

**MEETING MINUTES - SEPTEMBER 15, 1999
FORMER LAKE ONTARIO ORDNANCE WORKS SITE
RESTORATION ADVISORY BOARD**

To: Restoration Advisory Board members and Interested Parties
 From: Ray Pilon, US Army Corps of Engineers, Project Manager
 SUBJECT: Minutes of September 15, 1999 RAB meeting

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| <p>RAB Members Present: Stephen Yaksich, Government Co-Chair Nils Olsen, Community Co-Chair Mike Basile Thomas Freck Rebecca Zayatz Theresa Mudd Gary Smith Martin Hodgins Paul Dicky Charles Lamb Darwin James Langlois Nona McQuay Kent Johnson Timothy Henderson William Roger Angus Daniel Serianni, Jr. Lawrence Brennen John Syms Bruce Mero Walter Polka</p> <p>RAB Members Absent: Edward Lilly Clyde Johnston, Jr. Neil Patterson, Jr.</p> | <p>Affiliation: US Army Corps of Engineers, Buffalo District University of Buffalo/Lew-Port School Board USEPA Resident Chemical Waste Management Resident Modern Corporation Resident Niagara County Health Dept. Town of Porter Town of Lewiston Local Environment. NYDEC Local Environment Lewiston Businessman Resident Resident Somerset Group US Air Force Lew-Port School System</p> <p>Local Civic Group Union/Local 463 Tuscarora Indian Nation</p> |
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7:05 p.m. Introduction and Welcome/Call to Meeting to Order (*Sandra Chaloux, CEC, Inc.*)
 The meeting was called to order. Sandra started the meeting by having the RAB members and guests introduce themselves. Agenda was revised to allow specific property owners to make their presentation before the Corps' update. The minutes from the previous meeting were reviewed and accepted with no changes.

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Property Owners Update (*Becky Zayatz/CWM*) Ms. Zayatz stated her perspective of the issues at the site. Concerns were identified over the length of time the project has been in process and the varying approaches and management decisions that have been made. She stated that a lot of money has been spent to date with not a lot to show for it. She understands this is a large project and is encouraged by the recent work being done to address the underground pipeline. She knows the Corps is trying to make a difference and feels the lack of historical information and lack of good documentation is making it a difficult task. She expressed her concern that not just a specific chemical be looked at but that all the chemicals that may have been used in the process of making TNT should be considered. She identified some other areas of concerns such as other underground pipelines in the area, the two areas of buried drums and the trash pit in the decommissioned areas, and the underground storage tanks in the old Nike area. Ms. Zayatz said that the site is controlled and there is no imminent danger to the community.

RAB members then discussed reactions to the site tour that was conducted earlier in the day. Approximately 20 people attended a 3-hour site tour that included the Niagara Falls Storage Site (NFSS), Chemical Waste Management (CWM) property, Air Force property, and the National Guard property. The following are some of the comments stated by those who attended the site tour:

- On the tour, everything seems to be well taken care of. The excavations and pipeline work on the former Lake Ontario Ordnance Works (LOOW) property that is currently owned by CWM Corporation seems pretty thorough, but I found the Niagara Falls Storage Site unsettling. To have a sprinkler system on the cover of these dangerous chemicals to prevent the cap from cracking. The cap was put on in 1986 with a 25-year life.
- The community is primarily concerned with the Niagara Falls Storage Site that contains radioactive materials. Questions were raised as to the length of time the materials would remain, concerns expressed about the sprinkler system used to maintain the clay cap that covers the containment structure, and possible exposures and the long term danger to the community? People are concerned with the options that are being considered.
- Surprise was expressed concerning the old wastewater treatment plant on the Town of Lewiston property. There is dangerous condition associated with the dilapidated buildings. There is evidence that the site is visited by trespassers and is accessible by off-road vehicles. What would it take to keep the trespassers out?
- I was on the last part of the tour through the CWM property –the buildings are dangerous – one had a 30-foot drop into a cavern with no exit. From a historical preservation stand point, I want the buildings to be well documented related to the purpose, the way they were constructed, etc. before they are destroyed.

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- The Niagara Falls Storage Site containment structure was designed with an interim cap with a 25-year life. The area contains K-65 waste. DOE gave us some soothing rhetoric. I am cautiously optimistic that we are seeing more activity in the last year than we saw during the whole time DOE managed the project.
- While it was very informative to have everyone see the site, there were some areas on CWM property that we weren't able to see such as the Boron from Air Force Plant 68. I am concerned that there is a false sense of security here. There are some pretty contaminated areas that contain spent solids, drums, etc.
- Niagara Falls Storage Site - I'm concerned with the human side of maintaining the facility for a long duration. I have heard that there was a lapse in the contract for maintaining the facility resulting in cracking on the cover more than it should have. How can we guarantee for future generations that the site will be watered and taken care of?

When asked about additional tours, Mr. Pilon (Ray) said he would not have a problem doing other tours. He said it is important to realize that there is a removal action underway and a remedial investigation that is currently delayed due to funding. This tour was designed to give the RAB members a general layout of the project. Ray stated that if people wanted additional tours that the Corps could probably make it happen, but that specific health & safety arrangements would need to be made to ensure we have the right protective clothing available.

Funding – Ray told the board that the Corps does not have enough funding to finish the interim removal action (TNT pipeline project) but that enough funding will be made available to take the project through the end of September 1999. Additional funds will be requested to continue work through the first quarter of the new fiscal year that begins October 1st. No assurance could be made that funds would be available beyond the end of this fiscal year.

No funds were available to continue on with the Phase 2 Remedial Investigation (RI). The Phase 1 report was finalized since the last meeting and was available on the Corps website <http://www.lrb.usace.army.mil/loow/> .

When questioned on the funding situation of the work at the Niagara Falls Storage Site, Ray explained that there are two Corps programs with two separate funding sources (the pipeline excavation and removal work was being funded through the Defense Environmental Restoration Program for Formerly Used Defense Sites (DERP-FUDS). The Niagara Falls Storage Site was being funded through the Formerly Used Sites Remedial Action Program (FUSRAP).

Ray also stated that there has never any lapse in maintenance of the Niagara Falls Storage Site and that Dr. Judith Leithner will make a presentation about the NFSS later in the meeting.

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Property Owner Comments (*Gary Smith/Modern*) Mr. Smith identified that although they have some of the pipelines and sewer lines on their property, he felt Modern really didn't have a history with the site like some of the other property owners. Although they had no real issues at this time, Modern was very interested in the progress of the site.

Property Owner Comments (*Bruce Mero/Air Force*) Mr. Mero gave handouts and a slide presentation on the remediation history of the Air Force Youngstown Research Facility. The site is a 98-acre parcel that the Air Force purchased from the Army in 1966. The site was abandoned by the Air Force in 1989. The Air Force conducted a preliminary assessment/site investigation that identified approximately eight sites for future investigation. These sites are as follows:

- Site 1 - Dump Site;
- Site 2 - Sanitary Sewer Drainage System;
- Site 3 - Nike Missile Site;
- Sites 4 and 5 - Underground Storage Tanks/Generator Building and Administrative Area;
- Site 6 - Property Line Fence;
- Site 7 - Low Level Radioactivity Site; and,
- Site 8 - Missile Fueling Site.

In 1997, the Air Force Research Laboratory became responsible for the site. He explained that their goal was to complete the environmental investigation as quickly as possible to divest the site. We hired a consultant out of Rochester to do an Environmental Baseline Survey. This survey was more onerous than the PA/SI that was conducted earlier. From the survey, we determined that the sites, with the exception of Site 7, would be revisited. Mr. Mero summarized the activity that has been performed at each of these sites. In addition to the type of remedial action taken at these sites, the EBS also addressed additional environmental contaminants such as asbestos, Lead-based paint, Radon, pesticides, medical and biohazardous wastes, radioactive waste material and the presence of ordnance. The Air Force spent about \$800,000 on the project.

Mr. Mero reported that the Youngstown Research Facility was no longer needed by the Air Force and that the Air Force was in the process of divesting the property. He explained that through the Base Realignment and Closure process, first the parcel is made available to any federal agency, then any state government agency, then the local government, and finally any other interested party.

Property Owner Comments (*John Syms/Somerset*) Mr. Syms had no basic issues to report on. He expressed his desire for the project to be done as quickly as possible and properly.

LOOW Corps Update (*Ray Pilon, USACE*) Ray provided status updates on the remedial investigation and interim removal actions. Funding shortages were identified that are attributable to activity on-going in Spring Valley which has taken more funding than expected which affects the funding for other projects in the FUDS program.

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Remedial Investigation: The history search has been completed. Ray informed the group that documentation on the history report is available at the Lewiston library and on the Corps' web site. (<http://www.lrb.usace.army.mil/loow/>) . The Phase I Report is complete and is available on the Internet website. A work plan has been drafted for Phase II but the work has been delayed due to funding.

Current Interim Removal Actions: The removal of the TNT pipeline and Chemical Sewer Line includes removal of water, sediments, and debris from TNT and chemical sewer pipelines and lift stations by draining, pumping, and pressure washing. It also involves sealing cleaned, intact pipelines, removing collapsed unserviceable pipelines, removal of contaminated soils unearthed during excavation, and demolition of the wastewater treatment plant. Currently the on-going work is behind schedule and over budget. Ray showed slides of site photos.

Proposed Interim Removal Actions: Ray explained that during Phase I of the Remedial Investigation a couple of new areas were discovered that qualified for Interim Removal Action. Removal actions are proposed for buried drum trenches in Area A and Area B (a former burn pit area), and a former trash pit near Area C. A draft Engineering Evaluation/Cost Analysis (EE/CA) document is under review. Ray explained the EE/CA process – once the EE/CA study/document is prepared and finalized by the Corps it is sent out for a 30-day public comment period. During that review, if anyone requests a public meeting, the Corps will have one to explain the proposed removal action in detail. If there's no request for a public meeting, then the Corps will sign an Action Memorandum to go ahead with the removal action. Ray informed the RAB that any member interested in reviewing the EE/CA report would be sent one upon request.

NFSS Corps Update (Dr. Judith Leithner, USACE FUSRAP)

Dr. Leithner is the Project Engineer and Project Manager for the Niagara Falls Storage Site (NFSS) FUSRAP project. She presented a technical briefing of the work being done at the site. Her presentation included a handout and slides to show specifics of the site and the properties that border it.

Site History -Dr. Leithner explained that although the NFSS is a 191-acre site, the area of community concern is the 10-acre storage site that contains K-65 residues.

She discussed building 401 with the silos. Building 401 contains friable asbestos and that's why the RAB members were unable to go in it earlier today. It may also contain some radioactive contamination and chemical contamination. Building 401 was used as the powerhouse for the TNT plant at the Lake Ontario Ordnance Works in 1943. It was only in operation for a year when they found out that TNT was in excess production. From 1953-1971, the building was used to manufacture Boron-10.

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In 1952, drums containing high activity radioactive residues were stored in a silo that no longer exists. The Department of Energy relocated the residues in the 1980's and were placed in an engineered waste containment structure that is about 10-acres in size. There is about 249,000 cubic yards of material stored at the site, and only 3,925 cubic yards are K-65 high activity residue.

The Corps has a remedial investigation ongoing that will evaluate both radioactive wastes and chemical contamination that appears on site.

Building 403 was a fire system building that had a hose-drying tower. It was later used as a radiological laboratory and then finally used as an office building. The building is now scheduled for demolition. Building 403 has already gone through decontamination.

Department of Energy (DOE) activities - DOE operated the Niagara Falls Storage Site before 1997 at which time the Corps of Engineers was given the FUSRAP. The DOE constructed the waste containment structure in the 1980's and installed an interim cap over it that contains three feet of clay over the materials, 1 foot of fill, and 6 inches of topsoil. The thickness of the cap is calculated based on the percolation rate of radon.

A long-term cap was proposed as a final remedy by DOE. USEPA objected to the long-term cap and the National Academy of Science was tasked to do a study. The National Academy of Science Report was prepared in 1995 to address the safety of the high activity residues at the site. The report emphasized that the present (interim) cap is considered safe for 25-50 years (ie. 25 year life is 2011). The report looked at a lot of issues and also noted a number of unknowns such as incomplete knowledge of local geology, lack of information on potential effects of pumping by neighboring landfills, and no information on the behavior of the residues in the presence of other chemicals (e.g. sulfates of Ra-226 and Th-230). The Corps is directing itself towards a better risk assessment.

The Corps of Engineers is utilizing the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process to evaluate the NFSS site. This process involves several steps such as a Remedial Investigation / Feasibility Study (RI/FS) phase and development of a Proposed Plan and Record of Decision before doing site cleanup. The remedial investigation will involve: identifying on-site contaminants, determining the extent of contaminants, determining risk to people and the environment, and determining how long chemicals will persist in the environment and where they may move within the environment. The feasibility study will identify possible technologies for cleaning up the site and evaluate each technology for: protection of human health, compliance with regulations, long and short term effectiveness, reductions of toxicity/mobility, cost, and acceptance by the state and the public. The final remedy is specified in the proposed plan. The proposed plan is then open for public review and comment.

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Dr. Leithner summarized the tasks needed at the site including: performing the RI/FS, remediating the Waste Containment Structure, cleaning up the remaining surface soil that is contaminated (radiological), determine whether there is on-site chemical contamination, and if so, clean it up, and decontamination and demolition of contaminated buildings.

The Corps has many issues to address and acknowledge that experts disagree about removal vs. in-place management of the high activity K-65 residues. The Corps has created a team that has examined the issues, held public meetings and has prepared and awarded the scope of work for the Remedial Investigation. The Remedial Investigation is now approximately 20% complete and building 403 has been decontaminated. A contract has been awarded for removal of the palletized waste stored on site and the site will continue to be maintained and monitored.

When the Corps studies are complete, we will know if any landfills can take the material, if disposal without treatment is possible, if chemical contamination exists on site, if surrounding landfills impact the subsurface and if chemical surveillance parameters and test frequency must be expanded. We will also know whether buildings must be chemically decontaminated, if surface soils must be re-cleaned, if residues can be recycled and how quickly remediation must be started based on the safety and effective life of the current cap.

The current NFSS schedule includes completing the remedial investigation by next August. The Feasibility Study is expected to begin in June or July of 2000 and be completed by mid 2001. The Proposed Plan should be prepared in 2001. The Record of Decision should be issued in 2002.

Review of Operating Rules/Mission Statement (Nils Olsen/RAB)

The RAB discussed the draft operating rules. The group agreed that an alternate is acceptable when a member can not make a meeting. It was also agreed that the alternate would not be eligible to vote on administrative matters. The RAB agreed to a two-year term at which time they could renew. Several RAB members also felt it was necessary to allow consensus votes on technical issues. The vote would be documented in the RAB meeting summaries. These changes will be made to the draft operating rules and a revised draft will be sent out to the RAB for final review prior to the next RAB meeting.

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Establish Action Items/Set Agenda & Date for Next RAB Meeting

The RAB decided that they would meet on a quarterly basis or as needed but the next RAB meeting would be set for Wednesday, January 12, 2000 at 7:00 p.m. at the same location.

Agenda items identified for the next RAB meeting include:

- Corps Update – NFSS update
- EE/CA Report
- Trash Pit Evaluations
- TNT Pipeline
- Human Health Studies-what’s been done/what’s planned
- Review of Operating Rules/Vote on Rules

Action Items:

- Corps to make changes to RAB Operating Rules and send out to RAB for review with the meeting minutes.
- Ray Pilon to contact the Town of Lewiston regarding dilapidated buildings.

Meeting Adjourned (9:35 p.m.)

| Guests Present: | Affiliation: |
|------------------------|-----------------------|
| Arleen Kruesch | USACE-Buffalo |
| Bill Kowalewski | USACE-Buffalo |
| Fred Boglione | USACE-Buffalo |
| Tom Leithner | Citizen |
| Judy Leithner | USACE-Buffalo |
| Ann Burke | IT |
| K. Nelson | Citizen |
| R. Nelson | Citizen |
| Frank O’Connor | Citizen |
| Sandra Maslon | Village of Lewiston |
| Kara Simpson | John LaFalce’s Office |
| Ann McBride | Niagara Gazette |
| James Neige | Niagara Gazette |
| Dan Lane | Foster Wheeler |
| Linda Shaw | Somerset Group |
| Sandra Staigerwald | EA Engineering |
| William Kowalski | Town of Porter |
| Mark Minalo | Radian |
| Ali Sadrith | Radian |
| Tim Webster | Webster Szanji |
| Alexander Kravitz | Citizen |
| Carmine Tronolone | Ecology & Environment |
| John Syms | Somerset Group |