

LOOW RAB takes issue with Corps

by Terry Duffy

More comments, many of them vocal and the majority negative, were heard by members of the Lake Ontario Ordnance Works Restoration Advisory Board toward the U.S. Army Corps of Engineers Tuesday at the Lewiston-Porter Community Resource Center.

Over past months, LOOW-RAB members have been vocal in their disseminating and critiquing of various aspects of a September Corps-issued technical memorandum, which revealed potential

remediation objectives the Corps might be considering for the Interim Waste Containment Structure on the Niagara Falls Storage Site, and the potential future for the community.

These critiques continued in what at times was very complex discussion Tuesday evening. And again Buffalo District Army Corps representatives were not in attendance.

Members had issue with many cleanup alternatives presented by the Corps last fall; and questioned

the Corps' own determinations of IWCS radioactive wastes, namely the K-65s and R-10s, and the classifications, concentrations, dangers and need for removal.

There were also concerns aired by state and federal agencies in letters from 2009 to 2011 to the Corps, including the state Department of Environment Conservation and U.S. Environmental Protection Agency. Both questioned Corps' possible waste disposal options at IWCS and urged the U.S.

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EPA, DEC letters urge Corps on 'appropriate long-term solutions' at IWCS

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government overseer to adhere to required government disposal protocol at IWCS with regards to high-level radioactive waste classifications and site disposal/remediation.

The session offered complex issues on a very complex site whose potential government remediation and cleanup could ultimately top \$4 billion.

RAB member Ann Roberts, a British-born chemist, formerly from Youngstown now residing in Wisconsin, participated via conference call. She roundly criticized the Corps, saying it has not even adhered to its own LOOW Management Action Plan issued in 2009, where it was required to update the document, but never did. She hit on the Corps for not following up on its own regulatory framework options concerning future actions at

NFSS. And she blasted the agency on the remediation work done at the Fernald site. RAB members have argued the Corps is using Fernald as a model for future remediation plans at IWCS.

Roberts pointed out, for example, that the Fernald facility, which sits on top of the massive Greater Miami Aquifer system in southern Ohio, includes an onsite disposal landfill, 90 acres in size, containing 3 million cubic yards of radioactive waste left from the cleanup that was placed there for permanent burial. "That facility is closed; it has fully utilized capacity," said Roberts. "And the OSDF is suspected of leaking."

Roberts also had issue with selected alternatives presented by the Corps last fall as possible cleanup options for IWCS. She spoke in favor of Alternative 1: removal of the entire IWCS contents with off-site

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disposal, as "scientifically feasible but costly," and one that RAB favors and the community should receive.

Roberts went on to criticize Alternative 2, all residues removed, excluding R-10s, and Alternative 3, removal of K-65s, as being not practical, and faulted the Corps for not adequately determining whether there had been any possible mixing of the K-65s and R-10s during the IWCS construction in the 1980s to begin with. "Are they (the K65s and R-10s) mixed?" asked Roberts. "It would be physically impossible (now) to remove just the K-65s and leave the others behind."

Perhaps the biggest criticism lodged by Roberts that night was over the Corps' own accounts on the level of radioactivity contained in the 4,030 yards of K-65s stored in the IWCS. She said the Corps had incorrectly stated in its September presentation documents that the K-65s at IWCS contain 520,000 pica curies per gram. She argued that figure is actually 866,000 pCi/g due to such factors as contaminated soils within the IWCS and pockets of materials remaining that were outside the IWCS proper. "There is a very different figure than what is suggested by the Corps," said Roberts.

Also discussed were the DEC and

EPA concerns over Corps' IWCS radioactive waste classifications and potential treatment methods. RAB presented excerpts of letters dating from July 2009 to October 2011, where both agencies argued against Corps alternatives under consideration for leaving some of the wastes remaining in the landfill.

From the EPA, July 2009, " ... Radium 226 residues (are) of such a radiological hazard they should be treated in a fashion analogous to high level radioactive waste, though the residues are classified as such."

Also from the EPA, September 2009, "Radioactive wastes located at the site require a level of protection equivalent to that which would have been provided at a designated storage or disposal site for spent nuclear fuel and high level radioactive waste."

From the DEC, January 2011, "The DEC does not consider shallow land burial of these waste materials (as currently done at IWCS) as an appropriate long-term solution. ..."

And from the DEC, October 2011, "The Department will continue to express its opposition to the long term management of the K-65 wastes at the NFSS and maintain that this material is disposed of in an appropriate offsite facility."

This led to another discussion issue, one which has members very much up in arms: a perceived intent by the Corps to placate the community into accepting the potentiality

of having radioactive waste remain forever at IWCS, as became the case at Fernald. Discussed was "Fernald Lessons Learned" and how some felt the Corps conveyed this model, aired to residents at the September session (see Oct. 1, 2011 Sentinel) as one the community could accept for future IWCS remediation. This was followed by calls by members on a far greater need for community awareness and input to the Corps to make residents' demands for complete cleanup known. RAB member Dr. R. Nils Olsen, an attorney who represents Niagara County interests in the local RAB, steadfastly argued on the need for the community to make its true feelings known to the Corps, urging complete cleanup and restoring the site to its initial use. "There are alternatives. (But) my concern is that there is an ongoing process with the Corps (and its feasibility study) and that the community appears to be waiting," said Olsen.

"It is clearly unacceptable," Olsen argued, for this community to be the recipient of 'Fernald Lessons Learned.' " He went on to urge that the community become intensely involved in the debate, and become far more vocal in its demands to the Corps for complete cleanup as presented in Alternative 1.

"We need to realize our role here in the community input process. It is our role, and we should not accept anything less" than total cleanup.