

TOWN OF LEWISTON, NY

FACSIMILE TRANSMITTAL SHEET

TO:	William Kowaleski	FROM:	Fred Newlin, Supervisor
COMPANY:	Town of Lewiston, NY	DATE:	1/2/2008
FAX NUMBER:		TOTAL NO. OF PAGES INCLUDING COVER:	3
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	LOOW Rev. Letter	YOUR REFERENCE NUMBER:	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

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**Town
of
Lewiston**



Fred Newlin
Town Supervisor
716-754-8213

1375 Ridge Road • Lewiston, New York 14092

December 21, 2007 (Rev. 12/31/07)

William Kowalewski, Project Manager
U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199 via facsimilie (716) 879-4194

**RE: Town of Lewiston Property and the former Lake Ontario Ordnance Works
("LOOW") Site**

Dear Mr. Kowalewski,

We recently received a copy of a letter from New York State to the Corps, dated December 3rd, 2007 that discusses risk and funding for remediation of properties owned by and/or located within the Town of Lewiston. We have consulted with our County Health Department Director and would also like to offer comments to the Army Corps of Engineers.

First, we would like to thank the Corps for some excellent work at the LOOW Site in recent years. We share the State's concern for swift action. However, we are unsure that the demolition of buildings and partial removal of contamination in advance of fully characterizing the property is the best approach for decreasing risk of public harm. Demolition is far from a surgical procedure and risks disturbing contamination not yet identified. It may also have the unintended effect of slowing progress for safe remediation of the entire property.

As a first step, we ask the Corps' assistance in securing the property. Substantial brush removal by the Corps during its Underground Utilities investigation last year has presented additional exposure challenges. We would appreciate meeting with the Corps to discuss this topic at your earliest convenience.

Second, based upon a preliminary review of chemical and radiological data from the Corps on Lewiston and adjacent property (2004, 2006, and the Dec. 14th NFSS RIR,) we are grateful the Corps has planned additional sampling for the Lewiston property next year, as it may lead to a considerably more comprehensive cleanup of the property and improved worker safety for any demolition or soil disturbance.

p. 2, Dec. 21, 2007, Army Corps of Engineers

As with any work at the LOOW Site, we anticipate the Town and all interested parties will have the opportunity to work collaboratively with the Corps in providing input on a draft Sampling and Analysis Plan, before it is final, and prior to commencement of field work.

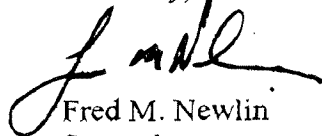
With respect to the Niagara Falls Storage Site located in the Town of Lewiston, again we share the State's concern for swift action. However, it is unclear at this juncture whether additional funding specifically to speed the NFSS Feasibility Study and a Final Decision are the highest priority. Such an assessment requires we review of the NFSS RIR, which as you know, is a seven-volume analysis, years in the making, released just last week.

Upon review of the RIR, we hope to confirm the Corps' finding that there is adequate data to conclude the NFSS poses no imminent risk. However, to protect our citizens, we must reserve the right to consider requests other than speeding a report which would be keyed off of the RIR, if we find there are concerns with the RIR that have a bearing on either short or long-term risk (ex. adequacy of groundwater well locations and sampling frequency, soil sampling, etc.)

The Niagara County Health Department's *Community LOOW Project GIS data base* and report will be completed within the coming months and provide all agencies and stakeholders with enhanced analytical tools to identify issues and priorities. We share the community's confidence in this Project, its professionals, and the County Health Department Director. Thank you for the Corps' collaboration to date.

Please contact me at your convenience to set up a meeting. We wish you a safe and happy holiday.

Sincerely,



Fred M. Newlin
Supervisor

cc: Sen. Charles Schumer
Sen. Hillary Clinton
Congresswoman Louise Slaughter
Judith Enck, Deputy Secretary for the Environment, New York State
Clyde Burmaster, Chair, Niagara County Legislature
Daniel Stapleton, Director, Niagara County Health Department
Nona McQuay, Town of Lewiston representative to the LOOW Advisory Board
Amy Witryol, Niagara County Legislature representative to the LOOW Advisory Board