



DEPARTMENT OF THE ARMY

BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF

Executive Office

JAN 19 2012

SUBJECT: Formerly Utilized Sites Remedial Action Program (FUSRAP) Niagara Falls Storage Site Feasibility Study

[REDACTED]
Lake Ontario Ordnance Works
Restoration Advisory Board
Lewiston, NY 14092

Dear [REDACTED]

Thank you for your letter dated December 8, 2011, regarding future land-use preferences and cleanup standards for the Niagara Falls Storage Site (NFSS). Community input is a key component of the Federal decision-making process. The responses to your group's survey supporting safe removal of all NFSS radioactive waste for unrestricted site use is understood and acknowledged by the Corps.

We value your input and offer you the opportunity to further engage the Corps on your concerns with our technical facilitator, [REDACTED]. For additional information, please contact [REDACTED] at ([REDACTED]).

I also offer some clarification on the Feasibility Study for the IWCS and the information presented during our September 28, 2011, public workshop.

Federal Process: The Feasibility Study phase of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process is how the Federal Government identifies and evaluates long-term alternatives for sites requiring environmental cleanup or control. This process was developed by the U.S. Environmental Protection Agency and additional information is available at: <http://www.epa.gov/superfund/cleanup/index.htm>.

Site Strategy: To evaluate the entire NFSS property, the Corps divided the site into three operable units: the IWCS, the Balance of Plant (remaining site soils and structures), and the Groundwater. The Corps is executing the Feasibility Study on the IWCS unit first as it presents the highest risk at the site. Additional information is available at: <http://www.lrb.usace.army.mil/fusrap/nfss/index.htm>.

IWCS Alternatives: The Corps is developing and evaluating the following range of remedial alternatives for the IWCS. None of these alternatives include bringing radioactive material from other sites to the NFSS. The removal alternative mentioned in your letter and survey responses is being evaluated along with additional alternatives not presented to the community in your survey.

- a. Alternative 1: Removal of the entire IWCS contents with off-site disposal
- b. Alternative 2: Removal of all residues, excluding the R-10 materials, with off-site disposal
- c. Alternative 3: Removal of K-65 residues with off-site disposal
- d. Alternative 4: Removal of residues with placement in a new, engineered, on-site, long-term storage facility
- e. Alternative 5: Limited action – enhanced IWCS containment and environmental monitoring
- f. Alternative 6: No further action (operate and maintain the IWCS in its present state)
- g. Alternative 7: No action (as required by the CERCLA process)

IWCS Evaluation Criteria: The Corps will evaluate each alternative in accordance with the criteria required by CERCLA. The Corps evaluation will include:

- a. A technical description that outlines the waste management strategy involved
- b. Identification of the laws governing each alternative, and these are known as Applicable or Relevant and Appropriate Requirements (ARARs)
- c. Security, maintenance, and monitoring requirements
- d. A discussion profiling the performance of each alternative with respect to the first seven of the nine CERCLA evaluation criteria per the National Contingency Plan (40 CFR 300.430) as specified in *Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA*, which are as follows:
 - 1. Overall protection of human health and the environment
 - 2. Compliance with ARARs
 - 3. Long-term effectiveness and permanence
 - 4. Reduction of toxicity, mobility, or volume through treatment
 - 5. Short-term effectiveness
 - 6. Implementability
 - 7. Cost
 - 8. State acceptance (support agencies)
 - 9. Community acceptance

The Feasibility Study Report is currently scheduled to be complete in fiscal year 2013. After completion of the Feasibility Study, the Corps will prepare a Proposed Plan which identifies the Corps' preferred alternative for the NFSS IWCS. The Proposed Plan will be released for formal public comment. After comments on the Proposed Plan have been considered the Corps will evaluate the final two decision criteria (state and community acceptance) and document selection of an alternative for implementation in the Record of Decision.

OFFICE: Special Projects Branch

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IWCS Feasibility Study Process: The Corps has modified its Feasibility Study process to encourage early public input and involvement on key technical issues. Rather than publish a single large and complex document, the Corps is publishing smaller more focused technical memoranda which zero in on key components of the Feasibility Study. These technical memoranda are as follows:

- a. Radon Assessment
- b. Development of Remedial Action Objectives and Applicable or Relevant and Appropriate Requirements for both the Interim Waste Containment Structure and Balance of Plant Operable Units
- c. Development of Waste Disposal Options and Fernald Lessons Learned
- d. Interim Waste Containment Structure Remedial Alternatives Technologies Development and Screening
- e. IWCS Exposure Assessment

The Corps is releasing the technical memoranda for public engagement through [REDACTED] as they are developed. The Corps will consider public comments received for each technical memoranda throughout the development of the Feasibility Study for the IWCS. The Corps will then compile and publish the Feasibility Study Report which integrates all study components.

A copy of this letter is being furnished to the enclosed list of individuals. If you have any questions or require any additional information regarding the NFSS Feasibility Study, please contact [REDACTED]

Sincerely,

[REDACTED]

Lieutenant Colonel, Corps of Engineers
District Commander

Enclosure

Distribution List:

Hon. Louise M. Slaughter, Representative in Congress, Washington, D.C.

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[REDACTED] Administrator, United States Environmental Protection Agency Region II

CF: [REDACTED] United States Environmental Protection Agency, Region-II

[REDACTED] United States Environmental Protection Agency, Region-II

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[REDACTED] Commissioner, New York State Department of Environmental Conservation

CF: [REDACTED] New York State Department of Environmental Conservation

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CF: [REDACTED] New York State Department of Health

[REDACTED] New York State Department of Health

[REDACTED] New York State Attorney General

[REDACTED] Niagara County Health Department

CF: [REDACTED]