

## What a tangled web they weave, when they practice to deceive

The U.S. Army Corps of Engineers held a meeting Jan. 24 at the Philip Sheridan Building. It was an information session relating to the Ashland I site "cleanup" including Rattlesnake Creek.

It would appear that the few local concerned residents present were spoon fed still more positive spin/disinformation on the "cleanup" activities of the USACE. This meeting has apparently raised more questions than it answered.

### First and foremost

Correcting a blatant lie by USACE: Differing soil rules may complicate the Linde cleanup: The Corps has said it has not sent any material from the Linde site to landfills in the state and doesn't plan to.

### Reference: Corps illegally dumps nuke waste in NY

In February 2000, FACTS was advised, "Late this past summer, a NYS official told FACTS that 25 tons of radioactive debris from Linde's Bldg. 30 were illegally dumped in IWS's Schultz Landfill in Cheektowaga. This was done without the approval of NY State. The NYS Department of Environmental Conservation had previously entered into a Memorandum of Understanding with the Corps containing provisions for cooperation with the Corps in its actions at the NYS FUSRAP sites, including remuneration for specified DEC services provided.

This previously undisclosed action by the Corps belatedly prompted DEC's Director of the Bureau of Radiation and Hazardous Sites Management, Paul Merges, to establish an emergency regulation. The regulation temporarily amended the state's Part 380 radioactive discharge regulations in an attempt to stave off more illegal disposal of 11 e.(2) wastes by the Corps in New York State landfills. This emergency regulation was effective July 31, 2000 for a period of 90 days. Dr. Merges has told FACTS that no action is contemplated to correct the illegal dumping by the Corps at the Schultz Landfill as "the regulation is not retroactive."

### Source of Rattlesnake Creek Contamination

In the past, the public was told that the contamination in the creek was not of the same type of material that was present at the other Manhattan Project sites. When questioned where the material came from, we were told that the USACE didn't know its source.

Tonawanda News Jan. 25 excerpt: "All three were contaminated with a mixture of uranium, thorium and radium left behind from the construction of nuclear weapons in the 1940s as part of the Manhattan Project. All of the properties sit on land south of River Road between Two Mile Creek and the Grand Island bridges. Both Ashland sites were used to store uranium tailings left behind by the manufacturing of uranium cores. No one has determined how the contaminants got into Rattlesnake Creek because they are of a different mix."

Buffalo News Jan. 25 excerpt: "A Corps study in 1999 found uranium levels in the creek exceeded background levels. Corps officials suspect uranium and thorium from the Ashland sites seeped into the creek."

Question: If the contamination did, in fact, come from the Ashland sites, why did the USACE state that the contamination of the creek was of a different mix than that of the Manhattan Project waste? Or was the mix changed somehow in its traveling from the Ashland sites to the creek?

### Background

The word background seems to be used quite frequently when referring to the level of "cleanup" being discussed. "Background" is a very poor relative point of reference. What is the nature of the area that is being used as the background reference? Is it a relatively "hot" site, is it Erie County background, Western

New York background or anything east of the Mississippi? Unless this is known, then leftover contamination could very well be very close to background — if the background used is also rather high in radioactive content.

### Average

This also is a very poor measurement. An analogy: Although there is an extremely hot spot in the northeast corner of a room, the room's average residual contamination is well within the established limits set forth by the NRC (No Real Concern) group. Yet, what about Jane Doe's exposure to radioactive contamination? Jane's work station sits directly in the northeast corner of the room. When Jane questions this fact, she will probably be told "there's no problem." After all, the average readings of the entire room are well within the limits.

### Deed restrictions

In the past, it was suggested that the "cleaned" land be released for use with deed restrictions in place. The land would be used

for industrial use, but not for residential. Now, we're being told that the Ashland 1 site will be released for use without any deed restrictions. It was stated that the land would be safe for residential use.

#### **Radioactive effluent dumped in wells**

It seems that most think that the sludge that was pumped into the wells on the Linde/Praxair property is simply "gone." Apparently, no action will be taken to determine what, if any, health problems are being caused by this "gone" material.

#### **Reference: NYS Assembly 'The federal connection'**

A History of U.S. Military Involvement in the Toxic Contamination of Love Canal and the Niagara Frontier Region: January 29, 1981:

Excerpts: "In the 1944-1946 period, with the explicit approval and knowledge of Army officials, Linde Air Products, then a Manhattan Project contractor, disposed of over 37 million gallons of radioactively contaminated liquid chemical wastes in shallow underground wells located beneath the Linde property."

"The documents evidence that this method of disposal was selected precisely because the source of underground contamination could not readily be traced back to Linde or the Army."

"Most disturbing is the fact that both the Army and the Department of Energy, despite their much vaunted 'remedial action programs' and the completion of numerous federal studies and surveys in the region, have failed to identify the location of the wells or indicate knowledge of their use by MED and Linde. No analysis or monitoring of the Linde wells or of related chemical contamination in the surrounding ground and well water is known to have been conducted to date."

#### **Seaway Landfill**

The removal of the radioactive contamination from the Seaway Landfill is another story for another time. The Corps plans on having a cleanup plan ready within the next few months. This should prove to be very interesting. FACTS will be waiting to review/comment on this plan.

#### **Contamination-friendly public?**

We would imagine that the USACE is very happy knowing that most local residents and Linde/Praxair workers are very "contamination-friendly." They must be, because very few residents or workers show up at the informational meetings. The old "head in the sand" technique won't eradicate the problem. Future generations will be saddled with this negative legacy. On the other hand, perhaps no one is concerned about future generations.

#### **Conclusion**

FACTS' position (based on the research of non-governmental epidemiologists) is that there is no "threshold" below which there will be no damage to cells and/or genes.

**DON FINCH, TREASURER**

FACTS (For A Clean Tomorrow In 2000)