

# New York State Department of Environmental Conservation

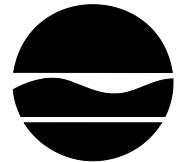
## Division of Environmental Remediation

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Joe Martens  
Commissioner

██████████  
Department of the Army  
Buffalo District, Corps of Engineers  
1776 Niagara Street  
Buffalo, New York 14207-3199

Dear ██████████

**Re:** Comments on the  
Sampling and Analysis Plan Quality Assurance Project Plan Final (November 2012),  
Sampling and Analysis Plan Final (November 2012),  
and the  
Site Safety and Health Plan (November 2012)  
for the  
Niagara Falls Storage Site Balance of Plant Operable Unit Field Investigation

The New York State Department of Environmental Conservation (DEC) and the New York State Department of Health (DOH) on November 9, 2012 by way of your “News from the Corp” email received notification of the availability of the above listed plans. Our comments as well as the DOH’s are enclosed. As indicated during the recent monthly conference call, we are extremely disappointed in the manner in which this was handled. According to our Cooperative Agreement, the Corp is supposed to provide an opportunity for review and comment of these documents prior to them being implemented. Not only was this work plan implemented before we had an opportunity to review it, we were not even directly informed of its existence: we learned of it through a generic email notification to the public. As indicated in the attached comments, there are a number of items where obtaining out input prior to doing the work would have provided a more thorough and cost effective investigation and given the number of open questions, it may need to be supplemented with additional work.

If you have any questions or need further information on DEC’s comments, please contact ██████████ on geotechnical issues at ██████████ on radiological issues at ██████████. For questions on DOH’s comments please contact ██████████ or email him at ██████████ [@health.state.ny.us](mailto:██████████@health.state.ny.us).

Sincerely,

██  
██  
██

Director  
Remedial Bureau A

ecc : [REDACTED], USACE

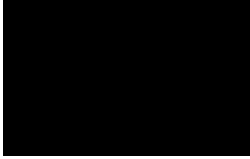
[REDACTED], USEPA

[REDACTED], NYSDOH

[REDACTED], NYSDOH

[REDACTED], DEC Region 9

[REDACTED], Region 9



**DEC's comments on the  
Sampling and Analysis Plan  
Final  
Balance of Plant Operable Unit Field Investigation**

Section 1.3: The lower water bearing zone ("LWBZ") is better described as a gray-brown silt and sand unit, not to be confused with the stratigraphically lower "basal red till" which has significantly lower hydraulic conductivity.

Section 2.1: In comments dated September 10, 2008 (NFSS Remedial Investigation report) and October 16, 2009 (RI Addendum Work Plan), the Department identified several areas of the NFSS needing additional investigation. To date, only a subset of the areas have received attention as part of the RI Addendum and this proposed work. Please review the above referenced comments and respond to when/if these areas in question will be addressed.

Section 2.2.3: Previous discussions between the USACE and the Department with respect to underground pipelines indicated that these lines had been previously been cut and plugged (See USACE comment #214 response, date 18 August 2010). Please clarify. In addition, there is no explanation in the work plan as to why manhole 41 is being sampled and plugged. Previous Department concerns with pipeline contamination and potential migration pathways (please see USACE response to RI comment # 276 & 277 dated 18 August 2010 and Department responses dated 17 December 2010) have yet to be adequately addressed.

Section 3.1, proposed wells MW944, MW945 & MW946: It is understood that wells MW944 & MW945 are proposed to further delineate dissolved Uranium concentrations northwest of well MW921 and MW946 and to define groundwater conditions in the area up gradient of well 808A. Please explain why further efforts are not proposed to investigate the relationship of dissolved uranium between wells 808A and 506 that is depicted on Figure 4-6 of the RI Addendum Report.

Section 3-1, proposed wells MW947, MW948 & MW949: The purpose of wells MW948 and MW949 is not clear. These wells are downgradient of Well MW934 which is located beyond the downgradient extent of volatile organic compound groundwater contamination (as depicted on Figure 4-8 of the RI Addendum Report). The proposed location of well MW947 is not understood. If the purpose of this proposed well is to delineate the up gradient extent of chlorinated solvent contamination, a series of exploratory borings more efficiently serves the purpose of delineating the presence of contamination, given the previously detected levels.

Previous Department comments on groundwater contamination in this area identified the need for the implementation of a remedial action. The investigative actions proposed in this work plan are insufficient to properly determine a remedial approach and will necessitate additional field investigation.

Section 3.2.2 Task 4 Pipeline Excavations on page 3-11: It states: "The SOW requires URS to sample the contents of pipelines, as well as the soil beneath the pipelines. Therefore, it will be necessary to enter the excavation. Consequently, URS will implement appropriate shoring and protective systems during excavation. These procedures are identified in the Trenching and Excavation Plan (Attachment 13 of the APP). Because it will be necessary to enter the excavations, URS will also adhere to regulations and requirements for confined space entry." The correct reference in the quoted line above should point to the SSHP and SMS013 and not Attachment 13.

**Site Safety and Health Plan (Appendix A to the Accident Prevention Plan)**  
**Final**  
**Balance of Plant Operable Unit Field Investigation**

Since we usually do not comment on Safety and Health plans this is an observation for consideration.

The Department generally does not comment on safety and health plans unless they are obviously deficient. In the case of the use of ladders during site operations there is an omission in the plan that could place workers at risk. In *Section 3-7 Ladders*: where the use of ladders should be covered as part of the *Safety and Health Plan*, the text simply states that this section is "Not Applicable." However, ladders are clearly intended to be utilized as evidenced by reference to them 30 times within this Plan. Additionally, *Appendix B* of the *Sampling and Analysis Plan* spells out the need for a ladder as a safety item to ensure an adequate exit from these excavations. For the sake of worker safety the proper use of ladders should be spelled out under *Section 3-7 Ladders*.

**DOH's Comments on the**  
**Sampling and Analysis Plan**  
**Final**  
**Balance of Plant Operable Unit Field Investigation**

- Comment 1: The underground water line as highlighted in Figure 2 as PE1 should be analyzed/investigated/plugged at locations on both sides after penetrating through the IWCS. There are multiple locations on the east side of the IWCS relative to OW11B but no new proposed trench/investigations/cutting/plugging along the southeast end of the IWCS where the underground water line penetrates through the IWCS area.
- Comment 2: If sampling/investigation of the PE1 pipe contents and/or surrounding soils shows that it is contributing as a preferential pathway for the migration of Uranium, will the pipe contents and/or soils be exhumed/investigated further? Will this be the case for the other PE's?
- Comment 3: Sampling of the pipe, its contents, and surrounding soils as described for the investigation/cutting/plugging area of PE1 should be completed on the trending side of OW11B (to the northeast).