

**NEW YORK STATE
DEPARTMENT OF**



**ENVIRONMENTAL
CONSERVATION**

Dear Interested Citizen:

If you have any questions or would like more information, please do not hesitate to contact:

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For site related health questions, please contact the following Health Department representatives at:

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FACT SHEET

Simonds Saw and Steel Site

Role of the Department of Environmental Conservation

February 2001

Introduction

In 1999, the New York State Department of Environmental Conservation (NYSDEC) informed you of radiation surveys the Department had performed on the Allegheny Ludlum property in Lockport. Now that the US Army Corps of Engineers is involved in this site, we would like to tell you how our role in this project will change.

Background

Between 1948 and 1956, uranium and thorium were milled by the Simonds Saw and Steel Company (one of Allegheny Ludlum's predecessors at the site in Lockport) under contracts with the Atomic Energy Commission. Later the plant was owned by Guterl Special Steel Corporation, which went bankrupt. In 1984, Allegheny International purchased the property, except for a 9.1-acre parcel (referred to as the "excised area") that remained in the possession of the bankruptcy trustee because of known contamination in the buildings on that part of the site.

In March 1996, New York State learned that the bankruptcy trustee had filed a motion in bankruptcy court to legally abandon the property. Staff from NYSDEC, the State Health Department, and United States Environmental Protection Agency (EPA) inspected the site in April 1996 and confirmed that the site was contaminated with both hazardous and radioactive materials. As a result, New York State intervened in the bankruptcy proceeding and prevented the legal abandonment of this property.

1996-1999 DEC's Actions to Address Contamination

In 1996 and 1997, at NYSDEC's request, EPA removed about 275 barrels of hazardous chemicals, including PCBs, corrosives, oxidizers, solvents, and mixed wastes, and about 4500 gallons of bulk liquid hazardous waste. Between 1996 and 1999, NYSDEC staff performed several radiation surveys at the site, and identified radioactive contamination within and outside of the 9.1-acre Simonds Saw site.

At the same time, the State continued to work in the bankruptcy court to have the federal government cleanup the site. NYSDEC and State Health Department staff testified in the bankruptcy court that the site must be remediated. At the State's urging, the bankruptcy trustee hired Oak Ridge Institute for Science and Education (ORISE) to do a thorough radiological survey of the site to characterize the extent of contamination.

Resulting Actions

In January 2000, ORISE issued its report. ORISE found significant radioactive contamination in both the Simonds Saw property and parts of the Allegheny Ludlum property (Guterl Steel site). Based on those results, the State then urged the federal government to take responsibility for remediating the site. As a result, in May 2000, the US Department of Energy informed the Corps of Engineers that the Guterl Steel site would be eligible for inclusion in FUSRAP if the Corps determines that response action under CERCLA is required to address the FUSRAP-related contamination there.

Hazardous Waste Contamination at the Guterl Steel site

In 1997, the Department conducted a site investigation of the Guterl Excised Area to determine the presence and extent of non-radioactive hazardous waste existing at the site. The investigation included collection and chemical analysis of soil, waste, fill and groundwater found at the Excised Area. The results of this investigation indicate relatively widespread but moderate to low concentrations of contaminants exist at the site. While not prevalent throughout the entire site, the investigation found the presence of hazardous waste in limited areas, as defined by applicable laws and regulations. Given the results of the investigation, the Department will determine what actions it will take relative to the hazardous waste found in the Excised Area.

NYSDEC's Role

NYSDEC has signed a Cooperative Agreement with the Corps, under which NYSDEC receives federal funds to provide statewide oversight and review of the Corps' FUSRAP sites. As called for in that agreement, Department staff act in an independent capacity and perform oversight of cleanups.

This oversight role includes review of the Corps' work plans and all documents prepared to ensure they comply with state and federal regulations. NYSDEC identifies the State laws and regulations that are applicable or relevant and appropriate for these cleanups. During a remediation, NYSDEC staff are on site frequently, to observe the Corps' activities, perform radiation surveys, and collect samples for analysis. At the end of a remediation, NYSDEC provides the Corps and the public with an assessment of the cleanup with respect to State laws, regulations and policies.

NYSDEC has provided copies of its reports on this site to the Corps of Engineers. The Department will continue to seek remediation of this site by the federal government.

Where Can I Get More Information?

The NYSDEC has established a Document Repository for this site at:

NYSDEC's Buffalo Office
270 Michigan Avenue
Buffalo, N.Y.;
by appointment (716) 851-7220

In addition, your questions or comments are important to us, so please feel free to call us at the phone numbers listed on the front of this Fact Sheet.