



**US Army Corps  
of Engineers®**  
Buffalo District

**Public Involvement Plan**  
  
for the  
  
**Niagara Falls Storage Site**  
  
**Formerly Utilized Sites Remedial Action Program**

**Lewiston, New York**

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*Updated by:*  
Forum Facilitation Group, LLC  
Ijamsville, MD

*With the:*  
U.S. Army Corps of Engineers, Buffalo District  
1776 Niagara Street  
Buffalo, NY 14207

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**LIST OF ACRONYMS**

AEC	Atomic Energy Commission
AFP	Air Force Plant
ARF	Administrative Record File
BOP	Balance of Plant
CAC	Community Action Council
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CWM	Chemical Waste Management
DEC	Department of Environmental Conservation
DERP	Defense Environmental Restoration Program
DoD	U.S. Department of Defense
DOE	U.S. Department of Energy
DOH	Department of Health
EPA	U.S. Environmental Protection Agency
FS	Feasibility Study
FUSRAP	Formerly Utilized Sites Remedial Action Program
HTRW	Hazardous, Toxic and Radioactive Waste
INPR	Inventory Project Report
IWCS	Interim Waste Containment Structure
LOOW	Lake Ontario Ordnance Works
MED	Manhattan Engineer District
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NFSS	Niagara Falls Storage Site
NYS	New York State
OU	Operable Unit
PIP	Public Involvement Plan
RAB	Restoration Advisory Board
RI	Remedial Investigation
TNT	trinitrotoluene
U.S.	United States
VP	Vicinity Property

**1) Overview:**

This Public Involvement Plan (PIP) has been updated by Forum Facilitation Group for the United States (U.S.) Army Corps of Engineers, Buffalo District, to provide a framework for public involvement activities for the Corps' project at Niagara Falls Storage Site (NFSS). The NFSS is being addressed under the Formerly Utilized Sites Remedial Action Program (FUSRAP). FUSRAP was initiated in 1974 to identify, investigate and clean up or control sites throughout the U.S. contaminated as the result of Manhattan Engineer District (MED) or Atomic Energy Commission (AEC) activities performed during the 1940s, 1950s, and 1960s. When implementing FUSRAP, the Corps follows the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This PIP defines the scope and focus of the Buffalo District's public participation activities during the Feasibility Study (FS) phase of the project and presents an organized, targeted approach for effective communication and positive, beneficial public involvement.

**a) Purpose and Intent:**

The purpose of this PIP is to highlight public involvement initiatives and strategies that the Buffalo District is implementing in an attempt to continuously inform and integrate the community into the FS process at the NFSS. This PIP supersedes previous public involvement plans for the NFSS. Public involvement strategies outlined for the NFSS in this plan are intended to:

- i) Foster trust and credibility through proactive interaction with the public.
- ii) Facilitate open and timely communication between the Corps and the community.
- iii) Encourage public input that could potentially lead to more informed Corps decisions, products, or project solutions.
- iv) Inform the public of the history of the site and the potential risks associated with contaminants remaining from past Department of Defense (DoD) and MED/AEC uses.
- v) Communicate the Corps' limitations in regard to authority, funding, staffing, and schedule and inform the community that such limitations are not barriers to effective public involvement for the NFSS.

**b) Plan Content:**

Along with this overview section, the PIP includes:

- i) **Property Description:** Provides information pertaining to the history of the site, identifies the property location and the surrounding community, identifies potential contaminants on the NFSS property, and outlines the Corps' activities to date conducted for their environmental mission at the site.

ii) **Community Information:** Includes a community profile, community perceptions, the history of community involvement for the site, the expressed community concerns and issues, the Corps' response to those issues, and a summary of the community's expressed communication needs.

iii) **Public Involvement Program:** The public involvement program section identifies the Corps' approach/plan for outreach to the community and the public at large for the site.

iv) **References:** A list of documents used to develop this plan.

v) **Appendices:** Appendices include a list of Buffalo District contacts, local elected officials, federal and state elected officials, federal and state agency representatives, environmental and active citizens groups, property owners, media contacts, suggested meeting locations, administrative record file and information repository locations.

## 2) Property Description

### a) History

i) **Department of Defense Ownership and Operation:** The War Department purchased 7,500 acres of land for the former Lake Ontario Ordnance Works (LOOW) Site in the Towns of Lewiston and Porter in 1942. A six-line trinitrotoluene (TNT) production plant and support facilities were constructed on 2,500 acres of the site known as the "developed zone." The remaining 5,000 acres were used as a buffer zone or "undeveloped zone" around the TNT plant. The plant manufactured bulk TNT for approximately nine months and was decommissioned in 1943.

The 5,000-acre undeveloped zone of the LOOW Site was declared excess and sold by the U.S. government during the late 1940s. Current landowners include federal and local governments, the Lewiston-Porter School District, residents, and private corporations.

The 2,500-acre developed zone of the LOOW Site was redeveloped and reused by the U.S. Air Force, U.S. Navy, and U.S. Army after World War II. Defense activities included a U.S. Army NIKE missile site, U.S. Navy and U.S. Air Force rocket fuel production, and U.S. Air Force electronic research. Eventually these operations ceased and excess federal property was sold to private interests.

ii) **Manhattan Engineer District/Atomic Energy Commission/U.S. Department of Energy Ownership and Operation:** The MED began storing radioactive wastes on approximately 1,650 acres of the former developed zone of the LOOW in 1944. In 1947 the AEC took over for the MED and continued to import, store and dispose of radioactive wastes from other sites on the developed zone through 1952. AEC operations and the defense operations described above took place concurrently on various areas of the developed zone. AEC gradually consolidated the storage of radioactive wastes and reduced the footprint of its operation. Excess property was subdivided and sold to the public or transferred to defense ownership. Today, only

191 acres of the original AEC acreage, now referred to as the NFSS, remain under federal ownership.

In 1974, the AEC established FUSRAP to evaluate radioactive contamination at sites where work was performed to develop the nation's nuclear weapons and early atomic energy program. The NFSS was entered into FUSRAP by the U.S. Department of Energy (DOE). Between 1982 and 1986, the DOE consolidated the radioactive wastes from the NFSS and adjacent vicinity properties (VPs), which were in the former LOOW Site developed zone, into a 10-acre engineered Interim Waste Containment Structure (IWCS). The IWCS was designed to limit the migration of contaminants from within the containment structure to air, water, and soil outside the containment structure. Between 1991 and 1992, additional soil and drummed waste were consolidated into the IWCS.

Since 1997, the U.S. Army Corps of Engineers has been responsible for conducting site investigations and remedial action under FUSRAP. However, the DOE remains the long-term steward of the NFSS federal property and provides long-term surveillance and maintenance for all remediated DOE sites.

#### **b) Property Location and Geographic Attributes**

i) **Location and Size:** The NFSS is located in northwestern New York in Niagara County, about 19 miles northwest of Buffalo and 10 miles north of the City of Niagara Falls. The 191-acre NFSS is located near the center of the former LOOW Site, bounded by Balmer Road to the north, Pletcher Road to the south, and Porter Center Road to the east. The official address is 1397 Pletcher Road in the Town of Lewiston.

ii) **Current Land Use:** The NFSS is currently zoned for industrial land use. Land uses immediately adjacent to the NFSS are commercial and industrial as it is bounded on the north, east, and south by two privately-owned landfills, on the west by an electric utility right of way, and on the northwest by the former LOOW wastewater treatment plant, which is owned by the Town of Lewiston. Additional land uses in the vicinity of NFSS include residential, commercial, industrial, agricultural, recreational, and educational.

iii) **Map:** A map showing the location of 191-acre NFSS in relation to the former 2,500-acre LOOW developed and former 5,000-acre undeveloped zones is provided on the next page.

#### **c) Property Investigations:**

i) **Corps Mission and Responsibilities:** Congress transferred responsibility for FUSRAP from the DOE to the Corps in 1997 as part of the Energy and Water Development Appropriations Act of 1998. The Corps' Buffalo District was assigned as the lead for NFSS project management including responsibility for environmental investigations and response

authorized under FUSRAP. The Buffalo District continues to secure, maintain, and conduct environmental monitoring activities at the NFSS.

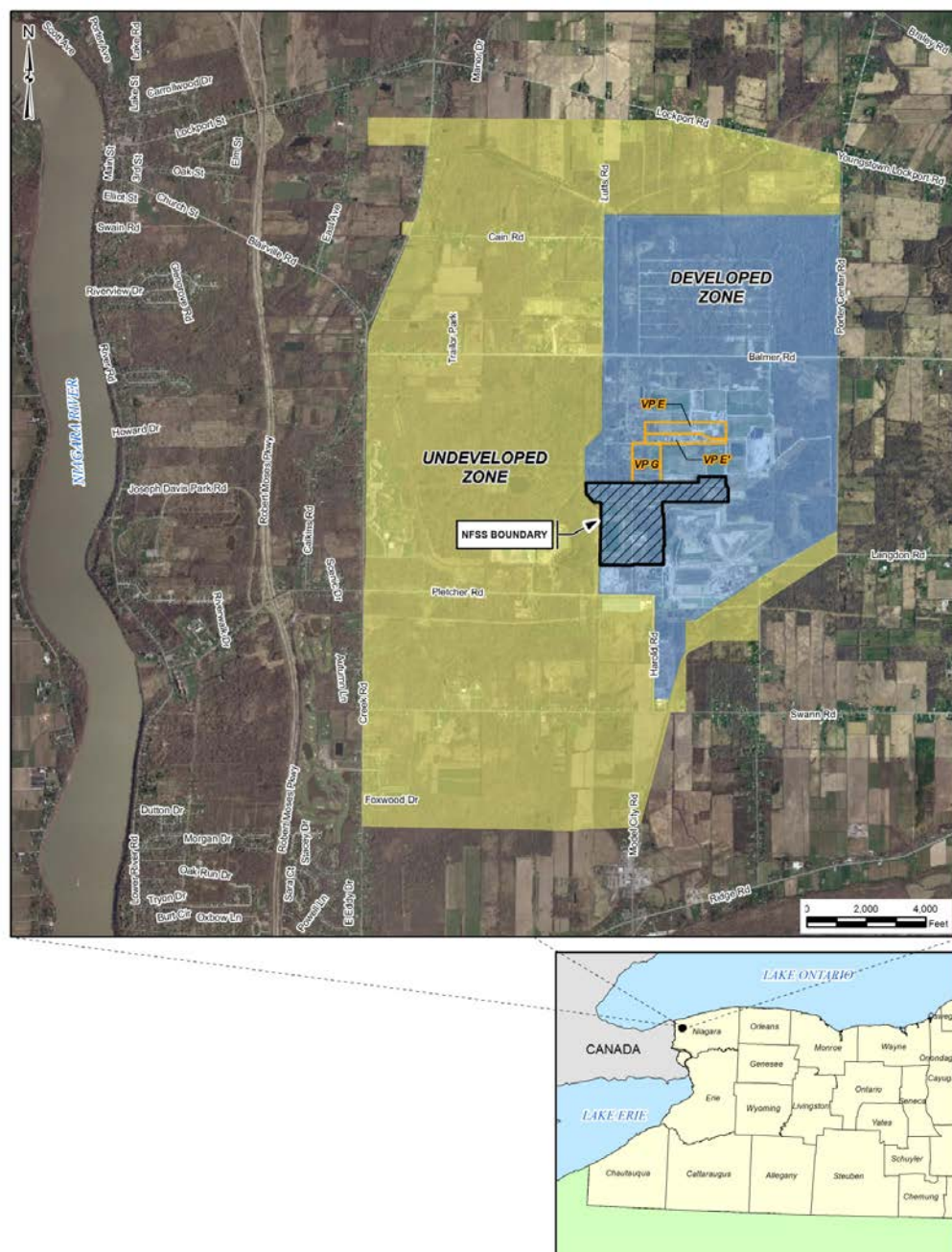


Figure 1: Location of the former LOOW Site developed and undeveloped zones, current NFSS boundaries and open vicinity properties



The Corps is required by law to conduct FUSRAP investigations in accordance with CERCLA and the NCP. A chart outlining the CERCLA Process along with an explanation of each phase is provided below.

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graph LR; A[Site Designation] --> B[Preliminary Assessment]; B --> C[Site Inspection]; C --> D[Remedial Investigation]; D --> E[Feasibility Study*]; E --> F[Proposed Plan]; F --> G[Record of Decision]; G --> H[Project Completion]; G -.-> I[Remedial Design if necessary]; I -.-> J[Remedial Action if necessary]; J -.-> H;
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The flowchart illustrates the Remedial Action Process. It begins with Site Designation, followed by Preliminary Assessment, Site Inspection, and Remedial Investigation. From Remedial Investigation, the process moves to Feasibility Study\*, then Proposed Plan, and Record of Decision. From Record of Decision, the process can proceed to Project Completion or to Remedial Design (if necessary), which then leads to Remedial Action (if necessary), and finally to Project Completion. A note at the bottom states: A removal action may be initiated at any time during the process if human health or the environment is in immediate danger.

\*The NFSS is currently in the feasibility study phase of the CERCLA process

#### Preliminary Assessment/Site Inspection

- To determine whether environmental contamination from past federal activities on a site poses little or no threat to human health and the environment or if it does pose a threat, whether the threat requires further investigation.

#### Remedial Investigation

- To determine the nature and extent of contamination resulting from past federal activity.
- To evaluate impacts, fate and transport of contaminants through groundwater.
- To assess human health and/or ecological risks resulting from contaminants in the environment.

#### Feasibility Study

- To identify and evaluate potential remedial response alternatives and cleanup technologies.
- To conduct an initial screen of alternatives based on effectiveness, implementability and cost.
- To perform a detailed analysis and evaluation of each retained alternative based upon its:
  - 1) Overall protection of human health and the environment;
  - 2) Compliance with Applicable or Relevant and Appropriate Requirements (ARARs);
  - 3) Long-term effectiveness and permanence;
  - 4) Reduction of toxicity, mobility, or volume;
  - 5) Short-term effectiveness;
  - 6) Implementability; and
  - 7) Cost.

#### Proposed Plan

- To document the lead agency's preferred remedial alternative
- To seek and consider comments from the federal and state agencies
- To seek and consider comments from the public through a mandatory 30-day public review period

#### Record of Decision

- To document the lead agency's selection of the remedial alternative based upon the remedial investigation, the feasibility study, and comments received from federal and state regulatory agencies and the public on the proposed plan.

#### Remedial Design (if necessary)

- Detailed designs, plans, specifications, and bid documents for conducting the remedial action are developed during this phase.

#### Remedial Action (if necessary)

- Upon approval of the remedial design, remedial action (the actual construction and implementation of the selected remedial alternative) is initiated. The remedial action is implemented until the remedial action objectives are achieved.

### Site Closeout

- Documents and demonstrates agreement from both the executing agency and regulatory agencies that the response action was completed in accordance with Record of Decision criteria and in compliance with CERCLA (1980), as amended, and the NCP.

### Long-Term Management

- In the NCP, if a remedial action is selected that results in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, the lead agency shall review such action no less often than every five years after initiation of the selected remedial action; includes site monitoring, if necessary, to ensure the effectiveness of the response. Typically, FUSRAP CERCLA sites are turned over to the DOE two years after site completion and undergo DOE reviews every five years after implementation of the remedy to evaluate the continued protectiveness of the remedy.

**ii) Corps Activities:** The Corps continues to ensure the protection of human health and the environment from radiological and chemical contaminants on the NFSS property by maintaining the integrity of the IWCS and conducting other routine operations and maintenance activities at the site; site security measures to prevent access; and environmental monitoring of groundwater, streambed surface water and sediment, radon, and external gamma radiation dose to ensure contaminants are not leaving the site at unsafe levels. Findings are reported annually in the form of a technical memorandum.

The Corps released the FUSRAP Remedial Investigation (RI) Report for the NFSS in December 2007. This investigation was conducted to determine the nature (or type) and extent of contamination on the NFSS property. No direct sampling of IWCS contents was conducted by the Corps during the RI to ensure that the protectiveness of the IWCS clay cap was not compromised by drilling or other sampling methods. In addition to the IWCS, there are other areas of contamination to be addressed on the NFSS including contaminated site soils, groundwater, underground utilities, and other site features that may contain small amounts of residual contamination. The Corps received nearly 400 comments from the public regarding the RI Report for NFSS. In 2011, a RI Report Addendum was prepared to respond to those comments. The main focus of the RI Addendum was to further investigate the potential for off-site migration of groundwater contaminants along the northern, southern and western boundaries of the site and to assess the physical integrity of the IWCS and any conditions that would allow for the migration of contaminants outside of the IWCS boundaries.

The current step for the NFSS in the CERCLA process is the Feasibility Study (FS) to develop potential remedies (called remedial alternatives) which would be appropriate to mitigate potential future unacceptable risks from exposure to FUSRAP-related material.

To conduct the FS, the site was divided into three operable units (OUs): 1) the IWCS (waste material that the DOE placed in the disposal cell); 2) the Balance of Plant (BOP) which includes site soils, above ground structures, below ground pipelines, and streambed surface water and sediment; and 3) groundwater. Since the IWCS poses the greatest potential risk at the site if no action is taken (to include ceasing current maintenance of the clay cap) due to the more elevated level of radioactivity associated with its contents (compared to the other OUs) and since

the final remedy for the IWCS OU will impact decisions on the long-term remedies for the other OUs, the FS for the IWCS OU is being conducted first, followed by the FS for the BOP OU and the FS for the groundwater OU.

In 2011, the Corps began to create a series of technical memoranda for specific areas of the IWCS FS. The purpose of these technical memoranda to provide the public with the opportunity to review and comment during the FS process as the Corps evaluates the range of information needed to develop and assess options for remediation of the IWCS. The technical memoranda cover the following topics:

- Waste Disposal Options and Fernald Lessons Learned (Released August 2011),
- Radon Assessment Technical Memorandum (Released January 2012),
- Potential Health Effects of Hypothetical Exposures to Contaminants from the IWCS (Released February 2012),
- Remedial Action Objectives and Applicable or Relevant and Appropriate Requirements (projected July 2013), and
- Remedial Alternatives Technologies Development and Screening (projected April 2013).

Community input on the technical memoranda will also be integrated into the development of the FS Report for the IWCS OU, which is scheduled to be issued to the public in 2014.

iii) **Identified Contaminants:** Contaminants identified under FUSRAP after the RI and risk assessment for NFSS in on-site soils include polycyclic aromatic hydrocarbons, polychlorinated biphenyls, metals (including arsenic, boron, and lead), and pesticides; and the radionuclides: radium, thorium, uranium (and some decay products), as well as cesium. Radium-226 contributes to a majority of the risk on site. In groundwater, contaminants identified include chlorinated solvents (including tetrachloroethene and its degradation products), metals (including arsenic, boron, and lead), one semi-volatile organic carbon and isotopes of radium, thorium, uranium, as well as cesium. Uranium is the most widespread contaminant in groundwater across the site.

The primary radionuclides in the residues and wastes stored in the IWCS are radium (which generates radioactive radon gas), thorium, and, to a lesser amount, uranium. While designing alternatives in the IWCS FS, historical DOE sampling data of IWCS contents collected prior to placement of residues and wastes in the IWCS will be used. 2011 Preliminary waste volumes for the IWCS at NFSS identify 4,030 cubic yards of high radium activity K-65 residues, and 120,775 cubic yards of low activity radioactive residues, soils, wastes, and rubble, and an additional 248,100 cubic yards of contaminated soils resulting from prior remediation activities on the NFSS and adjacent VPs.

iv) **Potential Risks:** Throughout the FUSRAP investigations at the NFSS, the Corps has not identified any imminent threat to human health or the environment resulting from exposure to radiological or chemical contaminants associated with past MED/AEC contamination. In September 2008, the New York State Department of Health (NYSDOH) released a health study for areas near the former LOOW and NFSS in the towns of Lewiston and Porter. More

information about the scope of this study and its findings can be found at [www.health.state.ny.us/press/releases/2008/2008-09-16\\_lewiston\\_cancer\\_study.htm](http://www.health.state.ny.us/press/releases/2008/2008-09-16_lewiston_cancer_study.htm)

Chemical and radiological contamination on the NFSS has, however, been found to require mitigation since it may present long-term human health risks for any potential future users of the site who could come into repeated direct contact with site contaminants. Each FS will identify and evaluate remedial alternatives to address this potential for long-term risk at the site.

v) **Lead Agency Responsibilities:** The Corps is the lead agency for FUSRAP activities on the NFSS. The Corps conducts its investigations in consultation with the U.S. Environmental Protection Agency (EPA), the U.S. Department of Energy's (DOE's) Office of Legacy Management, the New York State (NYS) Department of Environmental Conservation (DEC), the NYSDOH, and the Niagara County DOH. The U.S. Department of Labor manages the Energy Employees Occupational Illness Compensation Program, which provides compensation for former workers that become ill as a result of work performed at such sites. Contact information for these agencies is provided in Appendix D.

### 3) Community Information

a) **Community Profile:** The area around the NFSS is rural in nature and zoned for industrial land use, with mostly industrial land use immediately surrounding the site, along with surrounding agricultural and residential land use. The 2010 U.S. census indicates that 16,262 people live in the Town of Lewiston. The median income per household from the U.S. Census Bureau's, 2006-2010 American Community Survey is approximately \$57,936.<sup>1</sup> Town of Lewiston voters elect a supervisor every two years, and elect four town board members as legislators and town administrators for alternating four-year terms. Residents direct their questions and comments to the town clerk, who forwards them to the proper department or official.

The population for the Town of Porter in the 2010 U.S. census is 6,771.<sup>2</sup> The median income per household from the U.S. Census Bureau's 2006-2010 American Community Survey was approximately \$60,387. Town of Porter voters elect a supervisor every two years and elect four town council members for staggered two-year terms.

Niagara County government includes a county legislative chairperson that is appointed by the county legislators every year. The members of the county legislature are elected to a two-year term.

b) **Community Perception:** Based on the Corps' interpretation of historical information including newspaper clips, correspondence, and input received from the community the community's perception of government activity in the Lewiston-Porter area is quite negative. The former LOOW Site property consisted mostly of family farms when the government

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<sup>1</sup> [United States Census Bureau](http://www.census.gov). Retrieved on August 20, 2012.

<sup>2</sup> Ibid.

purchased it through eminent domain in 1942. These farms were converted to industrial use in a very rural community. Government secrecy surrounding defense and MED/AEC operations at the LOOW and NFSS created and fueled widespread suspicion over the nature of the operations and possible impacts to the community. Some in the community have stated that the Corps is not being forthright in providing information regarding past government activities on the NFSS. Wartime necessity and past industrial waste management practices, now known to be hazardous to human health and the environment, contributed greatly to regional contamination problems and the resulting public outrage. The construction, integrity, and long-term fate of the IWCS on the NFSS is a major community concern.

c) **Community Perception of Regional Environmental Issues:** In addition to community concerns resulting from federal activities, the community has other regional environmental issues which are often linked, in the public's view, to the Corps' mission at the NFSS. The NFSS is located in Niagara County within ten miles of the former Love Canal dump site which was the nation's first environmental crisis related to hazardous waste dumping and triggered the enactment of CERCLA and formation of the EPA Superfund Program. The investigation of the Love Canal draws links to past defense activities and past defense contractors in the local area.

d) **Community Perception Regarding Current Landowner Operations:** In addition to community mistrust regarding legacy and regional environmental issues, there remains a great deal of mistrust with government agencies over current landowner operations on NFSS and surrounding properties. There are concerns about continued private landfilling and hazardous waste disposal operations on the adjacent properties to the NFSS and the cumulative impacts of these operations on the community and the Lewiston-Porter School District campus. Concerns also include the impacts of these disposal operations on the adjacent properties and the nature and movement of contamination on the NFSS.

e) **Community Involvement History:** Immediately after taking over management of the NFSS, the Corps' Buffalo District began communicating with the public. Information sessions were held with the community in January 1998, May 1998, and March 1999. Presentations were given at these meetings to update the community regarding site investigation efforts.

During the March 1999 information session, a presentation was given regarding the establishment of a Restoration Advisory Board (RAB) for the former LOOW Site. The Corps formed a RAB and the first RAB meeting was held in June 1999. Eleven RAB meetings were held from June 1999 to March 2002. Meetings were open to the general public, included presentations provided by the Corps regarding LOOW and NFSS, and also included question and answer sessions on the agendas.

Due to the community's increasing dissatisfaction with the formal RAB format, a consultant was hired to conduct a situation assessment of the public process. Following the issuance of the consultant's report in 2002, a meeting was held between the Buffalo District, the community and community members of the LOOW RAB to discuss the report. In response to the communities expressed interests, the Buffalo District Commander relinquished Corps leadership, decision making authority, and operation of the RAB for the LOOW project site. A group of community members and others were organized independent of the Buffalo District. As there was no process or guidance in the 1998 Engineer Technical Letter or regulatory requirements for

“disestablishment” of a RAB, the Buffalo District participated in the community-based volunteer group as resources allowed and maintained a dialogue with the group from 2003 until 2007. The Buffalo District did not set the agendas for the group meetings, limit the scope of the topics discussed or addressed, or participate in the group’s efforts on matters outside the LOOW Project.

Members of the community volunteer group known as the LOOW RAB disagree with the Corps about the history of the RAB. The Corps’ position is that the LOOW RAB ceased to be an official RAB in 2002. The community believes that this position was not made clear to them at that time and that they were ultimately officially notified in a letter from the Corps in 2006. Members of the community volunteer group known as the LOOW RAB believe the RAB was illegally dissolved and should never have lost its official status.

Regardless of the disagreement over its official status, the group continued to meet and call themselves the LOOW RAB. During the period beginning in 2002, the community volunteer group known as the LOOW RAB formed a steering committee as well as a variety of subcommittees including: membership, technical, historical, outreach, advocacy, and a separate committee to address NFSS. The Corps provided administrative support to the group and Corps project staff contributed their technical expertise to the new community led committees as schedule and budget permitted. The Corps observed interest, discussion, and action by the group regarding environmental and health issues beyond the scope of the Corps authority and responsibility, and was not in a position to support these activities. In 2006 and 2007 the Corps presented status reports for NFSS and LOOW at the community-based volunteer group’s annual meetings in October.

In 2008, the Corps reaffirmed that the LOOW RAB was not a DoD operated RAB in accordance with 32 CFR 202 and initiated an assessment as to whether the community was interested in forming a DoD RAB. Members of the community sought to have the existing RAB receive such recognition. The New York State Attorney General also wrote a letter to encourage the Corps to “reconsider your decision to dissolve and cease to recognize the LOOW RAB”. In July 2008, the Buffalo District Commander met with members of the community to discuss his decision that the existing community volunteer group known as the LOOW RAB did not meet the criteria for an official DoD RAB and that there was not sufficient and sustained community interest in forming a DoD RAB. At that time, the community advocated for the hiring of an independent facilitator. The assessment of community interest in forming a DoD RAB is conducted on a biennial schedule. The 2010 and 2012 assessments also determined that there is not sufficient and sustained community interest in forming a DoD RAB as such a DoD RAB only covers activities conducted under the DERP-FUDS program and not FUSRAP.

Information sessions were held with the community during May and September of 2008 regarding the NFSS RI Report.

In response to the public’s desire for a technical facilitator, the Corps began a process of investigation and solicitation to hire a facilitator for the IWCS OU FS in summer 2010. The LOOW RAB steering committee invited the former chair of the Fernald Community Advisory Board to talk with area stakeholders about the process that DOE used to involve stakeholders at the Fernald facility near Cincinnati, Ohio. The Fernald Site included treatment and disposal of K-

65 residues, similar to those stored at NFSS. The Corps consulted with individuals from the DOE that were involved in the Fernald public involvement process as well. A request for proposal was released in early 2011 and final selection and contracting with a technical facilitator was completed in May 2011. A great deal of stakeholder input was incorporated into the scope of work for the facilitator. The selection was made by the Corps based on a formal solicitation and evaluation process. The technical facilitator ultimately selected by the Corps was the same individual that facilitated the Fernald project. The technical facilitator's role is to serve as a liaison between the Corps and community members on technical issues associated with the preparation and development of the NFSS IWCS FS.

The Corps released a RI Addendum Report in April 2011. A public workshop was conducted on the RI Addendum in June 2011, during which the technical facilitator was introduced to the community.

During June and July of 2011, the technical facilitator worked with the Corps and key stakeholders in the community to identify a process for stakeholder participation in the technical memoranda to be released through summer 2012. At this time, many in the community were tired of the disagreement over the official status of the RAB. To help create a fresh start and improve cooperation in the community, some members of the steering committee of the community volunteer group known as the LOOW RAB and several other key stakeholders re-agreed to establish the LOOW Community Action Council (CAC). This new community organization recognized that it was not a formal Corps advisory board and was not sponsored by the Corps. The technical facilitator would support the LOOW CAC in understanding and providing input to the IWCS FS. The LOOW CAC identified that its scope would include other issues of importance on the former LOOW Site but that the technical facilitator would not be supporting that portion of their work.

The CAC meets monthly in open meetings to discuss the technical memoranda and related topics in order to provide organized community input to the efforts of the Corps. An Executive Committee helps to organize and direct the work of the CAC and membership is open to all. The technical facilitator helps to manage the group's mailing list and provides facilitation and administrative support. The CAC also maintains a website with all past information and current activities. The Corps attends these meetings as possible to ensure an ongoing dialogue with members of the community. The activities and timeline contained in this PIP reflect that process.

Some members of the community, including a few members of the community volunteer group known as the LOOW RAB were disappointed with the decision to establish the CAC and start fresh. In response, they created an additional community group, and adopted the name LOOW RAB. This group also meets on a regular basis and maintains its own website. The technical facilitator has offered to attend these meetings as requested.

The Corps committed to holding public workshops and outreach in conjunction with each of the technical memoranda and reports being produced as part of the FS process. The technical facilitator works closely with the Corps to design these workshops and provide facilitation support. The LOOW CAC, with support from the technical facilitator, is also working to provide



input to the Corps on each of the workshops to help ensure understanding of the issues most important to the community, and suggest formats and organization that will best meet the needs of the community. The schedule for public workshops on the technical memoranda is outlined below.

- Waste Disposal Options and Fernald Lessons Learned (Released August 2011)
  - Public workshop held on September 28, 2011
- Radon Assessment Technical Memorandum (Released January 2012),
  - Public workshop held on March 28, 2012
- Meteorological Data Evaluation Technical Report (Released January 2012),
  - Public workshop held on March 28, 2012
- Potential Health Effects of Hypothetical Exposures to Contaminants from the IWCS (Released February 2012),
  - Public workshop held on March 28, 2012
- Remedial Action Objectives and Applicable or Relevant and Appropriate Requirements (projected July 2013)
  - Public workshop projected September 2013
- Remedial Alternatives Technologies Development and Screening (projected April 2013).
  - Public workshop projected June 2013

f) **Key Community Concerns:** The Corps has had considerable communication with members of the community about their issues and concerns in regard to NFSS since 1998 when they began to manage FUSRAP. The community has provided a wide range of input over time, and community concerns center around several major topics: 1) health-related concerns, 2) concerns related to the Corps' investigations into the extent of contamination on site including the potential for the spread of contamination from the site, and 3) the opportunity to participate and to provide meaningful input throughout the CERCLA process. The range and focus of these concerns as they have been expressed over time are summarized here. Many of these concerns are being addressed by ongoing effort and communication, and others will be further addressed by the processes planned in this PIP. No formal attempt has been made to quantify the extent of these concerns within the community; some concerns have been mentioned by only a few stakeholders while others are more widespread.

#### **Concern 1: Human Health**

- Many members of public fear the potential health impacts of nuclear radiation.
- Some have expressed concern that the site is causing cancer.
- There are health-related concerns for those living in close proximity to the site or attending the Lewiston Porter School System.
- There are concerns for the health of those that work/worked on the NFSS and their eligibility for the US Department of Labor Energy Employees Occupational Illness Compensation Program.

#### **Concern 2: Investigation into the nature and extent of contamination including the potential for the spread of contamination from the site**

- Concern has been expressed from the community regarding the adequacy of the Corps' environmental surveillance plan for NFSS, especially the frequency and location of sampling.

- There is concern about contamination from the IWCS potentially moving through groundwater and surface water and ultimately into Lake Ontario.
- There is concern regarding the long-term protectiveness of IWCS.
- There is concern from the community regarding the potential spread of contamination from NFSS into the community, particularly to the Lew-Port Schools campus.
- There is concern that the IWCS has not been fully investigated.
- There is concern that residual pipelines on the site are potentially working as conduits for contamination leaking from the IWCS and leaving the site.
- There is concern that the Corps has pre-determined that all waste will be contained in the IWCS as a permanent solution.
- There is a strong concern that the highest risk materials will stay in the IWCS and a strong belief that the most hazardous residues must be taken off-site to a safe long-term site.
- There is strong concern that ongoing federal budget constraints will mean that sufficient resources will not be made available to implement a safe remedy.
- There is concern that the Corps is not being fully transparent in sharing sampling results with the public.
- There is concern that the Corps is eliminating or changing data during its data validation process in a way that changes the understanding of real conditions at the site.

**Concern 3: Opportunity for the public to provide meaningful input throughout the process**

- There is significant concern that the Corps dissolved the initial formal RAB illegally and thus undermined constructive public input. Members of the CAC have moved beyond this dispute in an attempt to be more constructive. The community volunteer group known as the LOOW RAB continues to assert its desire for official status.
- Some people in the community seek to put community stakeholders on par with federal and state agency representatives with regard to timing and access to information.
- Some people have expressed a desire for a more collaborative process where the community is invited to work with the Corps and other agencies to mutually develop plans, protocols, objectives, interpret data and influence decisions.
- Some people have expressed a desire for the community to have joint access to all technical documentation and pre-approved and pre-final documentation, plans, and decisions.
- There is concern that the limitation of the technical facilitation process on the IWCS will prevent the community from acquiring information and providing input on other LOOW-related issues.
- There is a concern that the Corps is making decisions for the site in a vacuum without concern for the welfare of those impacted.
- Some people in the community desire general meetings annually.
- Ready availability of records and access to information is a general desire in the community.
- Some people in the community expressed the desire to provide input on agendas for Corps meetings.
- Some people in the community expressed the desire to provide input on dates, times, locations and the duration of Corps meetings.

- Some people desire a discussion section and a section for posting of documents for the meetings on the Corps website.
- Some people expressed that information sessions do not allow for a two-way dialogue.
- Some people expressed the desire for an email after each meeting explaining what was accomplished at the meeting.
- Some people have expressed concern that the Corps meets in private with key stakeholders and does not share this information.

g) **Response to Community Concerns:** The Corps values the input received from the community and intends to continue to have meaningful discussions with the community. The Corps recognizes that members of the community have different informational needs. The goal of this plan and its implementation is to address the community's informational and participation needs to the extent allowed by law and within the agency's resources. The Buffalo District of the Corps does not provide draft copies of documents to any party outside the Corps for review nor does it release any data before undergoing validation.

The Corps has responded to many of the public concerns identified above in its conduct of the FS and public participation process. Most significantly, the Corps committed significant resources in hiring a technical facilitator and regularly attends LOOW CAC meetings. The Corps committed to developing technical memoranda and corresponding public workshops during the IWCS FS process to provide ongoing public input to key issues in the FS in advance of the formal FS report. The Corps has welcomed input at CAC meetings to provide input to the format and presentations at its public workshops, including providing "dry runs" of presentations and discussion of draft agendas. Corps workshops have been reformatted to allow more direct dialogue with the public and ensure that all public concerns are discussed. Summaries of all workshops are prepared by the technical facilitator. In addition, the Corps has provided all available historical reports and videos to the CAC for inclusion on their website.

h) **Summary of Communication Needs:** In recent years, the community has desired the ability to hold meaningful discussions with the Corps technical team, provide ongoing input to activities and decisions, provide input into the agendas for meetings, and more access to historical documentation and data. Residents want to be kept informed regarding all current and proposed investigations and activities at the site, the impact of these activities on the surrounding community, and any potential impacts to human health or the environment caused by conditions at the site. Many of these needs are already being addressed through the implementation of this plan. In keeping with existing practice and based on community input, the Corps will continue to hold meetings with the public during the week at night unless significant community input suggests otherwise.

#### 4) **Public Involvement Program**

a) **Approach/Plan:** The Corps is committed to informing and involving the public as it moves through the CERCLA process for the NFSS. The Corps has established the following overall goals for the public involvement program that will attempt to address the expressed concerns of the community. The Corps will:

- Foster and maintain a climate of understanding and trust between the public and the Corps;
- Ensure that the public understands that protection of human health and the environment is the paramount concern at the NFSS;
- Encourage and enable all interested members of the public to be involved and provide input;
- Foster opportunities for genuine dialogue regarding issues of importance to the community;
- Prepare information and provide opportunities for the public to fully understand, ask questions about, and provide input on the complex technical issues involved in decision-making for remediation of the NFSS;
- Listen carefully to what the public expresses;
- Identify and act responsively on public concerns; and
- Allow for flexible planning to enable public comments or concerns to be considered during decision-making and prior to execution of actions.

The Corps' public involvement goals and needs will be considered and balanced with the project's technical and scientific requirements as well as limitations on funding, staffing, and legal and contracting actions. The Corps will focus its community involvement efforts on getting public input on the issues that are most important to community members and organizations and critical to achieving a long-term remedy for the IWCS. The following plan was developed to address the complex needs of the feasibility study process and focuses on issues that have been identified as being important to the community.

**Concern 1:** Health-related concerns.

**Activity 1A:** Representatives of federal, state, and local agencies will be kept aware of all projects and opportunities for public input. Representatives from the various agencies will be invited to participate during all public meetings, workshops or information sessions and to provide additional information and comments on reports issued for the NFSS.

- **Objective:** Provide the agencies with accurate project information so they can assess and convey potential health-related risks to constituencies.
- **Method:** Representatives from the EPA, NYSDEC, NYSDOH, and the Niagara County DOH are identified in Appendices B and D. Representatives of these agencies are on the Corps postal mailing list and electronic mailing list. Corps staff maintains ongoing interaction with key staff from these agencies.
- **Timing:** The Corps will engage the agencies as necessary to discuss project progress. The Corps currently distributes meeting invitations by postal mail and electronic mail to all interested agency representatives.

**Activity 1B:** The Department of Energy initiated a worker's compensation program that was researched by the National Institute for Occupational Safety and Health, and is administered by the Department of Labor. The Corps will inform the Department of Labor of any upcoming

discussion workshops with the public and offer them the opportunity to attend and be available to provide information to those needing it at the time.

- **Objective:** Provide the public with a resource for information regarding the compensation program.
- **Method:** [REDACTED] is the manager of the New York Resource Center for the Energy Employees Occupational Illness Compensation Program, 600 North Bailey, Suite 2A, Amherst, NY 14226. Inquiries or claims may be made by calling [REDACTED].
- **Timing:** [REDACTED] and the caseworkers at the resource center are aware of the NFSS past activities under the MED and AEC. Calls to the Corps regarding this program will be referred to the New York Resource Center for Energy Employees Illness Compensation Program as they come in.

**Concern 2:** Concerns related to the Corps' investigations into the extent of contamination on site including the potential for the spread of contamination from the site.

**Activity 2A:** Work directly with the community to build an understanding of the nature and extent of contamination and seek input from the community throughout the CERCLA process.

- **Objective:** Directly inform the public as to any further investigations and respond to questions concerning investigations, to ensure input is received and considered during the FS.
- **Method:** Implement all the activities identified in Concern 3.
- **Timing:** The Corps will engage the community on an ongoing basis throughout the projects on the NFSS.

**Activity 2B:** NFSS Environmental Surveillance Program

- **Objective:** Maintain the environmental surveillance at the NFSS to ensure the protection of human health and the environment. Work directly with the community to build an understanding of the environmental surveillance program. The Corps has over 30 years of environmental surveillance data for the NFSS which indicates that the IWCS is performing as designed and that human health and the environment are being protected from exposure that could potentially be caused by the material stored within the IWCS.
- **Method:** Results are provided to the community in an environmental surveillance technical memorandum and discussed at other public meetings and workshops. The Corps and technical facilitator will work to answer any public questions on these issues and ensure that information reaches those who desire it.

- **Timing:** The environmental surveillance technical memorandum is released annually. It is distributed to those listed in the appendices to this document and is made available to the community by placement on the Buffalo District website. A “*News from the Corps*” is also sent to those on the electronic mailing list to make them aware of the document’s availability.

#### **Activity 2C: Site Inspection of Lewiston-Porter School District Property**

- **Objective:** The purpose of assessing the Lewiston-Porter Central School District property was to collect and analyze environmental samples for radiological constituents related to Manhattan Engineer District (MED) activities and to determine the need for further action by the Corps, under FUSRAP, to ensure the protection of human health and the environment. The site inspection concluded that there are no radiological concerns on the Lewiston-Porter Central School District property resulting from any past MED/AEC activity in its vicinity.
- **Method:** Samples were taken along the south west drainage ditch and of mounded material located east of the soccer field on the Lewiston Porter Central School District property, in August 2010, to determine the potential for impacts from past FUSRAP activities. Sample locations were targeted (biased) towards areas most likely to be impacted based on previous site investigations, aerial photographs, or topography (drainage).
- **Timing:** The report was released in the spring of 2011 and a presentation was provided to the Lewiston-Porter Central School District Board of Education.

#### **Activity 2D: NFSS Balance of Plant OU Field Investigation**

- **Objective:** This investigation will delineate groundwater contamination, identify the source of increasing uranium concentrations in groundwater in Well OW11B, eliminate potential preferential pathways for off-site migration of groundwater contaminants via pipelines, and eliminate potential migration of groundwater contamination along the 10-inch water line near the southeast corner of the IWCS.
- **Method:** The contract has been awarded for this investigation and the work plans were made available to the community for review and comment.
- **Timing:** The work plans were made available in November 2012.

**Concern 3:** Opportunity for the public to participate and to provide meaningful input throughout the CERCLA process.

#### **Activity 3A: Activities of the Outreach Program Specialist**

- **Objective:** Provide a primary liaison between the community and the Buffalo District, and to ensure prompt, accurate, and consistent responses and information dissemination about the site. In those instances where the Outreach Program Specialist may be unable to

provide adequate information (such as on technical issues), inquiries will be directed to the appropriate contact.

- **Method:** [REDACTED] will handle site inquiries and serve as a point of contact for community members.
- **Timing:** [REDACTED] was designated as the Outreach Program Specialist for the site on November 11, 2007 and continues in that role.

**Activity 3B:** Activities of the technical facilitator.

- **Objective:** The technical facilitator will serve as a liaison between the Corps and community members on technical issues associated with the preparation and development of the five technical memoranda associated with the FS and the FS final report.
- **Method:** [REDACTED] of Forum Facilitation Group was hired as the technical facilitator in late May 2011. The technical facilitator designed an overall process for community involvement in the IWCS OU FS, coordinates with stakeholders and the Corps in arranging meetings and materials to support public dialogue on issues related to the FS, facilitates all meetings and summarizes public comments on the technical memoranda.
- **Timing:** The technical facilitation contract began in late May 2011 and is composed of a base year and four option years. The technical facilitator is available to all members of the community on an ongoing basis.

**Activity 3C:** The Corps will develop a series of technical memoranda during the Feasibility Study (FS) for the NFSS. In the past, the FS would not be published for the public until all phases were complete to provide input on the document. This approach provides the community with input opportunities throughout the development of the entire comprehensive FS Report.

- **Objective:** Provide the public with more opportunities to be involved in the decision-making process for the FS for NFSS as it is developed.
- **Method:** Concurrent with the release of each technical memorandum, the Corps and the technical facilitator will prepare a fact sheet to provide the public a broad overview of the findings and results of the memorandum. Each technical memorandum will be discussed in detail in the monthly community meetings and a dedicated community workshop. Community issues, concerns, and input will be captured at each of these events. The public will also be provided the opportunity to comment in writing on each completed technical memorandum. A summary of community concerns and responses to public comments on each technical memorandum will be made available on the project website. The FS technical memoranda and public response to comments packages will then be used to develop the FS Report. In this manner, the public will be given the opportunity for review and comment as the Corps progresses through the development of the FS.

- **Timing:** Technical Memoranda Fact Sheets and Technical Memoranda will be released as they are completed, and a specific timeline is provided in Section 4b.

**Activity 3D:** Monthly community meetings of the LOOW CAC will be supported by the technical facilitator and attended by Corps staff to address community questions, concerns, ideas and comments related to the IWCS OU FS; and to give the community opportunities to provide meaningful input at key decision points and as each technical memorandum is developed.

- **Objective:** Provide the public with the opportunity to have a dialogue with the technical team, provide input to each technical memorandum, and help the technical team prepare for the technical memorandum workshops and understand community issues and concerns.
- **Method:** The LOOW CAC is organized and managed within the community. The technical facilitator will work with the community group leadership and the Corps' technical team to develop meeting agendas, prepare technical briefing information, facilitate each meeting, and prepare meeting summaries. Meetings will be held on a regular schedule and coordinated to provide sufficient input to community workshops as needed. Efforts will be made to encourage broad-based participation among the entire community by coordinating with local groups and governments.
- **Timing:** Meetings are scheduled on a regular basis in conjunction with the Corps' schedule for technical memoranda and other FS activities.

**Activity 3E:** IWCS OU FS workshops will be held in conjunction with the release of each technical memorandum to give the community meaningful opportunities to provide input on key issues and at key decision points in the FS.

- **Objective:** Provide the public with the opportunity to understand each technical memorandum, have a dialogue with the technical team, and provide input.
- **Method:** Workshops will be announced in advance. The Corps will present a draft agenda at a monthly community meeting one to two months prior to the workshop to receive input from the community on how to best present the information in the technical memorandum. The agenda may be adjusted based on this community input and then published in advance of the workshop. The Corps, with the assistance of the technical facilitator, will schedule, prepare for, and attend all Corps sponsored workshops. The Corps' Project Manager, Project Engineer, Outreach Program Specialist and other appropriate staff will attend. Each workshop will be designed individually to meet the needs of the community in relation to the information and importance of the specific memorandum. In general, these workshops will open with a brief presentation with updates on the status of the IWCS FS. A detailed briefing of the issues associated with the technical memorandum will then be provided followed by brief question and answer segment to clarify any issues. The majority of workshops will be designed to allow Corps staff and the community to discuss issues and options related to the technical memorandum in small groups, aided by all necessary technical information. The purpose behind the small groups is to allow all attendees to be heard and to engage in more



detailed dialogue about issues of concern, and allow Corps staff to better explain those issues. At the end of the small group session, each small group will record its questions and input as part of the record of the workshop. In order for all participants to understand what was discussed, each small group will provide a brief report out to the entire workshop and/or post the results of the discussion on flip charts, maps, or other materials according to the needs and design of the specific workshop. Workshops will close with an overall review of results, next steps, and future activities. The technical facilitator will prepare a summary report of results, issues, questions, and input from each workshop to be shared with the community on the Corps website.

- **Timing:** Workshops will be scheduled in conjunction with the release of technical memorandum.

**Activity 3F:** Provide a toll-free “800 number” and an e-mail address for the community to contact the Corps and the technical facilitator.

- **Objective:** Enable citizens’ ability to get the latest information available when they want it rather than having to wait for a meeting or a fact sheet.
- **Method:** The toll-free number and e-mail address will be included in any news releases, fact sheets and advertisements made that pertain to the site. In addition, a phone number and email address for the technical facilitator will be provided.
- **Timing:** Both the toll-free line, 1-800-833-6390 option 4, and the e-mail address: [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil) are currently operational. General questions will be directed to the Corps who will decide whether Corps staff or the technical facilitator should respond. The technical facilitator will address all inquiries related to the community-based monthly meetings. [REDACTED], the technical facilitator can be reached at [REDACTED] and [REDACTED].

**Activity 3G:** Public website

- **Objective:** Provide a publicly accessible repository for project information.
- **Method:** The NFSS website is <http://www.lrb.usace.army.mil/Missions/HTRW/FUSRAP/NiagaraFallsStorageSite.aspx>
- **Timing:** The website is available now and will be updated periodically as new information is available.

**Activity 3H:** “Beyond the Headlines” website postings

- **Objective:** Correct factual errors or omissions in media reports on Corps projects.

**Method:** A “Beyond the Headlines” section will be created in the News section of the Corps website for NFSS at:

<http://www.lrb.usace.army.mil/Missions/HTRW/FUSRAP/NiagaraFallsStorageSite.aspx>

- **Timing:** “Beyond the Headlines” postings will be added to the website as necessary.

**Activity 3I:** Maintain a postal mailing list for the site and an electronic mailing list.

- **Objective:** Facilitate the distribution of new site-specific information to everyone who needs or wants to be kept informed about the site.
- **Method:** The Corps established a mailing list compiled of addresses gathered over the years from public information session sign-in sheets. In May 2008 the Corps also began collecting e-mail addresses to distribute “News from the Corps” electronically. Both lists will be updated regularly. To be added to the e-mail distribution list, please submit a request to [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil).
- **Timing:** The postal mailing list will be reviewed and revised periodically (at least annually) to keep it current. The electronic mailing list will be updated as emails come back undeliverable.

**Activity 3J:** Improve public access to historic documents and project information.

- **Objective:** Continue to improve the overall transparency of the process, create easy access to information for all stakeholders, and to improve the accuracy, efficiency and effectiveness of Corps record retrieval capabilities.
- **Method:** The Buffalo District will update the Administrative Record File (ARF) to provide a current and complete body of documents in a convenient location where residents can go to read and copy official documents and other pertinent information about the site and Corps activities. The Corps is required to maintain at least one set of hardcopy ARF records for public access. Currently four locations for the ARF are supported. One is located in the Lewiston Public Library, 305 South 8<sup>th</sup> Street, Lewiston, NY 14092. The second is in the Youngstown Free Library, 240 Lockport Street, Youngstown, NY 14174. The third is the Ransomville Free Library, 3733 Ransomville Road, Ransomville, NY 14131. The fourth is located in the US Army Corps of Engineers, Buffalo District Office, 1776 Niagara Street, Buffalo, NY 14207 by appointment, (800) 833-6390 (Option 4).
- **Timing:** Electronic versions of the ARF are available in the ARF repositories as of January 2011.

**Activity 3K:** Prepare and distribute site fact sheets and technical summaries.

- **Objective:** Provide citizens with current, accurate, easy-to-read, easy-to-understand information about the site.

- **Method:** Fact sheets will be prepared for each technical memorandum and additional topics of concern as the needs are identified by the community and technical facilitator. Fact sheets and technical summaries will be placed on the Web and distributed at meetings.
- **Timing:** The Corps, with the assistance of the technical facilitator, will prepare and distribute these fact sheets and technical summaries as new information becomes available throughout the lifecycle of each project.

**Activity 3L:** “*News from the Corps*” emails will be sent to interested individuals to announce new project information.

- **Objective:** Provide a method of quick dissemination of accurate new information.
- **Method:** Electronic “News from the Corps” email. These notices will be posted on the public website for those not on the distribution list.
- **Timing:** These emails will be sent as new information becomes available. They will be posted to the website as soon as they are sent.

**Activity 3M:** Issue the Public Involvement Plan and revise it as necessary.

- **Objective:** Identify and address community needs, issues, or concerns regarding the site or the cleanup remedy.
- **Method:** The written Public Involvement Plan will be placed in the Administrative Record. The plan will be revised as necessary based on input.
- **Timing:** The Corps will update the Public Involvement Plan as community concern warrants or at least every three years until the site is returned to the DOE. Public involvement activities for the IWCS FS are listed in the table in section 4b. This table will also be posted separately from the Public Involvement Plan and updated as necessary to reflect additional activities and any major changes to the anticipated monthly schedules.

**Activity 3N:** Publish announcements of all workshops and meetings.

- **Objective:** Ensure that the full community is informed about upcoming meetings.
- **Method:** Create and post a display ad in local newspapers to include at a minimum The Lewiston Porter Sentinel and Buffalo News. Announcements will also be shared with local community groups and through the email list maintained by the Corps. Announcements will be formatted to provide the following information at a minimum:
  - Date, times, and location for the workshop;
  - Statement of purpose for the workshop;

- Proposed agenda and structure of the workshop; and a
  - Website for supporting documents.
- **Timing:** Announcements will be made at least 30 days in advance of major workshops.

#### **b) Timeline of Activities for IWCS FS Public Involvement in 2013-2014**

The final two technical memoranda will be released in 2013 and will allow for public input opportunities as outlined below.

##### Remedial Alternatives Technologies Development and Screening Technical Memorandum

- February-March 2013 - Discuss key concepts and issues with CAC
- April 2013 - Technical memorandum, fact sheet released
- April-May 2013 - Detailed discussion of the technical memorandum at CAC meetings
- April-May 2013 - Receive input from CAC on workshop approach
- June 2013 - Public workshop
- July 2013 - Final public input received from CAC and other stakeholders

##### Remedial Action Objectives and Applicable or Relevant and Appropriate Requirements Technical Memorandum

- May-June 2013 - Discuss key concepts and issues with CAC
- July 2013 - Technical memorandum, fact sheet released
- July-August 2013 - Detailed discussion of technical memorandum at CAC meetings
- July-August 2013 - Receive input from CAC on workshop approach
- September 2013 - Public workshop
- October 2013 - Final public input received from CAC and other stakeholders

The FS report will be completed and released in 2014 and a more detailed public participation timeline for 2014 will be prepared later in 2013.

#### **5) References**

EPA 2005, *Superfund Community Involvement Handbook*, April.

USACE 2011, EP 200-3-1, *Environmental Quality Public Participation Requirements for Defense Environmental Restoration Program*, September.

USACE 2008, Public Involvement Plan for 2009 - 2010, Former Lake Ontario Ordnance Works Site Defense Environmental Restoration Program for Formerly Used Defense Sites and Niagara Falls Storage Site Formerly Utilized Sites Remedial Action Program Lewiston and Porter, New York

USACE 2008, *Formerly Used Defense Sites Program Public Involvement Toolkit*, January.

USACE 2004, ER 200-3-1, *Environmental Quality Formerly Used Defense Sites (FUDS) Program Policy*, Chapter 8, May.

USACE 2003, *Lake Ontario Ordnance Works Community Relations Plan*, Niagara County, New York, February.

USACE 1999, *Community Relations Plan, Niagara Falls Storage Site*, Lewiston, New York, November.

## **Appendices**

## **A. Corps Contacts**

The Project Delivery Team for the NFSS consists of:

USACE, Buffalo District  
Environmental Project Management Team Lead  
CELRB-PM-SPF  
1776 Niagara Street  
Buffalo, NY 14207-3199

USACE, Buffalo District  
Senior Environmental Engineer  
Attn: CELRB-TD-EE  
1776 Niagara Street  
Buffalo, NY 14207

USACE, Buffalo District  
NFSS Project Manager  
CELRB-PM-SPF  
1776 Niagara Street  
Buffalo, NY 14207-3199

USACE, Buffalo District  
NFSS Project Engineer  
Attn: CELRB-TD-EE  
1776 Niagara Street  
Buffalo, NY 14207-3199

USACE, Buffalo District  
Risk Assessor  
Attn: CELRB-TD-EH  
1776 Niagara Street  
Buffalo, NY 14207

USACE, Buffalo District  
Outreach Program Specialist  
Attn: CELRB-PM-F  
1776 Niagara Street  
Buffalo, NY 14207

## **B. Local Officials and Agency Representatives**

### **Niagara County**

Courthouse

Lockport, NY 14094

(716) 439-7000; Fax: (716) 439-7124

Niagara County is governed by a county legislature, with a chairperson elected by the legislature.

County Legislature Chairperson: [REDACTED], 175 Hawley Street, Lockport, NY 14094-2740 (716) 439-7124 (716) 731-5949

County Legislature: (716) 439-7000; Fax: (716) 439-7124

1st District (**Porter**) [REDACTED] (716) 791-3111

2<sup>th</sup> District (**Lewiston**): [REDACTED] (716) 731-5949

10<sup>th</sup> District (**Wilson**) [REDACTED] (716) 751-9606

Niagara County Health Department: 5467 Upper Mountain Road, Lockport, NY 14094; Public

Health Director: [REDACTED]; E-mail:

[REDACTED]@niagaracounty.com; [REDACTED]

Board of Health President: [REDACTED], 5467 Upper Mountain Road, Suite 100, Lockport, NY 14094-1894, (716) 439-7435; Fax: (716) 439-7440

### **Town of Lewiston**

Town Hall

1375 Ridge Road

P.O. Box 330

Lewiston, NY 14092

Town Supervisor: [REDACTED] (716) 754-8213 E-mail: supervisor@townoflewiston.us

Town Board:

[REDACTED]

Chairman Environmental Commission: [REDACTED]



**Town of Porter**

3265 Creek Road

Youngstown, NY 14174

(716) 745-3730 Ext.5; Fax: (716) 745-9022

Town Supervisor: [REDACTED]; E-mail:

portersupervisor@roadrunner.com

Town Clerk: [REDACTED] E-mail: portertownclerk@roadrunner.com**Town of Wilson**

3265 Creek Road

Youngstown, NY 14174

(716) 745-3730; Fax: (716) 745-9022

Town Supervisor: [REDACTED] E-mail:

supervisor@wilsonnewyork.com

Town Clerk: [REDACTED]; E-mail:

TownClerk@wilsonnewyork.com

Town Council:

Brad L. Clark (716) 751-9492,

[REDACTED]

E-mail: townboard@wilsonnewyork.com

**Village of Lewiston**

145 N. Fourth Street

P.O. Box 325

Lewiston, NY 14092

(716) 754-8271; Fax: (716) 754-2703

Mayor: [REDACTED]Deputy Mayor: [REDACTED]Village Clerk/Treasurer: [REDACTED]Trustees:

[REDACTED]

**Village of Youngstown**

Village Center

240 Lockport Street

P. O. Box 168

Youngstown, NY 14174-0168

(716) 745-7721; Fax: (716) 745-3400

Mayor: [REDACTED], E-mail: rr@youngstownnewyork.us

Deputy Mayor: [REDACTED], E-mail: sgs@youngstownnewyork.us

Village Clerk/Treasurer: [REDACTED]

Trustees:

[REDACTED] E-mail: ta@youngstownnewyork.us

[REDACTED], E-mail: tl@youngstownnewyork.us

[REDACTED], E-mail: bvd@youngstownnewyork.us

### **C. Federal and State Officials**

Honorable Charles Schumer, District office: United States Senator, 130 South Elmwood Avenue #660, Buffalo, New York 14202, (716) 846-4111; Fax: (716) 846-4113. Washington: United States Senate, 313 Hart Senate Office Building, Washington, DC 20510, (202) 224-6542; Fax: (202) 228-3027

Honorable Kirsten Gillibrand, District office: Larkin at Exchange, 726 Exchange Street, Suite 511, Buffalo, NY 14210, (716) 854-9725; Fax: (716) 854-9731; Washington: United States Senate, 120 Cannon House Office Building, Washington, DC 20510, (202) 225-5614

Honorable Chris Collins 27th District: District office: 2813 Wehrle Drive, Suite 13, Williamsville, NY 14221, (716) 634-2324 Fax: (716) 631-7610; Washington: 1117 Longworth House Office Building, Washington, DC 20515, (202) 225-5265

Honorable Andrew A. Cuomo, Governor of New York, Albany, NY 12224, (518) 474-8390; Fax: (518) 474-3767

Honorable George Maziarz, New York State Senator, (518) 455-2024, District office: 2578 Niagara Falls Boulevard, Suite 600 Wheatfield, NY 14304, (716) 438-0655; Fax: (716) 438-0955

Assemblyman John Ceretto, 1700 Pine Avenue, Niagara Falls, NY 14301, (716) 282-6062; cerettoj@assembly.state.ny.us

#### **D. Federal and State Agencies**

US Environmental Protection Agency, Region II, 290 Broadway, New York, NY 10007-1866

██████████ – Regional Administrator (212) 637-5000  
██████████ – Chief, Radiation & Indoor Air Branch, 28<sup>th</sup> Floor (212) 637-4010  
██████████ – Health Physicist (212) 637-3746

US Environmental Protection Agency, Region II,

██████████, USEPA Public Affairs Specialist, Western New York Public Information Office, 186 Exchange Street, Buffalo, NY 14204, (716) 551-4410, (716) 285-8842; Fax: (716) 285-8788

US Department of Labor

██████████ New York Resource Center, Energy Employees Occupational Illness Compensation Program, 600 North Bailey, Suite 2A, Amherst, NY 14226, (716) 832-6200 or Toll free (800) 941-3943; newyorkcenter@rroho.com

New York State Department of Environmental Conservation, Region 9, 270 Michigan Avenue, Buffalo, NY 14203, Phone: (716) 851-7200; Abby Snyder - Regional Director

New York State Department of Environmental Conservation, Central Office, 625 Broadway, Albany, NY 12233-7255; (518) 402-8579; Fax: (518) 402-9025; Jim Harrington, Bureau Director, Remedial Bureau A (518) 402-9625

New York State Department of Health, ██████████, Chief Environmental Radiation Section, 547 River Street, Room 530, Troy, NY 12180-2216. ██████████ – Project Manager, Western Regional Office (716) 847-4502. ██████████, 518-474-2354, is the contact person for NYSDOH, in regard to health related concerns as it pertains to radiological constituents.

## **E. Environmental and Active Citizens Groups**

Citizens' Environmental Coalition, 425 Elmwood Avenue, Buffalo, NY 14222, (716) 885-6848,  
Contact: Janet Hinkel and Kristin Sebastian

League of Women Voters, 451 South Street, East Aurora, NY 14052-2946, Contact: Leonore  
Lambert

Lake Ontario Ordnance Works Community Action Council (LOOW CAC), Co-Chair, Dr. Joe  
Gardella, SUNY Buffalo, Department of Chemistry, Natural Sciences Complex, Buffalo,  
NY 14260-3000; (716) 645-1499

Lake Ontario Ordnance Works Restoration Advisory Board, Chair, Bill Choboy

Tuscarora Environment Program – Neil Patterson Jr., Director, 5226 E. Walmore Road, via  
Lewiston, NY 14092

Residents Organized for Lewiston-Porter's Environment (ROLE); P.O. Box 44, Lewiston, NY  
14092

Residents for Responsible Government (RRG), P.O. Box 262, Youngstown, NY 14174, (716)  
745-9936, rrgwny@gmail.com, April Fideli, President

## **F. Adjacent Property Owners**

Chemical Waste Management, LLC, 1550 Balmer Road, Model City, NY 14107, [REDACTED]  
[REDACTED]

Modern Corporation, 4746 Model City Road, Model City, NY 14107, [REDACTED]  
[REDACTED]

Somerset Group, 1600 Balmer Road, Youngstown, NY 14174, Mrs. [REDACTED]

Occidental Chemical, P.O. Box 344, Niagara Falls, NY 14302 (location of the ground scar); [REDACTED]  
[REDACTED]. John Hildebrand – Director, Worldwide Real Estate, Occidental  
Chemical Corporation. Occidental Tower, 5005 LBJ Freeway, Suite 2200, Dallas, TX  
[REDACTED]

## G. Media Contacts

### Newspapers

Lewiston Porter Sentinel  
P.O. Box 130  
Grand Island, NY 14072  
Ads: [REDACTED]  
Column inches: 2-column 4.125"  
(716) 773-7676; Fax: (716) 773-7190  
Environmental Reporter: [REDACTED]

Lockport Union Sun & Journal  
170 East Avenue  
Lockport, NY 14094  
Ads: [REDACTED]  
(716) 282-2311, ext 2240; Fax: 282-1643; e-mail: [REDACTED]@niagara-gazette.com (pdf)  
Column inches: 2-column 3.417"; 3-column 5.187"  
Environmental Reporter: [REDACTED]es, (716) 439-9222, ext 6245  
E-mail: [REDACTED][@gnnewspaper.com](mailto:[REDACTED]@gnnewspaper.com)

Niagara Gazette  
310 Niagara  
Niagara Falls, NY 14303  
Environmental Reporter: Timothy Chipp  
E-mail: [REDACTED]@niagara-gazette.com  
(716) 282-2311

Niagara Wheatfield Tribune  
P.O. Box 130  
Grand Island, NY 14072  
Ads:  
(716) 773-7676; Fax: (716) 773-7190

Buffalo News, Niagara Bureau  
1 Fountain Plaza  
Buffalo, NY 14240  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Column inches: 1-column 1.729; 2-column 3.558,  
Tear Sheets: (716) 849-5453  
Env. Reporter: [REDACTED]  
E-mail: [REDACTED]@buffnews.com

## Television

WGRZ-TV (channel 2)

Assignment Editor: [REDACTED]

259 Delaware Ave.

Buffalo, NY 14202

(716) 849-2222 (Switchboard), (716) 849-2200 (Direct); Fax: (716) 849-7602

WIVB-TV (channel 4) and WNLO (channel 23)

Assignment Editor: [REDACTED]

2077 Elmwood Ave.

Buffalo, NY 14207

(716) 876-7333; Fax: (716) 874-8173

WKBW-TV

Assignment Editor: [REDACTED]

7 Broadcast Plaza

Buffalo, NY 14202

(716) 845-6100; Fax: (716) 856-8784

## Radio

WJJL 1440 AM

Programming: 674-9555

WLVL Radio

News Director: [REDACTED]

P.O. Box 977

Lockport, NY 14095

(716) 433-5944; Fax: (716) 433-6588



## **H. Potential Meeting Locations**

Lewiston Town Hall, 1375 Ridge Road, Lewiston, NY 14092, (716) 754-8213

Lewiston Senior Center, 4361 Lower River Road, Lewiston, NY 14092, (716) 754-2071,  
Contact: [REDACTED]

Lewiston-Porter School District, 4061 Creek Road, Youngstown, NY 14174, (716) 754-8289,  
(716) 754-8281 ext 752, fax (716) 754-4978; [REDACTED]  
[REDACTED] 2858 Delaware  
Avenue, Buffalo, NY 14217; (716) 875-1406

Town of Porter Town Hall, 3265 Creek Road, Youngstown, NY 14174 Phone: (716) 745-3730  
Contact [REDACTED]

## **I. Administrative Record and Information Repositories**

### Administrative Record Locations

Lewiston Public Library, 305 S. 8<sup>th</sup> Street, Lewiston, NY 14092, (716) 754-4720, Contact: [REDACTED], Director; Hours: Monday-Wednesday 9:30-9:00, Thursday and Friday 9:30-6, Saturday 9:30-3:00.

Youngstown Free Library, 240 Lockport Street, Youngstown, NY 14174 745-3555, Contact: [REDACTED]; Hours: Monday-Thursday 1:30-8:30, Friday and Saturday 10:00-2:00.

USACE FUSRAP Library (by appointment), 1776 Niagara Street, Buffalo, NY 14207, (800) 833-6390 (Option 4)

### Information Repository Location

Ransomville Free Library, 3733 Ransomville Road, Ransomville, NY (716) 791-4073; Hours: Monday & Wednesday: 2:00-8:00, Tuesday & Thursday: 10:00-8:00, Saturday: 2:00-5:00