or different addresses on notice to the other, which designation shall be in writing and served in accordance with this Paragraph.

9. The provisions of this Order shall be deemed to bind the Company, its successors and assigns.

10. The provisions hereof shall constitute the complete and entire order and understanding between the Company and DEP concerning the Proceedings.

11. By executing this Stipulation Order the Company admits the 34 Notices of Violation referenced in Appendix A for purposes of this Order and any subsequent civil judicial or civil administrative enforcement action or proceeding against the Company by DEP or ECB relating to alleged violations of the Administrative Code or Sewer Use Regulations, including one to enforce the terms of this Order.

12. Except as provided in Paragraph 11 hereof neither this Order, nor anything contained herein, shall constitute an

admission of law or fact or evidence thereof by any party, or of any violation of any law, rule, regulation, stipulation or order, or of any obligation or liability not expressly provided for herein and shall not be admissible in any criminal action or proceeding.

13. The Company acknowledges that a failure to meet any of the dates or other requirements set forth herein may subject the Company to the issuance of Notices of Violation carrying civil penalties, under current law, of up to \$1,000 per day per violation, and/or cease and desist orders.

14. For all compliance dates referred to in Appendix B for which the date has already passed, the Company hereby certifies that this work had been completely performed as of the date of execution hereof.

15. The Company agrees to provide monthly monitoring reports to DEP as specified in Appendix B. The nature and quantity of materials comprising this report can be modified by mutual agreement of the parties.

16. The Company has installed and agrees to continuously use and maintain a pH monitoring system, equipped with audible and visible level alarms. During any operating hours, when the Boiler House is operational or production departments are in operation (normally 0730 Monday to 0730 Saturday), effluent pH will be monitored and recorded in the Boiler House. High and low levels on the alarm are to be set with a margin of safety. When the plant and Boiler House are not operational the plant security force will monitor and record the effluent pH at half hour intervals.

17. Under the terms and conditions of this Order, the Company is Not granted any immunity with respect to potential pH violations of Section 4.1(i) of the Sewer Use Regulations. The company and DEP acknowledge that the Company does not currently have a pH neutralization system and that normal production operations may result in variations of pH outside the limits set forth in Section 4.1(i). A determination to commence enforcement for future violations of Section 4.1(i) shall be in the sole discretion of DEP.

18. By the compliance date indicated in Appendix B, paragraph IIH, all wastewater discharges from the site shall fully comply at all times with the pH limitations set forth in Section 4.1(i) of the Sewer Use Regulations.

19. This Order shall expire as of December 3, 1990 or at such earlier time as the company submits proof of compliance.

CONSENT

DEP and the Company have read the foregoing Consent Order, believe it to be reasonable, and consent to its issuance and to its terms, and furthermore, upon approval of this Order by ECB

DRAFT

the Company waives all rights to a hearing or appeals in respect of the Notices of Violation listed in Appendix A.

FOR DEP:

For the Company:

EDWARD O. WAGNER, P.E
ASSISTANT COMMISSIONER,
DIRECTOR, BUREAU OF
WASTEWATER TREATMENT

Title: _____

Date: _____

Date: _____

Environmental Control Board
Administrative Law Judge

Date: _____

DRAFT

APPENDIX A

VIOLATION NUMBER

CIVIL PENALTY

E-048-840-716	\$235.00
E-048-840-725	245.00
E-048-841-293	235.00
E-048-841-302	235.00
E-048-841-311	235.00
E-048-841-320	235.00
E-048-841-330	235.00
E-048-841-349	235.00
E-048-841-358	235.00
E-048-841-367	235.00
E-048-841-376	235.00
E-048-841-385	235.00
E-048-841-394	235.00
E-048-841-403	235.00
E-048-841-412	235.00
E-048-841-421	235.00
E-048-841-430	235.00
E-048-841-440	235.00
E-048-841-459	235.00
E-048-841-468	235.00
E-048-841-477	235.00
E-048-841-486	235.00
E-048-841-495	235.00
E-048-841-504	235.00
E-048-842-265	235.00
E-048-842-274	235.00
E-048-842-283	235.00
E-048-842-292	235.00
E-048-842-301	235.00
E-048-842-310	235.00
E-048-842-320	235.00
E-048-842-339	235.00
E-048-842-348	235.00
E-048-842-045	<u>235.00</u>

Total \$ 8,000.00

APPENDIX B

- I. The Company shall install a pretreatment system designed to insure continuous compliance with the discharge limits set forth in Section 4.1(i) of the Sewer Use Regulations for all wastewater entering the public sewer. In accordance with this requirement, the Company agrees to comply with the following schedule:

<u>Increment of Progress</u>	<u>Completion Date</u>
A. Establish flow monitoring and sampling program	4-10-89
B. Install and make operational a manual pH control system at lift station to be used for "major spills" and other similar emergency situations	5-01-89
C. Conduct field investigation and sample collection	5-29-89
D. Develop conceptualization plan	8-28-89
E. Obtain funding and complete system design	1-01-90
F. Obtain all building permit approvals and begin construction	2-01-90
G. Complete Construction	10-01-90
H. <u>FACILITY IN FULL COMPLIANCE AND PROOF OF COMPLIANCE SUBMITTED TO DEP</u>	<u>12-03-90</u>

- II. The Company shall submit a progress report no later than 14 days following each completion date in paragraph I indicating whether or not it complied with the corresponding increment of progress in a timely manner and, if not, the date on which it expects to comply, the reason(s) for the delay and the steps being taken to return to the schedule. *September 10,*

- III. The company shall submit copies of the daily hourly average pH printouts for each month by the 10th day of the following month as long as this stipulation is in force. The first report shall be due on ~~July 1~~, 1989. The monthly report shall include an explanation of any pH excursion, its cause and the corrective action taken. A pH excursion shall be when any pH hourly average printout exceeds 4 or 10.5. Respondent will retain the pH strip charts generated at the lift station for three years after the date each chart is generated. *to the extent known*

RCRA GLENER OR INSPECTION FORM

COMPANY NAME: Proctor & Gamble Mfg Co.

EPA I.D. NUMBER:

NYD 000 249961

EPA 64-00000
64 00000
64 01 04

COMPANY ADDRESS:

Mailing Address: P.O. Box A, Staten Island, NY 10314 (Location: Western Ave., Staten Island)
(Richmond)

COMPANY CONTACT OR OFFICIAL:

R.E. Dickson

INSPECTOR'S NAME:

ANNA R. SARACCO

TITLE:

Environmental Control Engineer

BRANCH/ORGANIZATION:

NYS DEC, Region 2

CHECK IF FACILITY IS ALSO A TSD

DATE OF INSPECTION:

11/20/81

FACILITY

[] They registered as a
TSD but they are not.

10:30 A.M.

YES

NO

LON
KJW

(1) Is there reason to believe that the facility has hazardous waste on site?

a. If yes, what leads you to believe it is hazardous waste?
Check appropriate box:

[] Company admits that its waste is hazardous during the inspection.

[] Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.

[] The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)

[] The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)

[] The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)

[] EPA testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)

[] Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

BBH000005

YES

NO

DON'T
KNOW

- b. Is there reason to believe that there are hazardous wastes on-site which the company claims are merely products or raw materials?

Please explain:

- c. Identify the hazardous wastes that are on-site, and estimate approximate quantities of each. See last page for wastes that ARE generated. *Answer*

- d. Describe the activities that result in the generation of hazardous waste. The company is a large manufacturer of soaps & detergents for household use. They also produce shortening.

- (2) Is hazardous waste stored on site?

- a. What is the longest period that it has been accumulated?

N/A

- b. Is the date when drums were placed in storage marked on each drum?

N/A

- (3) Has hazardous waste been shipped from this facility since November 19, 1980? They used the manifest for 2 shipments of waste oil.

- a. If "yes," approximately how many shipments were made?

- (4) Approximately how many hazardous waste shipments off site have been made since November 19, 1980?

- a. Does it appear from the available information that there is a manifest copy available for each hazardous waste shipment that has been made? A old abandoned fuel tank had been cleaned. It contained bunker C with sand mixed in. One shipment went to

- b. If "no" or "don't know," please elaborate. Nassau Tank Cleaners (100 gallons) Brooklyn. The other to

Evergreen Environmental
Elizabeth, N.J. (2500 gallons)
Auction Industrial Vacuum
Service did the cleaning to
Fuel tank.

YES NO DO NOT
KNOW

c. Does each manifest (or a representative sample) have the following information?

- a manifest document number *They use manifests printed by their company.* /
- the generator's name, mailing address, telephone number, and EPA identification number /
- the name, and EPA identification number of each transporter /
- the name, address and EPA identification number of the designated facility and an alternate facility, if any: /
- a description of the wastes (DOT) /
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle /
- a certification that the materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation under regulations of the Department of Transportation and the EPA /

(5) Were there any hazardous wastes stored on site at the time of the inspection?

a. If "yes," do they appear properly packaged (if in containers) or, if in tanks, are the tanks secure?

N/A.

b. If not properly packaged or in secure tanks, please explain.

N/A.

c. Are containers clearly marked and labelled? *N/A.*

d. Do any containers appear to be leaking? *N/A.*

e. If "yes," approximately how many?

YES : NO : DON'T KNOW

(6) Has the generator submitted an annual report to EPA covering the previous calendar year?

a. How do you know?

N/A

(7) Has the generator received signed copies (from the TSD facility) of all manifests for wastes shipped off site more than 35 days ago?

a. If "no," have Exception Reports been submitted to EPA covering these shipments?

(8) General comments.

The company generates the following types of waste:

- Waste lube oil - About 20 drums/yr. that is blended with their fuel.

- Spent nickel catalyst - this is used to produce shortening

The spent nickel is shipped to

Metaiores International

54 99 Glen Lakes

Dallas Tx. 75231

} This company recycles the nickel catalyst.

- Tailings & still bottoms from hydrolyzing operation in soap making
(non-hazardous) - This goes to Buckeye Cellulose, South Plant,
327 Deardorck Ave., Memphis, Tennessee 38114 for recycling.

- Sludge from bottom of a grease trap on site - They have had NY Testing do an EP Toxicity test on the material & found it to be non-hazardous. They have submitted the results to N.J.D.E.P. & asked for guidance on disposal. They are also ^{had} an atomic absorption test done.

The grease from the grease trap is put back into the process.

- Acid on alkali tank cleaning - Occasionally they will clean an acid or alkali tank & dispose of the contents properly. They have not had to do so in the last year.

The effective date for this requirement is March 1, 1982.

Product - RANOL - Occasionally they will have some product to dispose of. He gave the example of 500 cans of comet that was brought to BFI.

Dust Air Pollution Equipment - This is put back into the manufacturing process at the plant.