



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

REC. 8/6/07 USL

AUG 01 2007

Walter D. Garrow, President
Joseph A. Gardella, Jr, Co-Vice Chair
Lake Ontario Ordnance Works Remedy Advisory Board
P.O. Box 181
Youngstown, NY 14174

Dear Messrs Garrow and Gardella:

This is in response to your letter dated June 28, 2007 to Regional Administrator, Alan Steinberg, concerning the issuance of the Remedial Investigation Report (RIR) being prepared by U.S. Army Corps of Engineers Buffalo District (USACE) for the Niagara Falls Storage Site (NFSS), and your concern that your organization be allowed to see and review a draft of this report. Your letter has been forwarded to me for a response.

I talked personally with Ms. Judith Leithner of the USACE today, August 1, 2007 about the RIR. She informs me that the report is currently undergoing internal Agency review outside of the Buffalo District Office. Ms. Leithner has assured me that once the report is released there will be public information sessions that will solicit comments from organizations such as yours, as well as our U.S. Environmental Protection Agency Region 2 Office (EPA). As such your organization will be accorded the same review opportunities as all of the other stakeholders.

EPA has been involved with the NFSS site since the 1970s and I have already assigned one of my staffers the responsibility for reviewing this RIR once it is received. I have been assured by Ms. Leithner that while their Agency's policy is to not release such reports in draft form, the USACE will consider all commentary provided on their RIR. This is not inconsistent with the National Environmental Policy Act (NEPA), as whatever final remedy that will be applied to this site will need to have a NEPA review.

I understand your concerns about time sensitivity. Our concern is that the report be issued as soon as possible. I have communicated that to Ms. Leithner who is not unsympathetic to our request. We agree with you that the waste currently stored on site is of great environmental significance. As such we want to be sure the RIR is technically sound and comprehensive. We will review this document, as I am sure other stakeholders will. Any modifications or revisions necessary will be addressed by the USACE in the review period after the report's release.

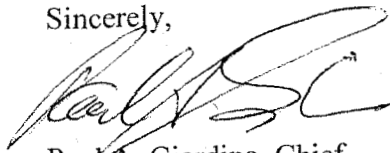
I appreciate your concern for the NFSS site and I hope this response shows we share that concern and that we are aware of the process being used by the USACE for this RIR and its adequacy.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Paul A. Giardina', written over the printed name.

Paul A. Giardina, Chief
Radiation and Indoor Air Branch

cc: Judith Leithner
Ed Dassatti, NYS DEC
Stephen Gavitt, NYS DOH