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FORMER LAKE ONTARIO ORDNANCE WORKS
RESTORATION ADVISORY BOARD MEETING
IN THE LEWISTON-PORTER SCHOOL
4061 CREEK ROAD
YOUNGSTOWN, NEW YORK
OCTOBER 17, 2001

RAB Members Present:	Affiliation:
William Roger Angus	Community Member
Thomas Freck	Community Member
Tim Henderson	ROLE/Community Member
Martin Hodgins	Community Member
Kent Johnson	NYS Department of Environmental Conservation
Charles Lamb	Town of Porter
Paul Dicky	Niagara County Health Department
Sister Karen Allen	Community Member
Don Rapphold for Walter Polka	Lewiston-Porter Schools
Nona McQuay	Community Member
James Weld	Community Member
Neil Patterson, Jr.	Community Member
Daniel Serrianni, Jr.	Community Member
Stephen Yaksich, Government Co-Chair	US Army Corps of Engineers, Buffalo District
Dr. Nils Olsen, Jr., Community Co-Chair	Community Member
RAB Members Absent:	
Mike Basile	USEPA
Darwin James Langlois	Town of Lewiston
Clyde Johnston, Jr	Community Member
Gary Smith	Modern Landfill
Rebecca Zayatz	Chemical Waste Management, Inc.
Edward Lilly	Community Member
John Syms (deceased)	Somerset Group

1 RESTORATION ADVISORY BOARD MEMBERS

2 MICHELE L. HOPE

3 JUDY LEITHNER

4 DON RAPPOLD

5 CHARLES LAMB

6 WILLIAM ROGER ANGUS

7 TIMOTHY HENDERSON

8 MARY KAY FOLEY

9 STEPHEN YAKSICK

10 NILS OLSEN

11 PAUL DICKY

12 KENT JOHNSON

13 NEIL PATTERSON

14 NON McQUAY

15 JAMES WELD

16 DANIEL SERRIANNI, JR.

17 MARTIN HODGINS

18 SISTER KAREN ALLEN

19

20 PRESENTATION SPECIALIST

21 CHRIS WHALEN, CTS

22 BAVServices

23

1 ("Superfund Risk Assessment and How You Can
2 Help" video, EPA, July 2000 was viewed and
3 discussions were held.)

4
5 (Whereupon, the meeting was called to order at
6 7:13 P.M.)

7
8 MS. MICHELE HOPE: Good evening. Thank
9 you all for coming and thank you for so many of
10 you showing up early to watch the video. If
11 you missed the beginning of it, we'll be
12 showing it again after the meeting and you're
13 welcome to stay and ask more questions.

14 At this point I would like to call the
15 meeting to order. This is the meeting of the
16 Former Lake Ontario Ordnance Works Restoration
17 Advisory Board. We would like to go around the
18 table now and introduce the advisory board
19 members. And just a reminder, we have a court
20 reporter at the meeting tonight so please state
21 your name before you ask a question and when we
22 get to general comments from the public, we
23 would like you to come up with to the

1 microphone and give your name and ask your
2 question. That way it will all be recorded and
3 we can respond to it. Thank you. Judy.

4 DR. JUDY LEITHNER: I'm Judy Leithner,
5 project manager for the Niagara Falls Sewage
6 Site.

7 MR. DON RAPPHOLD: I'm Don Rapphold
8 representing Lewiston-Porter Schools.

9 MR. WILLIAM ROGER ANGUS: Bill Angus,
10 community representative for Lewiston.

11 MR. TIMOTHY HENDERSON: Tim Henderson,
12 role, community representative. I was
13 wondering if I could ask the RAB after we
14 introduce ourselves if we can all have a
15 respectful moment of silence for John Syms.

16 MS. MARY KAY FOLEY: I'm Mary Kay Foley.
17 I'm the project manager for the Lake Ontario
18 Ordnance works.

19 MR. STEVE YAKSICK: Steve Yaksick, I'm
20 with the Corps of Engineers and I'm the
21 government co-chair.

22 MR. NILS OLSEN: Nils Olsen, I'm from
23 Youngstown. I'm a community member.

1 MR. PAUL DICKY: Paul Dicky, I'm with
2 the Niagara County Health Department, public
3 health engineer.

4 MR. KENT JOHNSON: Kent Johnson, I'm
5 with New York State Department of Environmental
6 Conservation.

7 MR. NEIL PATTERSON: Neil Patterson,
8 Jr., Tuscarora Nation, community rep.

9 MS. NONA McQUAY: Nona McQuay, community
10 representative.

11 MR. JIM WELD: Jim Weld, a resident of
12 Youngstown and community representative.

13 MR. DANIEL SERRIANNI: Dan Serrianni,
14 resident.

15 MR. MARTIN HODGINS: Martin Hodgins,
16 resident.

17 SISTER KAREN ALLEN: Karen Allen,
18 community representative.

19 MS. MICHELE HOPE: Thank you very much.
20 The RAB members were mailed the minutes of the
21 June meeting. I would like to approve the
22 minutes now. All in favor of approving the
23 minutes please say aye.

1 (All members signify aye.)

2 MS. MICHELE HOPE: All opposed?

3 (No response.)

4 MS. MICHELE HOPE: The minutes are
5 approved. Steve has a presentation to make.

6 STEPHEN YAKSICK: I would like to make a
7 presentation to Charles Lamb. He's no longer
8 going to be on the RAB. For his dedicated
9 service and participation on the Lake Ontario
10 Ordnance Works Site Restoration Advisory Board,
11 signed Lieutenant Colonel Glen B. Willie.

12 MR. CHARLES LAMB: Thank you.

13 (Applause.)

14 STEPHEN YAKSICK: We'll have that moment
15 of silence for John Syms now, please.

16

17 (Whereupon, a moment of silence was observed.)

18

19 MR. STEPHEN YAKSICK: On a positive note,
20 I would like to introduce a new advisory board
21 member, Sister Karen Allen. Michele, all
22 yours.

23 SISTER KAREN ALLEN: Thank you.

1 MICHELE HOPE: I would like to start
2 with a few administrative slides just to go
3 over the workings of the RAB. As you know, the
4 mission statement of the RAB is to establish
5 and maintain a forum of all stakeholders
6 through the exchange of information and provide
7 an open and independent dialog concerning the
8 environmental restoration activities at the
9 Former Lake Ontario Ordnance Works Site.

10 There are question cards on the sign-in
11 table as we came in. If the meeting goes on
12 too late and there is questions you didn't get
13 to and you don't get answered, please fill out
14 a card and return it to us either on your way
15 out or you can mail them to us and we will
16 resolve these questions either on the website
17 or in the minutes and make sure you get the
18 answers.

19 Also we're trying something new tonight.
20 There's another half sheet on the sign-in
21 table. It's a white page. We are trying to
22 get some input on setting the agenda for the
23 subsequent meetings. So if you have agenda

1 ideas that you would like to see at subsequent
2 RAB meetings there's a form to fill out there
3 to provides suggestions.

4 We are going to proceed with the same
5 format as we've used in previous meetings.
6 This is a meeting of the Restoration Advisory
7 Board. It is open to the public. It's not a
8 public meeting, per se. The way it functions,
9 as you recall, is that there will be a series
10 of presentations, the RAB members will have an
11 opportunity to ask questions and then the
12 general audience will have an opportunity to
13 ask questions and at the end if we have some
14 time left over before nine o'clock there will
15 be time for some questions at the end. But we
16 are going to try and stick to our agenda. Like
17 usual, we have a pretty packed program. As I
18 said, we would be re-showing that video at nine
19 o'clock again for anyone who would like to
20 stay.

21 Since we have a court reporter at this
22 meeting and everything is being recorded, the
23 microphones are very good. They'll pick up

1 side conversations and also we would like you
2 to step to the mic, state your name and ask
3 your question so that will ensure that we get a
4 good recording of what transpires here tonight.

5 The action items, we will have a
6 presentation of the Lake Ontario Ordnance Works
7 from Mary Kay Foley followed by a Niagara Falls
8 Storage Site presentation. We will talk about
9 the RAB subcommittee that was going to meet on
10 the Technical Outreach Services to Communities
11 and we will set a date for next meeting.

12 RAB survey evaluation summaries were sent
13 our after the June meeting. Those were tallied
14 and compiled and they were sent out to the RAB
15 members. You should have all received the
16 summaries of the evaluations in the mail.

17 The Corps update on the Niagara Falls
18 Storage Site will take place tonight. There's
19 an extensive presentation. LOOW project
20 manager will present an overview of the current
21 status of the LOOW site. This item is still in
22 progress. The Corps has contacted the
23 University of Rochester and is still working on

1 obtaining and reviewing documents. That's
2 still in progress.

3 The Niagara County Health Department was
4 going to identify the availability of someone
5 from the New York State Department of Health to
6 present information on future health studies
7 and I assume that will continue to be an open
8 item or do you have something?

9 MR. PAUL DICKY: I think that will
10 remain open.

11 MICHELE HOPE: Okay. That will remain
12 open. Mr. Henderson did bring documents in for
13 us to take a look at. Those were some reports.
14 We've copied them and added them to our records
15 and returned the original to him tonight and we
16 thank you very much for that.

17 That concludes my presentation. I'm going
18 to turn this over to Mary Kay Foley, Project
19 Manager at the LOOW site.

20 MS. MARY KAY FOLEY: As Michele said,
21 I'm Mary Kay Foley. I am the project manager
22 for the Lake Ontario Ordnance Works site and I
23 am keeping my presentation pretty brief tonight

1 because Judy has a fairly long presentation.
2 So I'm just going to give you kind of a quick
3 overview of what's going on the Lake Ontario
4 Ordnance Works site.

5 Basically an overview, I'm just going to go
6 over the site location, the different
7 accomplishments we've done to date, status of
8 our ongoing projects. I'm going to tell you
9 what's coming up as far as future projects.
10 I'm going to talk a little bit about our
11 funding and I am going to give a follow-up
12 report from the June RAB meeting on the
13 different buildings on site that some RAB
14 members and members of the public have been
15 interested in finding out about.

16 As you can see, this is the former site.
17 It's bounded roughly by Creek Road and Porter
18 Center Road and Balmer and Pletcher Road, the
19 two main roads that kind of run through it.
20 You can see that only a portion of the site was
21 actually ever used by the Department of
22 Defense. And that's kind of like the blue and
23 yellow area. The yellow area is the Niagara

1 Falls Storage site which is Judy's site that
2 she will be talking about tonight.

3 To date we have done quite a few projects
4 at this site. We have removed some asbestos in
5 different areas. We are in the process, we're
6 about ninety-five percent complete with what we
7 call an interim action to remove immediate
8 hazards due to a chemical waste sewer line and
9 a TNT pipeline. We've completed a phase one
10 remedial investigation. We've completed a
11 phase two remedial investigation. The only
12 thing that remains is writing a final report.
13 We do have a draft report that is currently
14 under review. We've evaluated and done some
15 preliminary design at several areas of known
16 contamination, the areas we call areas A, B and
17 C. We've established an administrative record
18 and we've also created a web site for public
19 access.

20 Okay. The ongoing projects, as I said, we
21 finished the phase two remedial investigation.
22 We have a draft report that we are currently
23 reviewing in-house and we have the regulators

1 reviewing it. We expect the final phase two
2 report in early 2002. That will be available
3 in the libraries for any member of the public
4 who wants to read it.

5 TNT pipeline removal, as I said, the
6 fieldwork is ninety-five percent complete. We
7 are a little bit behind schedule because we
8 found a little bit more TNT than we expected to
9 find but we are hoping to finish up, you know,
10 in a month or two. We are currently -- as I
11 said, this is an interim removal and it's
12 mostly designed to address immediate hazards.
13 So we are going to still continue to work on
14 this area to kind of look at a long-term vision
15 to close out this area so it will be completely
16 clean.

17 We are also starting an aerial photograph
18 analysis and that is actually thanks to some
19 input that we got from members of the public.
20 There has been some questions that have come up
21 on aerial photos. We decided to -- we have a
22 branch of the Corps of Engineers called the
23 Topographic Engineering Center. Their

1 specialty is analyzing aerial photos. That's
2 all they do all day, every day. So they are
3 experts at reviewing aerial photos. We have
4 contracted with them to do a complete review of
5 all the aerial photos on this site that will
6 determine any areas that we may need to go look
7 at. If they think there is activities that
8 have taken place in any of these areas that may
9 be of concern for environmental contamination,
10 this review will find it. And we will of
11 course follow up on investigating that.

12 The ongoing projects, as we talked about
13 earlier, we are currently conducting a risk
14 assessment for this site. We are also working
15 on a work plan to investigate. There is
16 numerous pipelines and like utilities related
17 to the Former Lake Ontario Ordnance Works that
18 still need to be investigated. We're currently
19 do a work plan on how we would go about
20 investigating them to best determine what
21 hazards may exist from these pipelines. We are
22 currently working on a scope of work for areas
23 A and B, and what this means is right now we

1 currently don't have any money to do these
2 projects but we are trying to position
3 ourselves to be completely ready that if
4 congress or whoever decides to give us some
5 money we can act on it immediately and we can
6 start cleaning up these areas. We are also
7 doing completing a remedial design for area C.

8 We are also going through an inventory
9 project report. Basically we're talking an
10 inventory of the whole site to determine all
11 the hazards that are there and we are going to
12 prioritize them in terms of maybe additional
13 things that need to be cleaned up.

14 The wastewater treatment plant I'm going to
15 talk about a little bit later. I'm going to
16 talk about that during the building report so I
17 won't say too much about it now but we will go
18 back to it.

19 We're also creating a Summary of
20 Investigations Report. This is primarily going
21 to be used for members of the public or members
22 of the team, anybody who would like sort of
23 like a very concise report of all the

1 activities that have taken place on the Lake
2 Ontario Ordnance Works site, all the
3 investigations that have been done, what we
4 found, what we plan to do in the future and
5 it's -- I understand that a lot of these
6 documents that are associated with the site are
7 hard to read and there is a lot of them. So we
8 are hoping to try to combine them all into one
9 easy to read document so people that are
10 interested can get up to speed really fast on
11 the site.

12 As I mentioned earlier, we are trying to
13 position ourselves so that if money becomes
14 available we can use it. In the next few
15 months we will be capable of awarding ten
16 million dollars worth of investigative and
17 cleanup work. To date I'm planning on
18 receiving a million dollars so funding
19 constraints are a big issue on the cleanup of
20 this site. But we are ready. We will be ready
21 if money becomes available.

22 Okay. We had an action item that members
23 of the public and members of the RAB were

1 interested in getting a status of the buildings
2 on site and there is over two hundred buildings
3 actually associated with the Former LOOW and
4 the Air Force Plant 68 and other government
5 activities that took place so I tried to narrow
6 it down. We looked back through the RAB
7 minutes so I tried to narrow it down to things
8 that people had expressed an interest in
9 hearing about. We do have limited information
10 on all the buildings that's available if anyone
11 wants it. But I'm going to try to just hit the
12 highlights of the things that I think people
13 are interested in.

14 As I said, there is a wastewater treatment
15 plant. Just to give you an idea where it is,
16 it's sort of south of Balmer Road, south of the
17 Somerset Group property and it's west of the
18 CWM property. This is a picture. You can see
19 in the center there is a big tank and there is
20 several tanks on the site that actually present
21 a falling or a drowning hazard. You can also
22 see off in the corner there there is kind of
23 like a rickety old building and there are some

1 very dilapidated structures on site that
2 present a hazard. Members of the public have
3 expressed an interest in getting this site torn
4 down to remove -- I guess kids get in there
5 and, you know, there is a possibility for
6 injury. We have been investigating the site.
7 It's currently owned by the Town of Lewiston.
8 As I said, it presents a drowning and falling
9 hazard. I said we are revising the inventory
10 project report for the site and it is going to
11 address this area. However, in our research we
12 found out that the wastewater treatment plant
13 is actually probably not eligible for DERP-FUDS
14 funding and that is because it was used by the
15 Atomic Energy Commission for a few years. Now,
16 what I'm going to do is I'm actually writing a
17 letter to the headquarters of the Corps of
18 Engineers asking for a waiver to DERP-FUDS
19 policy because we feel this does represent a
20 hazard and we feel it's a worth while project.
21 I can't read the tea leaves on what
22 headquarters is going to say but we are trying
23 to get a waiver on this.

1 The other buildings that were mentioned
2 were the nitration houses and those are
3 basically on the property that's currently
4 owned by Chemical Waste Management and it's
5 sort of south of the Somerset Group property.
6 This is a picture of one of the nitration
7 houses. These nitration houses were used in
8 the TNT formation process and they are
9 currently unused. And several members of the
10 public had asked if these were on the historic
11 register, if they can be listed, you know, on
12 the historic register and they aren't currently
13 listed on the National Register of Historic
14 Places. And I had one of our environmental
15 people who handles our historic buildings and
16 historic issues look into it and it doesn't
17 appear to meet the criteria for historic
18 significance and I have that criteria available
19 if anyone is interested after the meeting.

20 The other thing that came up from talking
21 to some residents and there is also an article
22 in the ArtVoice that mentioned there was a
23 temporary school that was set up in what was an

1 office building and a cafeteria of the Former
2 Lake Ontario Ordnance Works and people had
3 expressed an interest and a concern in it so we
4 decided to look it up. I found out where they
5 were and they were -- basically you can't see
6 it on this map but Lutts Road kind of runs
7 north and south and then Balmer Road and it's
8 adjacent to the Somerset Group property and
9 it's on property currently owned by Chemical
10 Waste Management. These are pictures of the
11 buildings. Lewiston-Porter used this school
12 system as a temporary school in the early
13 1960s.

14 AUDIENCE MEMBER: That's wrong. It was
15 the late 1960s.

16 MS. MARY KAY FOLEY: Okay, late 1960s.
17 Okay. It was originally used as, like I said,
18 an office building and a cafeteria on Air Force
19 Plant 68. Currently it's being used for
20 records storage and they store extra office
21 furniture that CWM uses it now. I looked back
22 into the history of this area and this area was
23 actually originally designated as what they

1 call vicinity property P. The Department of
2 Energy -- there is different parcels around the
3 Niagara Falls storage site that they designated
4 as vicinity properties because they had been
5 used by AEC and they called it property P. DOE
6 did test the area for radiological compounds.
7 They did clean up a small area, a very small
8 area of the site in the '80s.

9 AUDIENCE MEMBER: This was after these
10 kids went to school there.

11 MS. MARY KAY FOLEY: Correct. We did
12 find -- I tried to go back and look through
13 what they actually found at the site and they
14 had some levels that were slightly above
15 background. I had Karen, our risk assessor,
16 look at the data and she said that the levels
17 don't appear -- they appear to be below the
18 level of concern for human health. We have not
19 tested this area as part of our LOOW
20 investigation because due to the fact that it
21 was just used as an office building and a
22 cafeteria, we don't believe any DOD activity
23 would have ever impacted this site so we have

1 not tested it, more Judy and DOE tested it for
2 the radiological compounds.

3 That's it for me, if anyone I guess the RAB
4 has any questions? Kent.

5 MR. KENT JOHNSON: I believe that CWM
6 has an asbestos abatement of some of those
7 buildings.

8 MS. MARY KAY FOLEY: Okay.

9 MR. NILS OLSEN: Would you like to
10 explain for people what this remedial
11 investigation phase two report will entail,
12 what it involves.

13 MS. MARY KAY FOLEY: At the June meeting
14 we actually went through a pretty extensive
15 presentation on what we found, and this report
16 is basically just the written format of that
17 presentation. It's pretty extensive. It's
18 just sample results and maps. If you were at
19 the June meeting you really gotten it all in a
20 nutshell but it's available on a more expanded
21 form if anyone is interested.

22 MR. MARTIN HODGINS: On page six the
23 issue regarding the wastewater treatment plant

1 showed a photograph which would be on your page
2 twenty. We've been talking about this for over
3 a year, almost two years now. What is the
4 holdup? Is it the Town of Lewiston won't
5 release the property or is it the Army Corps of
6 Engineers don't have permission or funds to go
7 in there and, you know, fill this up or what's
8 the holdup?

9 MS. MARY KAY FOLEY: Well, I have a
10 manual on my desk about this thick that
11 outlines all the procedures and policies of
12 what is eligible for DERP-FUDS funding and what
13 isn't. DERP-FUDS is a very unfunded program so
14 they are fairly selective about what they will
15 allow, what they will pay for basically. And
16 through the investigation that we have done it
17 appears that that property is not eligible for
18 DERP funding. That's why we are going to try
19 to apply for a waiver. I don't know if that
20 will be successful or not.

21 MR. MARTIN HODGINS: What I don't
22 understand is if it's been there for all these
23 years, you probably obviously tested the water,

1 is it concrete enclosed? Is this a concrete
2 bottom?

3 MS. MARY KAY FOLEY: Yes, they are like
4 tanks.

5 MR. MARTIN HODGINS: Bolts?

6 MS. MARY KAY FOLEY: Yeah.

7 MR. MARTIN HODGINS: So if it's concrete
8 you probably tested the water and if the water
9 isn't contaminated, why can't the water be
10 pumped out and temporarily filled with soil or
11 backfill until you determine how to get rid of
12 it correctly. In the meantime you've got a
13 hazard that I've seen for two years and nobody
14 is doing anything about it but just talking
15 about it.

16 MS. MARY KAY FOLEY: I agree with you.

17 MR. MARTIN HODGINS: It cannot cost that
18 much to pump the water out if it's clean and
19 fill it with some backfill material until that
20 time is --

21 MS. MARY KAY FOLEY: Well, as a taxpayer
22 myself, and I'm sure you're a taxpayer too, we
23 cannot use taxpayer money just to clean up any

1 site. I mean --

2 MR. MARTIN HODGINS: This isn't just any
3 site.

4 MS. MARY KAY FOLEY: Well, but we can't
5 -- we have certain regulations we have to
6 follow and those regulations were put in place
7 to avoid misuse of taxpayer funds basically.

8 MR. MARTIN HODGINS: So the worst
9 scenario is if somebody falls in there and
10 drowns then something will be done?

11 MR. TIMOTHY HENDERSON: Then that will
12 be taxpayers paying the lawsuit.

13 MS. NONA McQUAY: Could you explain why
14 the Atomic Energy Commission use of the site
15 would prevent it from getting DERP-FUDS money?

16 MS. MARY KAY FOLEY: Basically the
17 regulation says that anyone who beneficially
18 used the property, if someone else beneficially
19 used it -- basically what it is is it's to
20 prevent -- if someone's been using a building
21 for fifty years, they decide they want to tear
22 it down but they've been getting profit and
23 they've been using it for fifty years, you

1 can't go back to the US Government and say you
2 have to tear it down for me. It's basically
3 put in place to safeguard, like I said, the
4 taxpayers. If someone's beneficially used it,
5 it is now their responsibility to demolish it
6 or do whatever they want to do with it.

7 MS. NONA McQUAY: Is that responsibility
8 the Atomic Energy Commission or the Town of
9 Lewiston in your opinion?

10 MS. MARY KAY FOLEY: I would think right
11 now the primary responsibility would be with
12 the Town of Lewiston since they currently own
13 the property.

14 MR. NILS OLSEN: It should be a lot more
15 accessible than the Department of Energy or the
16 Army Corps of Engineers or anything else. The
17 question can certainly be put to the town board
18 why they haven't taken care of it.

19 MS. NONA McQUAY: Does your records show
20 that the Town of Lewiston was notified by
21 letter of this as this speaker said a couple
22 years ago? I know this board requested that
23 such a letter be written and I believe it was

1 at that time by the Army Corps of Engineers but
2 we never seen the letter so that might be
3 something to check.

4 MR. WILLIAM ROGER ANGUS: Jim Langlois
5 who sits on this board who is not here tonight
6 is of course a member of the town board for
7 Lewiston. He brought it up in a Lewiston board
8 meeting I would say easily seven months ago.

9 MR. MARTIN HODGINS: At least. Sandra
10 Maslen was supposed to be involved with that
11 also; correct?

12 MR. WILLIAM ROGER ANGUS: Yeah, and they
13 discussed it at the board meeting and decided
14 not to take action because it was going to be
15 taken care of by another source as opposed to
16 spending town money. I don't think the town
17 board's aware that nothing is happening
18 currently and nothing is likely to happen. So
19 I think your point is probably valid if we go
20 back and tell the town board, and I can do that
21 easily because all I have to do is contact one
22 member and they'll put it on the next agenda.
23 I think the next agenda is just after the

1 election, that week anyway. It would be
2 nothing for them to get Steve to go up there
3 and bury this stuff.

4 MR. MARTIN HODGINS: It's very easily
5 done. Obviously if we're told the water is
6 clean, pump it out.

7 MR. WILLIAM ROGER ANGUS: Were we
8 actually told the water is clean?

9 MS. MARY KAY FOLEY: I know Acres tested
10 it. They didn't really find anything, did
11 they?

12 AUDIENCE MEMBER: No. I think the water
13 was clean. I think there may have been some
14 constituents in the sludge. There was a little
15 bit of sludge on the bottom.

16 MR. MARTIN HODGINS: We don't need to
17 touch the sludge. We'll leave it there. It's
18 all encased in concrete, right, so we don't
19 need to touch it, just fill it up with some
20 soil so nobody drowns.

21 MS. NONA McQUAY: Some of the RAB
22 members did tour that property and were
23 concerned about a year ago, very concerned

1 about the appearance of the ability of someone
2 to fall in or to be seriously injured by that
3 property.

4 MS. MARY KAY FOLEY: I would say that we
5 are happy to provide you any information we
6 have. If you want to take it forward to the
7 town we can give you all our sample results and
8 whatever. We are happy to provide it, anything
9 we can do to help.

10 MR. MARTIN HODGINS: Thank you.

11 MS. NONA McQUAY: May I recommend that
12 these slides or this copy of these slides be
13 forwarded immediately to the Town of Lewiston
14 since they are available.

15 MS. MARY KAY FOLEY: Sure.

16 MS. MICHELE HOPE: Are there any other
17 questions from the RAB members?

18 MR. JAMES WELD: Could you just quickly
19 recap work sites, areas A, B and C?

20 MS. MARY KAY FOLEY: I actually had a
21 slide of that and I took it out cause I thought
22 the presentation was going to get too long.
23 Can you go backwards on this thing? You can

1 see on this slide, area A, B and C, they're all
2 on CWM's property.

3 MR. TIMOTHY HENDERSON: Make it their
4 responsibility if it's on their property.

5 MS. MARY KAY FOLEY: Well, DOD, again,
6 our policy is to clean up things that we
7 caused. We don't clean up things that we don't
8 cause but we do clean up things that we cause.
9 We caused these problems so we will clean them
10 up. CWM could clean up them if they wanted to
11 but they, you know, it is because of our
12 activities.

13 MR. TIMOTHY HENDERSON: Let's say you
14 find an area that the AEC caused. Now, the AEC
15 doesn't exist anymore so where does that go?

16 MS. MARY KAY FOLEY: Then I call Judy.
17 I mean, you're pretty much addressing
18 everything that AEC --

19 DR. JUDY LEITHNER: Yes.

20 MS. NONA McQUAY: Again, Nona McQuay.
21 Before we leave the buildings, there I think is
22 great interest in some of the historic nature
23 of these buildings because they are so unusual.

1 They were built to fool enemy bombers in World
2 War II which apparently never showed up. And
3 even though they don't meet the National
4 Register of Historic Places which is a fairly
5 ridged requirement, somebody famous has to be
6 born there almost to meet those requirements.
7 I still think they are of interest and may be
8 of great interest to local historic
9 preservation groups as well as to the
10 Industrial Heritage Program which is located I
11 believe in Canisius College and does that kind
12 of work for industrial sites. Whether they are
13 saved or not is I think not as important as
14 much as that they be documented. I recommended
15 that in several meetings and I continue to
16 recommend that before they are destroyed.

17 MS. MARY KAY FOLEY: Again, we would be
18 happy to provide any information that we have
19 to anybody who is interested in documenting
20 those buildings.

21 MS. MICHELE HOPE: Any other questions
22 from the RAB? Any questions from the general
23 public? Please step to the mic and give your

1 name.

2 MS. LYNN ZANARDI: Lynn Zanardi. I live
3 in Youngstown. On this map, my main concern is
4 the school. Where is the school on like a map
5 like that, and when you refer to it, when it's
6 been investigated is it given number or a
7 letter or is it the buffer zone? Because I
8 don't really know.

9 MS. MARY KAY FOLEY: Okay, if you go
10 back to the very first map that I showed right
11 at the very beginning. I also brought,
12 Mr. Welds actually requested a map and I have a
13 big map with me if anyone is interested in
14 looking after the meeting. Okay. Basically
15 though the school is right there like on that,
16 this side. It's in the buffer zone. Does that
17 help you at all?

18 MS. LYNN ZANARDI: So whenever they
19 refer to the buffer zone, the big reports, the
20 seventeen volumes, they mean the school?

21 MS. MARY KAY FOLEY: Right, right.
22 Well, there is many properties in the buffer
23 zone. I mean this is seventy-five hundred

1 acres, this whole site. There is residents.
2 There is the school and there is a National
3 Guard facility. There is all kinds of stuff.
4 If you stop by -- I have a list of all the
5 current property owners and a map, if you want
6 to stop by after the meeting, I can show you.
7 It probably will be a little easier.

8 MS. LYNN ZANARDI: Just one more question
9 since I'm up here. It was when the other video
10 was going. I guess I want to understand in a
11 nutshell because of the -- we are not talking
12 about it being a prison, you know, that's
13 located next to this hazard. It's a school.
14 That's my main concern. Even though my child
15 is not there anymore, I'm still concerned. I
16 guess the Army Corps has said it's safe. The
17 Health Department says it's within the
18 acceptable limits. Next year when you said
19 this risk assessment is done, can that all
20 change and then we find out a year later that,
21 you know, we got to close the school, we got to
22 get everybody out? Could that be the worst
23 case scenario or could a year later from now we

1 find out, yeah, it was much more worse than we
2 thought a year ago? Because it seems we got a
3 good answer right now that's not good but it's
4 what you're telling us.

5 MS. MARY KAY FOLEY: I think one thing
6 you have to understand is that all the
7 operations at this ceased, you know, thirty,
8 forty years ago. Nothing is going to happen in
9 the next year that would make it worse. Do you
10 see what I'm saying? From what we know right
11 now, we don't think there is any, you know,
12 safety hazards and it's not going to change,
13 you know, we aren't like blowing chemicals into
14 the air as we speak. We are basically looking
15 historically at what happened. We will tell
16 you if based on what happened fifty years ago,
17 is there a risk to you today. That's what -- I
18 mean, we aren't seeing any indications that
19 there is an unacceptable risk so I don't think
20 things are going to change dramatically in the
21 next year.

22 MR. NILS OLSEN: Will there be
23 additional testing of the buffer zone near the

1 school?

2 MS. LYNN ZANARDI: Thank you.

3 MS. MARY KAY FOLEY: We have tested. We
4 did some background samples near the school.
5 We aren't planning at this time to do any more
6 sampling at the school.

7 MR. NILS OLSEN: I think it's fair to
8 say, I've said this at a couple other meetings,
9 is that one of the major community concerns is
10 the historical existence of the school near
11 these properties and that's what people are
12 probably most concerned about. It's in the
13 buffer zone but it's not a great distance from
14 either of those two sites. So it's a rational
15 concern and I think the more testing and more
16 information you can get to people, the closer
17 you'll come to fulfilling the function that's
18 most important for this community which is I
19 think given the unfortunate location of the
20 school, some acceptable reassurances with
21 respect to the safety and historical safety of
22 that site.

23 MS. MARY KAY FOLEY: Again, I have to

1 bring it back to the taxpayers. We have no
2 reason to suspect there is any danger to the
3 children at that school. So we can't keep
4 spending millions of dollars to keep sampling
5 something that we aren't finding any problem.
6 We have no reason to suspect there is anything
7 there. Our samples we've taken to date haven't
8 shown anything there.

9 MR. NILS OLSEN: So what you're
10 basically saying is you're satisfied that
11 you've tested this enough and examined it
12 enough.

13 MS. MARY KAY FOLEY: Yes.

14 MR. NILS OLSEN: That you can make a
15 reliable assessment as to the safety. It would
16 be very useful I think if you would come to a
17 school board meeting and do other forums to
18 make this information available to people.

19 MS. MARY KAY FOLEY: Again, if the
20 school takes it --

21 MR. NILS OLSEN: Every child in this
22 community either has been in this school or
23 goes to it pretty much so that there is a

1 rational concern.

2 MS. MARY KAY FOLEY: The Corps is
3 willing to help. We are willing to provide our
4 data to anyone who is interested in it. If the
5 school decides they want to take some samples,
6 I have personally given the school some of our
7 information. You know, if they want to do
8 their own sampling, we are happy to help in any
9 way that we can. We just feel there is no DOD
10 activity that took place there. We have no
11 reason to think that anything that the DOD did
12 caused a problem at that school. But we are
13 willing to help anyone who is interested. We
14 will give them our data. We are happy to share
15 it.

16 MR. NILS OLSEN: Your historical
17 examination didn't show other uses by other
18 agencies or parties that might have adversely
19 impacted the environment?

20 MS. MARY KAY FOLEY: No, and again, we
21 are doing that aerial photo analysis that is,
22 you know, is very extensive. If we do for any
23 reason which I highly, highly doubt find there

1 may have been DOD activity there, we will
2 investigate it.

3 MR. MARTIN HODGINS: But you're only
4 doing DOD activity, correct, no other
5 businesses that are on those sites?

6 MS. MARY KAY FOLEY: Right, right.

7 MR. MARTIN HODGINS: Which we know there
8 was other businesses on that site that did
9 hazardous work.

10 MS. MARY KAY FOLEY: Correct.

11 MR. LOUIS RICCIUTI: My name is Louis
12 Ricciuti. The last name is R-I-C-C-I-U-T-I.
13 I'm a resident of Lewiston and also one of the
14 authors of the articles that you've been
15 reading in ArtVoice. I've spent the last
16 fourteen months or so researching the Lake
17 Ontario Ordnance Works quite extensively.

18 I heard Ms. Foley just now say that there's
19 no reason to believe that there is a reason for
20 concern or a reason for fear. I've heard
21 conversation earlier this evening about the TNT
22 lines. I just want to emphasize that this site
23 was originated not only as a location to

1 produce TNT but also as a waste repository for
2 radioactive materials, radioactive materials
3 seven thousand feet roughly away from the
4 school. Those radioactive materials included
5 materials, according to what's showing up from
6 the University of Rochester experiments that
7 were conducted, with plutonium, the most deadly
8 of the radionuclides and also chemically
9 extremely deadly. We're showing that there's
10 materials from the Knolls Atomic Power
11 Laboratory that were in the general vicinity of
12 wastewater treatment plant. Perhaps that
13 sludge that's in the wastewater treatment plant
14 should be looked a little more closely.

15 I really do think we a situation here that
16 warrants a lot more than just glossing over of
17 a few TNT pipelines. I went to the web site
18 for the Lake Ontario Ordnance Works and the
19 majority of the web site deals with the TNT.
20 There is virtually no mention at all of the
21 radioactivity that was either stored at this
22 site or transhipped from this site. I mean,
23 there's records that indicate that they were

1 loading Minuteman Three missiles down here with
2 warheads that ranged from a hundred and ninety
3 kilotons to nine hundred kilotons. There's got
4 to be remnants that are left behind. There is
5 a ditch not a hundred yards away from the back
6 of the school here that runs directly to,
7 that's the sewer line from the Lake Ontario
8 Ordnance Works site. Now, I understand that
9 one of these pipelines with the re-lined, the
10 interior of it was re-lined I heard at a RAB
11 meeting here maybe six or nine months ago. And
12 yet, there is nothing that is was said or that
13 is being said about testing that was done in
14 the trench that the ditch ran through or the
15 pipe ran through from the Lake Ontario Ordnance
16 Works site to virtually, you know, across these
17 buildings here.

18 I urge the Corps. As was said earlier, we
19 are not enemies. What happened fifty or sixty
20 years ago obviously was necessary for the
21 freedom of our country and the freedom that I
22 enjoy to be able to stand up here at the
23 microphone and say what I'm saying. However,

1 if these things are continually glossed over
2 and if we are not given the full picture, as
3 Mr. Olsen had mentioned just a moment ago, you
4 know, then pretty soon we are going to be
5 turning into the enemy and there will be a lot
6 of controversy that will go back and forth. I
7 just urge the board, I urge the concerns
8 citizens and urge the parents and urge the
9 people in attendance to be very concerned about
10 this. This isn't a lumber yard that we're
11 talking about. This certainly isn't an EPA,
12 you know, a small chemical factory. This was
13 the birth place, virtually the birth place,
14 Niagara County, of the atomic bomb. We need to
15 put that in perspective. That's all I have to
16 say. Thank you.

17 MICHELE HOPE: If there's no other
18 questions we will move on to the next
19 presentation.

20 MR. WILLIAM SMITH: My name is William
21 Smith. I live on Balmer Road. I'm
22 representing the Town of Porter. My thoughts
23 on this -- what is this size of this line that

1 is running through for the treatment plant?

2 MS. MARY KAY FOLEY: Through the
3 treatment plant?

4 MR. WILLIAM SMITH: What is the diameter
5 of it?

6 MR. LOUIS RICCIUTI: Thirty-six and a
7 forty inch pipe.

8 MR. WILLIAM SMITH: And this runs over to
9 Creek Road?

10 MS. MARY KAY FOLEY: Well, there is an
11 outfall that kind of goes, it goes all the way
12 out to the river actually and we have tested
13 that. We have tested that and all the samples
14 have come back clean.

15 MR. WILLIAM SMITH: I had the -- I don't
16 know if it was a pleasure, but when I was a
17 young fellow I worked at the plant down there
18 for the Air Force with Olin Matheison and it
19 seems to me that these buildings, that this is
20 the old administration building. I worked
21 there for two years and then I worked in the
22 lab down the road from there for a while. What
23 it is now is a big, big plus compared to when

1 the Air Force had it, when Olin Matheison had
2 it. What is Olin Matheison's responsibility
3 financially for all the money that they made
4 and all the dirt that they did towards the
5 cleanup of this property?

6 MS. MARY KAY FOLEY: That's a very
7 interesting question actually. There are some
8 issues and what they call them GOCO, Government
9 Owned Contractor Operated Facilities. The
10 short answer is DOD is going to clean it up
11 when we get some money.

12 MR. WILLIAM SMITH: So Olin Matheison has
13 no responsibility financially for --

14 MS. MARY KAY FOLEY: I don't believe
15 they are pursuing that.

16 MR. WILLIAM SMITH: They want the Town
17 of Lewiston to pay for it, you know.

18 MS. MARY KAY FOLEY: Yeah, like I said,
19 it's kind of -- that's more of a legal issue
20 than an engineering issue. We know DOD
21 contaminated -- I mean, it was DOD operations
22 that contaminated those sites. We contracted
23 with Olin Matheison to do the operations on

1 behalf of the government. That's, you know,
2 different than if someone other than the
3 Department of Defense did the contamination.
4 Do you see what I'm saying?

5 MR. WILLIAM SMITH: Even if it was in an
6 irresponsible manner?

7 MS. MARY KAY FOLEY: Yes. We can't help
8 if other people do irresponsible things, you
9 know. We are just worried about DOD.

10 MR. WILLIAM SMITH: Thank you.

11 MR. THOMAS FRECK: I'm Thomas Freck. I
12 was late. I didn't get up to the table here.
13 Lou-Port School Number Four is the school we're
14 talking about, the school that was held over as
15 CWM now. My question is now the years that
16 they are telling me the school operated was the
17 late '60s. The central drainage ditch that
18 goes right through the middle which is right
19 next to that, that was cleaned up in the '80s,
20 '82 or '83, as I remember from documents I
21 read. That was radioactive and contaminated
22 pretty bad from leakage from the DOE which
23 drained and leaked down through there. There

1 was a New York State Health Department
2 restraining order put on the properties there
3 because of the radioactive. It was never
4 released to this date because they didn't agree
5 with the United States Government's level, a
6 safe level of radiation. So that still sits on
7 us today.

8 One of my big questions is is there a
9 representative of the Lou-Port School here
10 today? You are. Is there any way we can come
11 up with a list of the students that went to
12 school there? I interviewed one woman that had
13 gone to school there and of course she was very
14 small forty years ago. She has immense health
15 problems. She knows other people that went to
16 school with her and they have health problems.
17 They lived in Model City. Could we come up
18 with a list of these people so we can try to
19 backtrack and say --

20 MR. DON RAPPHOLD: Did someone say they
21 were part of that class?

22 AUDIENCE MEMBER: Right here.

23 MR. DON RAPPHOLD: How are you doing?

1 Why don't you give me a call tomorrow or my
2 office and we'll try to get something together.

3 MS. JANET MITCHELL: My name is Janet
4 Mitchell. I'm an employee of Lewiston-Porter.
5 I'm a graduate of Lewiston-Porter and I spent
6 third grade on that site. I also have two
7 children at the school which I'm very concerned
8 about. I've had employees pass away in the
9 last week and it just keeps escalating. This
10 summer for me has been hell because of things I
11 found out. I have been asking fellow
12 classmates. I was there '70, '71. I know that
13 that was the last year that anybody was there.
14 We were in the office section. We also went
15 outside to play. We went out to the other
16 building for lunch and for gym. Now they are
17 talking about radium 226, uranium and plutonium
18 being there and I don't know if he's talking
19 about the same person that I am but, you know,
20 as time goes on it seems like anyone between
21 forty and forty-five that has been in this area
22 it's, you know, a lot of health concerns have
23 come up. I went to school with a young lady

1 who not only went to that school but also lived
2 around the corner from this site and she's
3 never been able to have children and many other
4 issues have come up. The more I learn the more
5 I get scared. I do not hold this
6 administration responsible because they had
7 nothing to do with it. I would just like to
8 know who gave them permission to put kids on
9 this site because the Army Corps had no clue
10 that there was even a school there until we
11 opened up our mouths. I was nine years old and
12 I had no choice.

13 MR. THOMAS FRECK: My quest is to maybe
14 track down people, at least inform them that
15 they had been possibly exposed. I can't prove
16 one way or the other that they were. However,
17 this ditch is about twenty-five feet deep. I
18 don't know what was dredged out of it, maybe
19 three or four feet of radioactive.

20 The other thing that really concerns me is
21 even to this day there's still no city water in
22 that area. They use well water and I
23 understood that the well water was atrocious

1 but when you're thirsty you drink water and I
2 can see that children were exposed. I can
3 picture the aquifer, the water could have
4 easily penetrated -- I don't know it all. All
5 I know is as far as exposure, any chance that
6 people were exposed especially as children
7 should be looked into because it was created by
8 our government, these wonderful atomic bombs
9 that we made. We really need to look backwards
10 and look after that.

11 Also, Mr. Dicky, if you can, I think the
12 Health Department really needs to look at this
13 too, is how we allowed as a Health Department
14 allowed -- I mean, Niagara County was
15 misinformed about the whole thing. We allowed
16 this to happen. This is an atrocity that we
17 allowed our children to be exposed.

18 MR. PAUL DICKY: I agree.

19 MR. THOMAS FRECK: I would like Niagara
20 County to note this. I would appreciate it
21 much. Was there a current radiological done
22 on that central drainage within the past year
23 or two?

1 MS. MARY KAY FOLEY: That would be Judy.

2 DR. JUDY LEITHNER: There is
3 radiological done on the central drainage ditch
4 that goes through the Niagara Falls storage
5 site. That is very low.

6 MR. THOMAS FRECK: That goes through the
7 whole site right up to -- right down into the
8 military property on the opposite side of
9 Balmer Road?

10 DR. JUDY LEITHNER: Right.

11 MR. THOMAS FRECK: You guys did the
12 radiological?

13 DR. JUDY LEITHNER: We do that every year
14 actually to make sure that --

15 MR. THOMAS FRECK: Did you dig down into
16 the sediments to see --

17 DR. JUDY LEITHNER: We test sediment and
18 we test the water.

19 MR. THOMAS FRECK: Just out of quick
20 curiosity, did you go to any depth or --

21 DR. JUDY LEITHNER: We go to the depth
22 that you can do a hand boring but we don't take
23 a drill rig down in there

1 MR. THOMAS FRECK: So like after forty
2 years it could have easily re-sedimented over
3 top of material that was still there. In
4 conversation with Mr. Syms we had discussed
5 that his concern was there was still possibly
6 radiological underneath what was original
7 cleaned. I think that's why maybe New York
8 State refused to sign off because they had felt
9 that it had not been cleaned. Has anybody done
10 radioactive all the way to Lake Ontario to see
11 how far the sediments went?

12 DR. JUDY LEITHNER: No. We don't have
13 authority to even go all the way to Lake
14 Ontario.

15 MR. THOMAS FRECK: I understand that.
16 I just want to know if anybody's gone that far.
17 Maybe somebody should because if it went that
18 far, a mile, why didn't it go two or three
19 miles or even into Lake Ontario is my question
20 and maybe somebody needs to get out there and
21 get down into those sediments three or four
22 feet. I don't know how much sediment you get
23 out of a creek in forty years but I'm certainly

1 curious and I would like to kind of know.
2 We're kind of concerned about PCBs and the
3 Hudson River Valley. I'm more worried about
4 radioactive in Lake Ontario. If something
5 broke that all loose and all of a sudden popped
6 up into Lake Ontario, you know, a lot of people
7 in Toronto receive their water from us.

8 DR. JUDY LEITHNER: Just so you know
9 what the results are because you're probably
10 all interested, the action level that the
11 regulatory agencies tell us to address is
12 twenty picocuries per gram and we measured less
13 than two. That's the highest we've been able
14 to measure. So that's our results to date.

15 MR. THOMAS FRECK: My concern is some
16 way somebody comes along in the future digs
17 somewhere in there and gets down two feet deep
18 and there is still radioactive there, it breaks
19 it loose and all of a sudden now it's in the
20 stream and we're talking about stuff that has a
21 half life of ten thousand, a hundred thousand,
22 two hundred fifty thousand years. It's the
23 kind of thing that really can't be just

1 ignored. It's something that we have to make
2 sure that you got and we didn't leave some
3 behind.

4 DR. JUDY LEITHNER: We do have some
5 borings as a result of just our remedial
6 investigation. This isn't done every year.
7 These borings do not come up dirty so we do
8 have those results but as you mentioned, they
9 stop at the boundary of our property.

10 MR. THOMAS FRECK: Is there any way that
11 we can, because really we are still
12 responsible, is there any way we can get
13 easements or whatever it takes, a right of
14 entry to take that rest of that creek down to
15 Lake Ontario?

16 DR. JUDY LEITHNER: Not under FUSRAP at
17 this point but we can ask --

18 MR. THOMAS FRECK: It was the Department
19 of Defense and their little project to make
20 nuclear material that contaminated it. It went
21 off their site and on to somebody else's.
22 Aren't we responsible?

23 DR. JUDY LEITHNER: Here's the problem:

1 Is what they had done was measure all that and
2 call it vicinity properties that they found RAD
3 on it. They measured, they did cleanup and
4 then they declared those vicinity properties
5 clean. That's before we got the project so
6 what they tell me is legally right now I can't
7 go on a site and redo what was already declared
8 clean. So If there were concerned they could
9 be expressed to the DOE. They're the only
10 people that can declare it a vicinity property.
11 We can't. If the DOE said all right, you have
12 your concerns, maybe we will say you can take
13 another look. If they gave me that authority
14 then I would take another look --

15 MR. THOMAS FRECK: My question still
16 lies on what is this going to take to really
17 get somebody in there and take a few random
18 samples deep into the mud to make sure that it
19 didn't travel down farther. I mean, farther
20 than -- do we have any idea how far they went
21 with their remediation in 1882, '83, how far
22 down the creek they went?

23 DR. JUDY LEITHNER: We can find that

1 out.

2 MR. THOMAS FRECK: That would be a good
3 thing to explore because then we might be able
4 to find whether we really got everything or if
5 there's still leftovers. I just watch it
6 raining two or three inches and a lot of
7 sediment and mud and sludge going and if it's
8 carrying radium or thorium or whatever on the
9 site, it was an atrocity the way they handled
10 radioactives back in the '50s. If you've been
11 through your nineteen boxes of information you
12 read atrocities.

13 DR. JUDY LEITHNER: I guess what I'm
14 trying to say is if it carried the material
15 down that ditch, it's long gone.

16 MR. THOMAS FRECK: It was found in the
17 sediment in 1982. How can you say it's gone.
18 It would have been just re-sedimented over top
19 of just as the sediments and the PCBs of the
20 Hudson River Valley. Why would they have been
21 gone, gone away?

22 DR. JUDY LEITHNER: If the sediment sits
23 there and there's water over and it and it

1 keeps testing clean, it seems to sound like
2 that sediment isn't going anywhere. You're
3 right that if there were a lot of scouring --

4 MR. THOMAS FRECK: If something could
5 occur, a man with a backhoe, excavator,
6 somebody, a contractor building a road or
7 something digs into it, suddenly this material
8 which is very dangerous is broken loose again.

9 DR. JUDY LEITHNER: Tom, when I just
10 mentioned that we did borings down --

11 MR. THOMAS FRECK: Yes, you said as far
12 as a handful --

13 DR. JUDY LEITHNER: No, no, no. Then I
14 said we did some borings as part of the
15 remedial investigation and they came up clean.
16 So why --

17 MR. THOMAS FRECK: Yes. But you also
18 said you didn't know how far they had gone in
19 their remediation which we really should know.

20 DR. JUDY LEITHNER: Oh, I'm talking
21 about off the property.

22 MR. THOMAS FRECK: That's still my
23 concern because there could still possibly be

1 material there.

2 MR. STEPHEN YAKSICK: The state
3 routinely takes samples at our sites. One
4 track you might want to take is to get in touch
5 with the state and see if they can take some
6 samples off the site. They have the capability
7 of doing that.

8 MR. THOMAS FRECK: Mr. Dicky, do you
9 have any contacts in State of New York that can
10 handle it? Kent Johnson --

11 MR. PAUL DICKY: I think he might be
12 referring to the DEC Bureau of --

13 MR. KENT JOHNSON: The department does
14 have the potential of doing this. We would
15 need to see all the reason to develop a work
16 plan of going out there and sampling. We're
17 just not going to go out and --

18 MR. THOMAS FRECK: Well, I understand
19 that but I already know in '82 the government,
20 the New York State Health Department decided
21 that the radiation level was still unsafe.
22 They issued a restraining order on the
23 properties. They still said it was unsafe at

1 that point.

2 MR. KENT JOHNSON: The federal
3 government said fifty --

4 MR. THOMAS FRECK: I understand that.
5 The radiation was only cleared to the edge of
6 the property. Ms. Leithner just said --

7 MR. KENT JOHNSON: I have to go back and
8 see the report.

9 MR. THOMAS FRECK: Well, it would be
10 good to know. I would like to sleep good at
11 night and know we followed up on anything that
12 left the site. If you understand, the drums
13 were bought here from St. Louis and other
14 sites. High level radioactive waste was left
15 in steel drums on the side of railroad tracks
16 because there was no -- they didn't know what
17 to do with the stuff. If you ever put a steel
18 drum outside and in three or four years they
19 start rusting out. A lot of this material
20 leaked and it went into the water and it rained
21 as you know thirty-six inches or more a year,
22 and down the stream it went and how far it got
23 carried nobody seem to know. I don't know. I

1 would like to know that we are safe certainly.

2 MR. KENT JOHNSON: I have to go back and
3 look. I have seen the report of what DOE did
4 back in '82. To the best of my recollection,
5 they looked all the way down to the lake but
6 I'm not sure.

7 MR. THOMAS FRECK: I didn't know that
8 and what Judy was just saying was that they had
9 only went to the edge of their boundary
10 properties.

11 MR. KENT JOHNSON: Routinely they only
12 go on their property.

13 MR. THOMAS FRECK: Wouldn't it be good
14 to know that this has been done properly to the
15 Lake Ontario shoreline? Nobody really seems to
16 know.

17 MR. KENT JOHNSON: It's an issue that
18 may need to be revisited.

19 MR. THOMAS FRECK: I would certainly
20 appreciate it. Thank you.

21 MS. MICHELE HOPE: Mr. Freck, we have
22 room you up here if you would like to move.
23 If it's all right with the group, we have much

1 more presentation to go. There will be another
2 opportunity for the questions and answers. If
3 it's all right with you, I would like to move
4 on with Dr. Leithner's presentation. Would
5 that be all right, sir?

6 MR. DANIEL SERRIANNI: I would like to
7 ask one fast question, if I may.

8 MS. MICHELE HOPE: Well, I would like to
9 move on. If you don't mind holding it. You,
10 sir, would that be all right?

11 AUDIENCE MEMBER: 740 Lake Road,
12 Youngstown. I got a background in core
13 evaluation of resurvey of the requirements for
14 the former Atomic Energy Commission portion of
15 the Lake Ontario Works. I don't think I'm the
16 first person that ever saw this thing. But it
17 has some documentation in it starting from the
18 '40s right straight through up until the '80s
19 that this gentleman just talked about.

20 First I would like to qualify that the jet
21 fuel plant that Bill had talked about, that was
22 at the government's request. The government
23 wanted that. I worked on that site or that job

1 also. They spent a couple million, two or
2 three million dollars. They never used it.
3 The plant never got into production but it was
4 at the government's request that they build it.
5 Who's responsible, the contractor that built it
6 or the people that requested them to put the
7 plant up? Now, there is a number of things in
8 this article and one of them that I would like
9 to bring up right now is an area called the K
10 area and I believe from the way I'm reading
11 this map that it is the area that CWM is going
12 to put their landfill in if the variance is
13 accepted by the state. The area was ruled to
14 have -- sorry, I lost my page.

15 MS. MICHELE HOPE: Sir, do you have a
16 question at this point?

17 AUDIENCE MEMBER: Yes. What has been
18 done and what will be done to that area that is
19 going to be used for the CWM site? Because it
20 has -- it says, however, a soil sample
21 indicated the presence of uranium and radium
22 and it did check out to the twenty that was
23 cited as a high reading before. My argument is

1 this whole thing is government used and built
2 and stored and used as a dump at the
3 government's request. Going back to the '40s,
4 the atomic bomb, etcetera, etcetera, it is the
5 government that should be taking care of this
6 and it shouldn't be the Town of Lewiston or
7 anybody else.

8 MS. MARY KAY FOLEY: I think that
9 question, it sounds to me without looking at
10 that report that you're talking about vicinity
11 property K. Like I said, the DOE named all the
12 properties around the Niagara Falls storage
13 site with letters. Like I talked about, the
14 school was P. So I'm going to defer to Judy.
15 I believe that site is closed down though;
16 correct?

17 DR. JUDY LEITHNER: Yes.

18 MS. MARY KAY FOLEY: That's a closed
19 vicinity property which mean DOE cleaned up it
20 to their satisfaction and now it's closed. We
21 do have I believe some documentation on what
22 was done to those properties.

23 DR. JUDY LEITHNER: Some, yes.

1 MR. LOUIS RICCIUTI: This is so germane
2 right now. With the recent expansion of CWM or
3 their attempt at obtaining an expansion and the
4 fact that the Army Corps of Engineers has
5 clearly found materials and areas that in need
6 of further assessment on the CWM property, my
7 question is this: What is the intention of the
8 Army Corps of Engineers, if any, to address the
9 expansion of CWM and then thereby their
10 possible covering of past legacy waste by more
11 landfills and we may never find out what's
12 there, so I'm asking what is the Army intending
13 to do to address this?

14 MS. MARY KAY FOLEY: I think it's safe
15 to say that Kent is not going to let them do
16 that. We, the government, we aren't -- I
17 wouldn't say we don't care what CWM does but we
18 aren't -- we don't govern them. They can do
19 whatever they want as long as they are
20 following the local, state, federal laws. I'll
21 let Kent jump in here but I would assume if CWM
22 is going to build a landfill over in a waste
23 area from DOD that they would have to clean it

1 up before they built a landfill; is that
2 correct?

3 MR. KENT JOHNSON: Well, it would have
4 to be cleaned up. Before they can build a
5 landfill they would have to demonstrate that
6 the property, that the landfill could be
7 monitored. If there was pre-existing
8 contamination there especially groundwater
9 contamination, the likelihood of the department
10 approving it is not very good. Because if
11 there isn't any contamination, how can we tell
12 if the new landfill is leaking. So basically
13 our policy has been with all the existing
14 landfills out there is that if you're going to
15 build a landfill there you have to demonstrate
16 that the groundwater is clean and we can
17 monitor and determine if there has been any
18 leakage from the unit.

19 MR. TIMOTHY HENDERSON: So it has to be
20 clean enough to put a landfill on it? Does
21 that make sense?

22 MR. KENT JOHNSON: Yeah. For instance,
23 the landfill that's operating right now, when

1 they first put in the boring from the new well
2 system they found some low level contamination
3 there. We're talking low, we're talking
4 twenty, thirty parts per billion. We made them
5 put more wells into the south, cut into the
6 landfill itself to find a clean line between
7 the landfill and the groundwater to then show
8 there was an isolated spot and also to show
9 that we had a clean well between the landfill
10 that would show that there's no contamination.
11 If there's anything coming out of the landfill
12 we would be able to determine that.

13 MICHELE HOPE: Thank you. Now we're
14 going to move into the Niagara Falls Storage
15 site. Dr. Judy Leithner.

16 DR. JUDY LEITHNER: Hello. Last meeting
17 I had promised that I would give some of the
18 presentation for what we found on site. Now,
19 just to go back a little bit since some of you
20 were here for the risk assessment video, you
21 noticed that they said that the Department of
22 Health or some other group would have to
23 determine hazard. But in order for us to

1 determine hazard, we first need to know how
2 much material is on site, where it is and all
3 those details which we would give to someone
4 like the Department of Health. So if you
5 wonder why in the world we're out there
6 measuring as carefully as we're measuring,
7 these measurements are the input into a study
8 which we would not do but we would provide
9 information so that people could do.

10 Now, actually we have an awful lot of
11 material and so I promised last time I would
12 not present everything today, that I would take
13 it in parts because of how much there is.
14 Tonight what we are going to do is present what
15 we found looking at radiation on site. Now,
16 all of us know what is in the waste containment
17 structure. It's not a thing that we are going
18 to penetrate to find what's in it because we
19 already have detailed records. The DOE had
20 done a quick cleanup and said okay, this is a
21 temporary cap and you decide what's done to
22 what's in the waste containment structure.
23 What they did not do is say what else was on

1 site. And we need to know everything that is
2 on site in order to know what the hazards are,
3 what we have to clean up and that is our other
4 job is to clean up whatever we find.

5 Tonight instead of my presenting this
6 information, I've brought actually two experts
7 that have been working with us and I'll
8 introduce them. The first one is Chris Hallam
9 and he's one of our best health physicists and
10 what Chris does is he knows details of
11 radiation. He knows how to measure it, what
12 the measurements mean, what the impacts are to
13 human health. Chris, if you want to start
14 setting up now maybe. Chris has brought his
15 own slides because he was out of town when we
16 were putting these on the system. Actually,
17 Chris is going to do the first part of this and
18 explain what radiation values and things means
19 because we have someone else who I'll introduce
20 when Chris is finished that will tell you what
21 we found and after hearing what Chris'
22 presentation is then those results will be
23 meaningful to you hopefully. So can I turn it

1 over to you now Chris?

2 MR. CHRIS HALLAM: Good evening. I'm
3 Chris Hallam. I'm a health physicist with the
4 Army Corps of Engineers here in Buffalo. The
5 major items on the agenda tonight -- are you
6 flipping slides or do we have a pointer? The
7 topics, what is background radiation, how is
8 background radiation measured, how are those
9 measurements then used. Also I brought in an
10 additional topic. I understand there was a
11 question at the last meeting regarding the
12 monitoring devices at the Lewiston-Porter
13 School complex. I would like to go ahead and
14 get that one done first.

15 Basically there's two different measuring
16 devices out at the school. One is an
17 environmental thermoluminescent dosimeter. It
18 measures environmental radiation, gamma
19 radiation out there at the school. It's
20 actually one of the locations that we use
21 monitoring not only to check on the school but
22 it provides a reasonable background location as
23 well. It comes in a sealed vinal pouch for

1 indoor/outdoor use. That's a look at it to
2 give you an idea of the size. Those are square
3 but they're about the same size as this one
4 here. This is my personal dosimeter that I use
5 when I'm out on sites to measure my personal
6 exposure to radiation.

7 The second item that's out there is
8 actually a radon detector. These are pretty
9 standard in the industry. This is a look at
10 one right here, not very large at all. It's
11 got a cover that goes over a series of holes
12 that exposes it to the air. You remove this
13 cover when you put it in place and begin
14 testing. It's placed inside this cup which
15 allows airflow to get access to the monitor and
16 then one of the problems that we had over time
17 is you get bees that like to make nests in here
18 so that's a bit of a problems. So what we've
19 done is we've come up with these containers.
20 As you can see, they have wire meshes on them
21 which keep the bees out real nice but it lets
22 the air flow through. So what we do is put
23 the cup inside, cover it up and then we attach

1 it to a post and that provides monitoring for
2 radon out at the school. Once again, that's
3 for environmental and that's for outdoor.

4 MR. MARTIN HODGINS: How many do you
5 have?

6 MR. CHRIS HALLAM: Just the one.

7 MR. MARTIN HODGINS: Just one for the
8 whole site?

9 MR. CHRIS HALLAM: Yeah, just one as a
10 background location and just as a general
11 check. We are not in the process of conducting
12 any radon study at the school. We have no
13 reason to believe that there is a need for one.

14 If you're concerned, in addition to that
15 one monitor that's at the school, we have
16 several other locations that are monitored for
17 background that are off the site and they are
18 around the perimeter of the site. We have
19 several locations that monitor any potential
20 release migrating off the site. We have an
21 inner perimeter and then we have several
22 background locations off site.

23 Let's look a little bit at background

1 radiation. The part I want to deal with mostly
2 is the natural sources. There's a lot of
3 man-made sources out there, everything from
4 consumer products. You also receive radiation
5 exposure during the year, during your lifetime
6 from medical diagnostics, medical imaging, that
7 type of thing. I recently had a nuclear stress
8 test done myself, received almost ten thousand
9 millirem in the course of that test. The one
10 that we're looking at here is the natural
11 sources. That really has the most impact on
12 the information that you're going to see later
13 which is the gamma walkover survey.

14 Of the natural sources, you have the food
15 and drink, what you take in internally. It
16 provides about eleven percent of your annual
17 exposure. This is potassium, radium, thorium,
18 all different things that are naturally found
19 in food stuff.

20 In addition to that, you have the cosmic
21 radiation, radiation from outer space obviously
22 that makes its way down through the atmosphere
23 which helps shield us a bit, and then

1 cosmogenic radiation. Cosmogenic comes from
2 basically the cosmic radiation interacting with
3 different elements in our atmosphere. A good
4 case in point would be carbon, another one
5 would be hydrogen. From that you get carbon
6 fourteen and you also get triennium. So that's
7 how those two naturally occurring elements come
8 about, or not elements but radioisotopes.

9 The last one has probably the most impact
10 on our gamma walkover surveys and the
11 information you're going to see. That's the
12 terrestrial radiation. That's basically
13 different rocks and soils and one of the
14 components in there is also the radon, the
15 radon gases that come up. That's one of the
16 reasons also that we need to have background
17 locations. Since it's naturally occurring in
18 the ground, we need to have a baseline for
19 comparison.

20 So why do we need to measure the background
21 radiation. This is pretty important to us. We
22 need to discern the contaminants from the other
23 material present, in other words, what's

1 naturally occurring. We don't want to be
2 cleaning up to zero because we'll never be done
3 cleaning up. Essentially, if you were to
4 excavate a square mile of ground down to about
5 one foot you'd come up with over a ton of
6 uranium. You'd have several tons of thorium.
7 You'd have a ton of radium. Now, the idea is
8 that throughout the earth's crust you're going
9 to find these materials. So once again, you
10 have to be able to discern it. Establishing
11 baseline or background value becomes then very
12 important to the decision-making process. In
13 other words, you have to have that starting
14 level to know what is the additional risk that
15 you're receiving from what you can get
16 naturally.

17 So one of the problems with this is there's
18 a lot of variations in background radiation.
19 So does bedrock vary based on the earth's
20 formation and activity over time. A volcanic
21 activity, glacial activity can cause different
22 shifts in the topsoils obviously and that's
23 going to possibly give you a different mix of

1 radionuclides.

2 Good examples, granite, certain shales and
3 other rocks can be high in natural activity.
4 Clay, loam and sandy soils are all going to
5 vary a little bit. In addition, some of the
6 other substances you probably may know that are
7 radioactive for instance are coal. You
8 actually can get a very significant dose from
9 coal being down wind of a coal fire plant.

10 Here's a good look at how it varies. We do
11 have the handouts out there so all this
12 information is in there. Here's a good look at
13 the United States terrestrial gamma-ray
14 exposure at one meter above ground. This came
15 from the United States Geological Survey. What
16 they did is they went out and they basically
17 flew a plane over the entire United States at
18 about a four or five hundred foot level and
19 this measured the gamma-ray emissions that were
20 coming off at about the top foot of soil or
21 rock across the country. You can see over here
22 they've got a little gauge there. It's
23 measured in micro R per hour and what that does

1 is it shows you the differences quite readily
2 here. If you look out to the west you can see
3 the upthrust of the Rockies. We do a lot of
4 uranium mining out there, gold mining, that
5 type of thing where the heavier elements are
6 found. While uranium, radium and thorium are
7 also found in that area. Obviously the heavier
8 metals tend to stick together a little bit.
9 You also have variations due to potassium
10 levels. Potassium is a naturally occurring
11 element. It's in our food. About .01 percent
12 of all potassium is radioactive. So when
13 you're taking that sports drink or eating that
14 banana, you're actually getting some potassium
15 that's radioactive in there. Another good
16 look, you can see a little bit where the
17 Appalachian Mountains also start to show up,
18 once again where you get a little more exposed
19 bedrock, granite, that type of thing.

20 I threw together some of the numbers here,
21 variations in natural activity. These are for
22 common rock types. You can get extremes on
23 either end. This is once again looking at some

1 of the average values. A half to 4.7 parts per
2 million in common rock types for uranium. 1.6
3 to twenty with an average of about ten for
4 thorium 232. Radium 226 about .42 in limestone
5 and up to 1.3 in igneous rock. Once again,
6 depending on the type of rock the concentration
7 is going to vary. In addition to that, you
8 can look at potassium and you've got a pretty
9 wide range there, one to thirty.

10 Some other things to look at for variations
11 in background radiation. You have some
12 man-made materials out there too and you have
13 to be aware of the presence of those materials.
14 Source of materials, when you construct a
15 building, for example, this building, you're
16 being exposed to radioactivity right now and
17 you will be for the rest of your life no matter
18 where you go, no matter what time. It doesn't
19 matter. Even though the sun's on the other
20 side of the earth, you're still getting a
21 little bit of cosmic radiation here. In fact,
22 you're getting some terrestrial radiation from
23 the materials that went in to constructing that

1 brick, concrete and other masonry around you so
2 you have to take that into consideration.

3 Now, if you go to different sources to get
4 those materials to make that brick and masonry,
5 you're going to result in different
6 radioactivity levels in those materials when
7 you make them. Good case in point, if you go
8 out and you make concrete with sandstone versus
9 limestone, you're going to have a different
10 activity value. That becomes very important
11 when we go out in the field and try to do a
12 survey. Because once again, we need to know
13 what that background level is for comparison to
14 make sure that we are identifying our
15 contaminants of concern correctly.

16 Another good case in point is metal that's
17 manufactured. Depending on the source of the
18 ores that you use, its purity and the process
19 used during the manufacturing, some of the
20 little impurities in there, especially the
21 re-selling process, you can end up with
22 different amounts of radioactivity in the
23 metals. I personally surveyed truck beds that

1 have come in and the manufacturer when they
2 construct the truck beds, there's a little bit
3 of impurities in those metals. It's actually
4 part of our site criteria so we have to turn
5 that vehicle away at the gate. You can see
6 where there's significant variations even with
7 the manufacturing there.

8 Another case in point, radioactivity in
9 roadbeds and rail beds out there and surveying
10 roads, it's interesting and I think Doug will
11 be able to show this later, you can even see
12 where they patched the roads. You can see the
13 different levels of radioactivity in asphalt as
14 ten years down the road they go back and they
15 patch that, well, our instruments are sensitive
16 enough to see that difference.

17 One of the biggest problems we run into is
18 especially with the widespread use of slag.
19 Slag was a great item for roadbeds, pretty high
20 density but still somewhat light weight
21 material. I actual have a few pieces of slag
22 right here that I got from a rail bed. Those
23 materials were widely used as backfill. You

1 know, steel mills, etcetera, they were happy to
2 get rid of the stuff. They've been used
3 widespread all over the state, all over the
4 country. It's very, very common to run into it
5 and we have run into slag and all the materials
6 at the Niagara Falls Storage site and in other
7 portions of the LOOW. It has nothing to do
8 with the MED activities that occurred and it's
9 commonly found throughout the country.

10 I threw together these numbers. I'm not
11 going to go through them all but I wanted to
12 make sure that they were in the handout so you
13 can get some comparison. This is inactivity.
14 This is picocuries per gram or concentrations
15 of activity. It gives you a bit of a look.
16 Some of the higher numbers to look at there,
17 the clay brick is pretty high in potassium down
18 on the bottom. Going up there, you look at the
19 sandstone, that's also pretty high and the
20 granite is pretty high. Also by-product gypsum
21 is relatively high in radioactivity as well in
22 this case due to flooring.

23 Now, one of the things we have to get into

1 is how do you measure this background
2 radiation. You can get pretty different
3 readings by using different instruments and
4 that's one of the problems we run into. We
5 need to be consistent. A good case in point, I
6 think there was a question maybe at the last
7 RAB meeting regarding what is the background
8 rate out at the site or what was it twenty
9 years ago or fifty years ago. You have to be
10 really careful when you start comparing those
11 numbers because the problem is if you are not
12 using the same type of instruments to make that
13 comparison, you're going to get different
14 numbers. I will give you a little
15 demonstration on that in just a minute. That's
16 really what I'm eluding to in the second bullet
17 there, different types of instruments gives you
18 different count rates so we have to make sure
19 we're on the same page when we are doing a
20 comparison.

21 I brought with me three instruments
22 tonight. This is primarily for alpha. This is
23 primarily for bata, also detects a little

1 gamma. This one right here detects gamma.
2 I've had them running throughout the evening
3 here just getting a look at what the background
4 count rates are. For this particular
5 instrument, this is the alpha meter and that's
6 on. The count rate is maybe about one or at
7 the max two counts per minute and usually it's
8 reading zero here. That's because alpha
9 radiation doesn't travel very far in the air so
10 you're not going to get a whole lot of alpha
11 radiation from what's naturally occurring in
12 the air around here or from the surfaces, okay.
13 When it comes to beta radiation, beta gamma,
14 this is a little more sensitive to things like
15 cosmic radiation and also the radioactivity
16 that's coming from this building here. If I
17 turn this on you can hear the difference. This
18 is showing a background count somewhere between
19 thirty and fifty counts per minute. So you can
20 see different types of radiation, different
21 type of instrument, you're getting a different
22 type of background. Now, this instrument is
23 good for some purposes but it doesn't have a

1 whole lot of sensitivity. Now, this particular
2 instrument right here is very sensitive to
3 gamma-ray emissions and that's actually our
4 instrument of choice when we're doing the gamma
5 walkover surveys because you want something
6 that has a really high count rate range for
7 naturally occurring or the background level so
8 that you can start carefully discerning what is
9 contaminated from what is not. If I had
10 something that was only a few counts then it's
11 harder to make that difference. I'll answer
12 your questions at the end if I can. Thank you.
13 So here's pretty much the activity levels that
14 you're hearing from that particular instrument.

15 AUDIENCE MEMBER: Is that a good thing?

16 MR. CHRIS HALLAM: That's normal.

17 That's absolutely normal. Like I said
18 earlier, you're never going to get away from
19 radioactivity. It's around you all the time.

20 AUDIENCE MEMBER: What do you do if it's
21 really high?

22 MR. CHRIS HALLAM: I'll answer for you
23 in a little bit. That gives you a look at it.

1 Now, we talked about different materials and a
2 couple of things I just want to show you real
3 quick. It's kind of interesting to put this
4 together and show you some of the different
5 items that are out there. We talked about
6 man-made sources, radioactivity. Here's one.
7 It's a consumer product, smoke detectors. I
8 hope everyone has one in their house. This one
9 uses americium source, mostly all smoke
10 detectors do. What I've done is something you
11 shouldn't do at home, which is uncover the
12 radioactive source. Now, there is no danger
13 from simply really uncovering the source. This
14 is primarily an alpha meter. For the most part
15 it's something that would cause you more harm
16 if you were to take it internally. However,
17 don't do this at home. To give you an idea
18 that, yes, this instrument is really on, okay,
19 that give you an idea that there is some
20 radioactivity on that source here. I said
21 earlier that alphas don't travel very far in
22 the air. If you notice how close I have to
23 get in order to make that sound. And another

1 thing is alphas are easily shielded. With just
2 a piece of paper that stops the alpha
3 measurement. So that's kind of neat to show.

4 The next item, we talked about the
5 beta-gamma instrument here. Here's something
6 that they don't make anymore. These are the
7 mantles for lanterns. I don't know if any of
8 you went camping when you were kids. Most of
9 the time they made them out of thorium which is
10 radioactive. Now they changed over to other
11 substances now because there are concerns about
12 it. They came up with concerns. But your
13 overall exposure to that over camping, don't
14 worry about it. Okay. It's a very small
15 amount of exposure for a consumer product.
16 This one right here does have some beta
17 emissions that come through. There's no alpha
18 emissions coming through this because the
19 plastic will stop it. Now, just to confirm
20 that you do have some items on here that are
21 actually gamma emissions, you can get a little
22 bit of an increase in count rate from it but
23 not a whole lot.

1 One of the last items here we talked about
2 is slag. Basically you've got different
3 elements left in here, uranium, radium, thorium
4 left over from the processing. They get the
5 materials they want to make the steel,
6 etcetera. To give you a look at that, not a
7 whole lot, a little bit of activity. Likewise,
8 you can get a little bit from this but not a
9 whole lot.

10 One of the other things I do have is an
11 interesting item. I've got to dig into my bag
12 of tricks here. This is Niobium ores. This
13 is pretty high in uranium and radium. That's
14 something that shows up pretty readily. Now,
15 the kind of count rate that we're looking for
16 for a cutoff for activity out there, this slag
17 would exceed it in some cases. So if we were
18 looking at soil and we ran into slag, we have
19 to be really careful because we can't compare
20 that mixed soil and slag to the kind of soil
21 that we're looking to determine if there is
22 contaminants in there. In other words, you
23 have to once again re-adjust your baseline and

1 I think that Doug will be showing some of that
2 in a little bit.

3 MR. JAMES WELD: What is that thing you
4 have in your left hand?

5 MR. HALLAM: This right here, this is a
6 bag of ore. That's all it is is crushed rock
7 naturally occurring.

8 MR. JAMES WELD: What kind of ore?

9 MR. CHRIS HALLAM: Niobium ore. That
10 concludes the demonstration part here. Once
11 again, I think you can see by the different
12 responses from the instruments here, you have
13 to be careful when you start comparing
14 instrument values.

15 So based on all of that what we have to put
16 together and ask ourselves every time we do
17 this is are the results reasonable and are they
18 consistent for the materials being surveyed.
19 Are we comparing apples to oranges or apples to
20 apples. Are we looking at correct soil types,
21 average values, are we looking at concrete and
22 concrete can vary once again based on its
23 construction.

1 The bottom line, we have to be sure that a
2 valid comparison is being made between the
3 background levels and the survey data produced.

4 How do we use these measurements. Well,
5 obviously it helps us to discern the
6 contaminants of concern from background
7 activity. This also, you'll see from Doug's
8 information, gives us a nice indicator for
9 further investigation. Where else do we need
10 to go look, are we using the correct background
11 values. This is obviously one of the tools
12 used in the decision-making process regarding
13 the process in our examination of the site.

14 For those of you that are looking for
15 references, additional reading, on the
16 monitoring devices at Lewiston-Porter School
17 Complex we get these from Landauer. They have
18 a nice web site. It gives you detailed
19 information the actual instruments or detectors
20 that we have out at the site. And finally, the
21 references, an additional reading on background
22 radiation. This guy does a real good job,
23 Eisenbud. He's got several books out. This

1 one he teamed with Tom Gesell. That's 1997.
2 Some of the numbers that you saw regarding
3 activity and various elements, that's kind of
4 old hat. We've been testing for years and
5 years. That came out of a 1978 document,
6 Handbook of Radiation Measurement and
7 Protection.

8 In addition, for those of you who like to
9 surf, here's some good web sites, The Health
10 Physics Society web site. It's got a lot of
11 radiation fact sheets. It talks about
12 background and a lot of other issues, a real
13 good one. Possibly my favorite site, Idaho
14 State University, they have a great physics
15 program there. They have what's called the
16 Radiation Information Network, a lot of great
17 links to a variety of sites. And finally, if
18 you're looking for more information on that
19 USGS map, they have a lot more maps at the web
20 site there and that's the bottom line. I'll
21 take some questions.

22 DR. JUDY LEITHNER: Sorry, folks, the
23 reason that we're just going right on to Doug's

1 presentation right now is because of the time
2 element so I've been asked please, don't take
3 questions in between but take questions of both
4 of them at the end. Actually --

5 MR. MARTIN HODGINS: Judy, could you
6 tell us how long this gentleman is going to
7 speak because there is some questions --

8 DR. JUDY LEITHNER: Twenty minutes.

9 MR. MARTIN HODGINS: We have questions on
10 our mind now that are on our head and in twenty
11 minutes we could be distracted with his
12 information. I think it's only fair we ask
13 Chris a couple of questions.

14 DR. JUDY LEITHNER: Would you write your
15 questions down because they've asked me to do
16 this. This isn't my decision. If you'd write
17 your questions down.

18 MR. MARTIN HODGINS: I thought we were
19 here to discuss things.

20 DR. JUDY LEITHNER: Actually Chris has
21 just explained a little bit about determining
22 background. The reason why he's done this is
23 to show how carefully we measure what the

1 radioactivity would be without any impact by
2 the DOE. And so once we know that, then the
3 measurements we would do for a site walkover
4 will tell us how much of this is contamination
5 which will help us determine how much can be
6 removed. I would like to introduce Doug Haas
7 who is an employee of SAIC, Incorporated. He's
8 our contractor and he was the person who
9 directed all of these gamma walkovers all over
10 the whole site. So he will explain what now
11 the findings were and then you may ask
12 questions of both of them.

13 MR. DOUG HAAS: Thank you, Judy. From
14 May to August this year we performed a gamma
15 walkover survey at the Niagara Falls site
16 using this instrument right here or one just
17 like it. As you see here, we broke up the site
18 into five different sectors so we could better
19 present data and process the data. You'll see
20 that later on. You'll see maps, two of them
21 for each sector. The instruments you see here
22 are what we used. This is the two by two that
23 you just saw that Chris had. The other one

1 over here is a trimble unit. You wear it as a
2 backpack. It keeps track of exactly where
3 you're standing so you know the latitude and
4 you know the longitude and you know the count
5 rate from this instrument here and you can plot
6 out a nice map which says there's this much
7 radioactivity here and this much radioactivity
8 over here.

9 As Chris said, all the surfaces have a
10 different background. So what's important when
11 you do one of these surveys is the first thing,
12 find out what your average background is for
13 each surface type. To do that we went up to
14 the national guard base north of Balmer and we
15 got these ratings here. You'll notice they do
16 very widely. From fifty-seven hundred to
17 almost sixteen thousand. The investigation
18 level count rate that you see here is about 1.5
19 times background. That's the number that we
20 picked. This area we want to look at a little
21 bit better.

22 To get ready for the survey since at least
23 half of the site is wooded and we need to walk

1 in straight lines through the woods so we can
2 determine our position for the count rate, we
3 had to make paths through the woods. Class two
4 areas it was done every five meters and class
5 one areas we pretty much took down all the
6 woods and did a path every meter. So if you
7 can picture the technician walking along
8 something like this a little lower to the
9 ground and he's searching for the response of
10 this meter as he walks along the surface. By
11 the way, that was the central ditch that last
12 picture there. There you see a technician
13 walking along with the GPS unit and another one
14 getting ready to do a transect. To do the
15 roads we lined up three units across the front
16 of a gator. That gave us a nice consistent
17 reading as we went across. There's the sectors
18 we pointed out earlier. This is sector one.
19 It's in the northwest corner of the site. What
20 you're seeing over here, that highlighted area
21 there is elevated activity. It's all a slag
22 soil mix so like we determined earlier, the
23 slag will read a lot hotter. Since it was a

1 slag soil mix and not just slag we used a soil
2 background and it came up on our maps as
3 elevated. Since we've done the survey we have
4 taken a couple of samples in that area to
5 determine how elevated it is. When you do a
6 gamma walkover survey you're determining the
7 general layout of where to look. You follow up
8 with that by taking samples, sending them to
9 the lab and getting actual analytical results
10 that you can base the decision on. What you're
11 looking at here is the central ditch and that's
12 the west ditch. At the top of that is CWM
13 property. So the first map that I showed, page
14 one map is going to be here's how much we
15 covered in area or here's how we concentrated
16 our survey. Was it done at one meter or was it
17 done at five meter. The second map you'll see
18 is these are the areas that exceeded the
19 investigation level, one and a half times
20 background. I was hoping you could read those
21 text boxes when it was up there. I do have the
22 information here. In this slag soil mix area
23 over here where you see the yellow and the

1 green we have up to twenty-five thousand CPM in
2 that area.

3 AUDIENCE MEMBER: Where is this?
4 There's no markings.

5 MR. DOUG HAAS: Could we go back a
6 couple of slides to the sectors. We're in the
7 northwest corner of the site along the north
8 there, CWM property. We're up in sector one
9 right now. That would be the closest to this
10 side. It's the western edge of the Niagara
11 Falls property.

12 DR. JUDY LEITHNER: It's nowhere near
13 the school.

14 MR. DOUG HAAS: It's just west, the
15 fenced property. Other areas up to sixty-six
16 thousand CPM were identified on the banks of
17 the west ditch. This is the west ditch. When
18 you see a text box point to this dot, it means
19 that that spot was greater than the
20 investigation level. The highest one within
21 all of those on this whole map is sixty-six
22 thousand CPM. Background for soil is about
23 nine thousand CPM. So you can say

1 approximately what, seven times background.
2 Eight times background was the highest that we
3 saw in this sector.

4 MR. TIMOTHY HENDERSON: That's
5 significant; right?

6 MR. DOUG HAAS: It's certainly
7 detectable. When you're doing one of these
8 surveys, one of the things you struggle with in
9 doing an environmental survey, if a number is
10 very high it's easy to detect. There's no
11 question in your mind something is there. When
12 you're struggling with when you do a survey
13 with let's say ten thousand counts per minute
14 of background is what is elevated and what is
15 just within that realm of background. Up at
16 sixty-six thousand CPM it's certainly elevated
17 beyond background, there's no question. Now,
18 how that correlates with analytical data that
19 will be coming up within a few months is
20 important. You'll be able to say okay, if I
21 have sixty-six thousand CPM is this many
22 picocuries per gram. And any limit for the
23 site will be based on picocuries per gram.

1 That's the actual analytical number. Just as a
2 rule here of thumb, you can say that that's
3 about eight times background.

4 MR. PAUL DICKY: Could you explain that
5 again how you go from counts per minute to
6 picocuries per gram?

7 AUDIENCE MEMBER: Is that by the grade
8 school?

9 DR. JUDY LEITHNER: No, actually if you
10 would stop after this is all over and Mary Kay
11 has a map, I can show you a whole lot better.
12 If we had her first slide I could show you
13 right now. But I can show you a whole lot
14 better exactly where we are talking because
15 this just that tiny little yellow area that it
16 showed, you know, in her larger map and if I
17 can show you that it will make some sense.
18 Here is only the Niagara Falls Storage Site and
19 it's real hard to describe where the school is
20 but we can show you.

21 MR. DOUG HAAS: That's just west and a
22 little bit north of the current Modern
23 landfill, that little section right there. Was

1 there another question I missed?

2 STEPHEN YAKSICK: If you look at page
3 two of your handout of Mary Kay's presentation.

4 MR. PAUL DICKY: I was wondering if you
5 could clarify how you went from counts per
6 minute to picocuries per gram.

7 MR. DOUG HAAS: Well, All I can
8 determine with this gamma walkover survey is
9 counts per minute. The Corps took this data
10 and went over different isolated elevated
11 areas, had someone else go and take soil
12 samples down to two feet, six inch to two feet,
13 and those samples are out at a lab so when we
14 get the results from the lab and picocuries per
15 gram, we can say, okay, it read sixty-six
16 thousand CPM on the gamma walkover survey and
17 from the lab we have this many picocuries per
18 gram. You draw that as well you can, those two
19 numbers together.

20 MR. CHRIS HALLAM: If I could just add
21 in, that's going to be a very rough
22 correlation. You're going to get different
23 mixes in radionuclides. The whole idea that

1 we're shooting for at the end point is what's
2 going to be good cutoff that tells us we got
3 it. So that's why we want to go in there and
4 build a correlation curve to make a
5 determination on if we have to go to remedial
6 action where do we stop.

7 MR. DOUG HAAS: One of the interesting
8 things we found in sector one was a railroad
9 tie. This is one of those transects that I
10 talked about where we walked down a straight
11 path so we could determine our position against
12 count rate. You can see a well here. This is
13 partially decomposed railroad tie. We found
14 eighty thousand CPM on that railroad tie. So
15 then we went to look at the other railroad ties
16 that we had come up with during the clearing
17 and none of those were elevated. There was
18 maybe forty or sixty of those. But this one
19 here was found on top of the soil and it was
20 reading eighty thousand CPM.

21 MR. TIMOTHY HENDERSON: That's a former
22 railroad bed?

23 MR. DOUG HAAS: That's along the D line,

1 what used to be the D line, yes, a former
2 railroad spur.

3 MR. TIMOTHY HENDERSON: That train came
4 in from Rochester.

5 MR. DOUG HAAS: Could I go back one?
6 One more. That railroad spur, the D line ran
7 here across the interior of this road up to CWM
8 property. I think most of that slag that you
9 see used to be railroad bed. That's why that's
10 there and this right here is where we found the
11 tie. So, yeah, it was directly under the D
12 line.

13 This is sector two. It's at the northern
14 central part of Niagara Falls Storage Site
15 property. Within the southeast corner -- oh,
16 here's our coverage, let me start there.
17 This area here we removed all the trees and did
18 a hundred percent coverage. This area we did
19 five meter transects. Within the southeast
20 corner there was twenty-six thousand CPM
21 identified in a couple of small areas, about
22 three times background.

23 AUDIENCE MEMBER: That would be

1 southwest.

2 MR. DOUG HAAS: Yes, didn't I say
3 southwest? Southwest, I stand corrected.
4 There are eight elevated areas up to sixty-five
5 thousand CPM on soil in the designated class
6 one area. The largest of these is thirty
7 meters by thirty meters. So within this area
8 here, these spots that you see are elevated.
9 The largest one is thirty by thirty meters and
10 the highest one is sixty-five thousand CPM.
11 These shaded areas that you see here are slag
12 soil mix areas. There was little hits along
13 there or little bits above the investigation
14 level. They went up to twenty-one thousand CPM
15 which is comparable with the background of slag
16 so that was expected.

17 One thing that Chris hit on that you're
18 going to see again and again throughout this
19 survey is that even if you're looking at
20 concrete, two different concretes, one might be
21 more elevated than the other. That can happen
22 because one is thicker than the other providing
23 more shielding from the soil. That can happen

1 because the concretes were made from a
2 different material and one was more radioactive
3 than the other. So when we went over to the
4 National Guard Base and took our readings we
5 came up with a number. The numbers at the
6 Niagara Falls site are somewhat higher than
7 that reference. So we are looking into that
8 now. We are taking samples. We're determining
9 why that happened, why that anomaly happened.

10 This is sector three. What you're looking
11 at right here is the northern edge of the
12 Modern landfill. So here's the fence between
13 the two properties. At the north side is CWM.
14 This is the northeast corner of the site.
15 There is two designated class one areas. This
16 class one area was designated because a couple
17 of locations here had come up elevated last
18 year. This area was designated class one
19 because that's where the former K65 Tower was.
20 And by class one, just meaning that it received
21 a lot more thorough of a survey. The areas
22 that you see on the north side on, here they
23 look green, those areas were covered by water.

1 Water shields the gamma radiation from coming
2 through the soil. So doing a survey of water
3 covered area really doesn't conclude anything.
4 So those areas were bypassed.

5 Let's look at sector three, elevated
6 activity. As you see, here's that D line still
7 running east west, north of O Street. We did
8 see various kind of slag responses throughout
9 that area. None of them were very high.
10 Twenty-two thousand CPM was the highest.

11 Two areas of elevated activity were
12 identified north of N Street. N Street is that
13 line running across there. That text box that
14 you see there was fifty thousand CPM and the
15 one over here was twenty thousand CPM. Both of
16 those areas were less than one meter by one
17 meter. So this is a small -- probably we will
18 know for sure when we sample but probably a
19 small little chip of something in the area
20 causing that shine up through the soil we're
21 noticing on the survey. If you removed the
22 little chip, the area is back to background
23 levels.

1 In the southeast area there were eight
2 localized areas of activity up to eighty-two
3 thousand CPM.

4 MR. TIMOTHY HENDERSON: Up where the
5 tower was?

6 MR. DOUG HAAS: Up where the tower was
7 what you're looking at right here, the tower
8 stood in this field here, we didn't identify
9 any elevated activity. But we weren't
10 surprised, if you look at that area, there's
11 some standing fire extinguishers and it's
12 obvious that the soil was removed at least
13 three foot below what was the original grade.
14 So as a theme throughout this survey we are
15 identifying areas above background, above the
16 investigation level. Most of them are small.
17 All of them can be bounded by about twenty
18 times background was the highest or the largest
19 response that we saw.

20 Here's something interesting that we found
21 in sector three. This is just about in the
22 center of sector three, a little bit to the
23 west. Walking along we had a high response in

1 this area here. We found a braided cable. We
2 are not sure what it's from. It could have
3 been a rigging cable. We don't know. But on
4 that cable we found a hundred thousand counts
5 per minute. Recently a couple of weeks ago we
6 took a sample right a side of that cable to
7 make sure that it's the cable that's elevated
8 and not the soil by it. Because another
9 possible scenario is when they were remediating
10 they ran up to this cable and just dug around
11 it and the soil is elevated. So we're going to
12 know that for sure when we get those sample
13 results.

14 Moving on to sector four, what you're
15 looking at there on the left is the waste
16 containment structure. Exclusionary or around
17 the waste containment structure, fields to the
18 north, mainly fields over on this side to the
19 south and to the west. We did a lot of class
20 one coverage in this area. We did thirty-four
21 percent as class one coverage. An area over
22 here was originally class two. We upgraded it
23 to class one coverage because we found a lot of

1 elevated activity. It was not very high but it
2 happened very frequently during the survey so
3 we just backed up and said we are going to do
4 all this area at a hundred percent. And you're
5 looking at some of the result there. Here's
6 the elevated activity in sector four. As you
7 see, on the north side of sector four there are
8 a lot of small areas of elevated activity.
9 There is twenty-six areas of elevated activity
10 up there. The highest one is one hundred and
11 seven thousand counts per minute. There were
12 two localized areas of elevated activity up to
13 forty-seven thousand counts per minute by the
14 north ditch. There were nine localized areas
15 of elevated activity up to fifty-three thousand
16 counts per minute at the north edge of the
17 waste containment structure. So that is right
18 about there on the map. The highest one there
19 was fifty-three thousand counts per minute. A
20 four by four meter area of a hundred and twenty
21 thousand counts per minute was detected on the
22 northeast slope. That's that spot right there.
23 That's the only spot we actually saw on the

1 soil covering the waste containment structure
2 and it is a rather high spot at a hundred and
3 twenty thousand.

4 MR. MARTIN HODGINS: Can you repeat
5 that.

6 MR. DOUG HAAS: A hundred and twenty
7 thousand counts per minute was detected on the
8 waste containment structure on the soil that
9 covers it. So mainly if you look at the waste
10 containment structure, this area here of the
11 mound, we didn't find anything on it whatsoever
12 above background. There was this one little
13 spot up here and it was pretty high. Rather
14 than pretty high, it was maybe twelve times
15 background.

16 Five areas of elevated activity up to
17 twenty-five thousand counts per minute were
18 detected on the west shoulder of Campbell
19 Street. So this line runs down Cambell Street.
20 Cambell Streets divides the site about in two,
21 north, west. We did find some elevated
22 activity as a theme along both sides of that
23 road. This larger area that I said we

1 reclassified before is fifty meters by forty
2 meters and it's up to, the highest reading is
3 thirty-four thousand counts per minute.

4 MR. TIMOTHY HENDERSON: Is there a
5 structure there, a building?

6 MR. DOUG HAAS: No. It looks like that
7 might be an old septic system area so possibly
8 they avoided that area because it was an active
9 septic system and that's why they didn't dig
10 that area up. In most of these areas along
11 here during the 1984, 1985 remediation when
12 they were just building the pile, there was
13 ponds and those ponds were in there, there,
14 there and there and they were used as settling
15 ponds. So when we have that and you backfill
16 it with clean soil, that's why we're not seeing
17 any elevated activity in that area. The areas
18 that we missed or weren't ponds back in that
19 time frame though, over here where the septic
20 system was, up there in that corner where the
21 organic laydown area was, they're the ones
22 we're finding elevated activity in so it does
23 stand to reason.

1 MR. TIMOTHY HENDERSON: That's also a
2 decontamination area where they used to hose
3 the trucks down.

4 MR. DOUG HAAS: Yeah, that area is a
5 little bit south of that and that's right here.
6 We didn't see anything elevated in that area.

7 Sector five coverage, sector five is the
8 area of the site immediately west of Modern
9 Landfill. For those of you that are familiar
10 with the site this is building 401 here. Those
11 dark areas that you see up there are concrete
12 pads from buildings that used to be there but
13 were torn down. Building 401 was originally a
14 steam plant but was modified for production of
15 Boron 10 in 1953. The area around building 401
16 was designated as class one because elevated
17 activity was identified during the sampling
18 investigation in the year 2000. So we saw that
19 before when we were doing some sampling in the
20 area so we classified this whole section as
21 class one to make sure we didn't miss anything.
22 Most of sector five is wooded which makes it
23 difficult to do a gamma walkover survey. Those

1 paths that you see, there are a lot of trails.
2 Every five meters there's a trail through the
3 woods. Sector five is the only sector that
4 hasn't been sampled yet based on these walkover
5 results. These walkover results are just
6 reaching final now or this week here, so you're
7 getting late breaking information although it
8 don't look like much from there. This will be
9 sampled in early November.

10 Okay. As a theme, although this isn't much
11 of a map, here's Campbell Street again. Along
12 Campbell Street on this side of the road from
13 the north part to the south part of the site
14 there are twenty-three locations of elevated
15 activity, up to fifty-three thousand counts per
16 minute right by the street and in a ditch
17 adjacent to the street. In the north area
18 there are eleven soil locations of activity, up
19 to twenty-five thousand counts per minute. In
20 addition, there is a one by six meter area on
21 the northeast corner of that concrete
22 foundation, the one at the top, the large one
23 that is fifty-two thousand counts per minute.

1 So somewhere in the neighborhood of nine times
2 background. Between X Street, that doesn't
3 mean much, in the center top third of that area
4 there are forty-five isolated elevated areas up
5 to forty thousand counts per minute. So
6 There's a lot of them, they're all small.
7 None of them are very elevated but they are
8 certainly above background. Generally in this
9 wooded area down here no elevated activity was
10 detected except for a one by two meter location
11 of twenty-five thousand counts per minute.
12 That's about right there. In the fenced area
13 around building 401 in this area right here
14 there are eight areas of elevated activity up
15 to one hundred and seven thousand counts per
16 minute ranging from .2 meters, .2 meters
17 squared to six by twelve meters squared. So
18 that's one of the higher areas on the site
19 right around building 401.

20 As my last slide, the picture you're about
21 to see is right here, actually right here. So
22 those who have been there the site gate is
23 right here, you're just by the gate. We are

1 standing on Campbell Street looking southeast,
2 that's an area of elevated activity. It's the
3 highest area on the site. It was up to one
4 hundred and eighty-eight thousand counts per
5 minute. It's twenty meters by twenty meters.

6 MR. TIMOTHY HENDERSON: It borders
7 Modern.

8 MR. DOUG HAAS: Yeah, by just a few feet
9 there. Looking at the history of the area,
10 this is kind of odd about this area, the first
11 thing you do is go back and try to describe
12 what you're finding and the history of this
13 particular piece, it was a parking lot and you
14 can still see the gravel in this area. So we
15 are not sure why a parking lot would be the
16 highest area on the site but that's what we
17 found.

18 MR. TIMOTHY HENDERSON: Back in the '40s
19 they just dumped stuff on the ground.

20 MR. MARTIN HODGINS: It kept the dust
21 down.

22 MR. DOUG HAAS: It's an odd place. And
23 why that got missed on '84, '85 is kind of

1 unusual too. It's right out in the open there
2 right by the gate. That is twenty-one times
3 the average background. Like I said, that was
4 the highest area on the site and it's also the
5 largest area on the site, the largest single
6 area on the site. Questions?

7 MS. MICHELE HOPE: Let's start with
8 questions from the RAB, please.

9 MR. DANIEL SERRIANNI: I have a question
10 for both of you. Chris, on your grid
11 walkovers, do you take an average on your grid
12 walkovers when like say if you hit a hot spot
13 and first of all, how big is your grid areas?

14 MR. CHRIS HALLAM: The entire site was
15 gridded in surveys.

16 MR. DANIEL SERRIANNI: If you have a hot
17 spot do you take an average over that whole
18 area?

19 MR. CHRIS HALLAM: We don't average away
20 those values. Whatever the highest value is
21 remains in the database so it's captured.
22 Those are the hotter points or higher activity
23 points.

1 MR. DANIEL SERRIANNI: If that's a hot
2 spot then you'll dig that out?

3 MR. CHRIS HALLAM: Oh yeah. We're
4 collecting data one per second, once per two?

5 MR. DOUG HAAS: Two seconds.

6 MR. CHRIS HALLAM: Once per two. So
7 every two seconds as you're going by he's
8 collecting data as he's doing a slow walk.

9 MR. DANIEL SERRIANNI: Do you both work
10 for that --

11 MR. CHRIS HALLAM: No, I'm with the
12 Corps of Engineers, Corps of Engineers. This
13 gentleman is with SAIC Contracting.

14 MR. DANIEL SERRIANNI: Oh, he is. Do
15 you come in with all your guys with SAIC on to
16 this Army Corps site; right?

17 MR. DOUG HAAS: Yes, that's correct.
18 We're subcontracted to do the gamma walkover
19 survey.

20 MR. DANIEL SERRIANNI: How long have you
21 been there?

22 MR. DOUG HAAS: For the gamma walkover
23 survey we were there May through August.

1 MR. MARTIN HODGINS: Of this year?

2 MR. DOUG HAAS: Yes.

3 MR. DANIEL SERRIANNI: Thank you.

4 MS. NONA McQUAY: On your maps since we
5 can't read the yellow boxes, those are the
6 labels of the higher activity spots; is that
7 correct?

8 MR. DOUG HAAS: That's right.

9 MS. NONA McQUAY: But they don't
10 indicate area.

11 MR. DOUG HAAS: Yeah, they also indicate
12 area.

13 MS. NONA McQUAY: Oh, do they. So if we
14 look, for instance go to the library we can see
15 a better graphic of this?

16 MR. DOUG HAAS: Yes, you'll actually be
17 able to read that one. This is all captured in
18 art view format and realizing that most people
19 don't have access to art view, we took every
20 elevated spot and explained it in the text box.
21 We said it's by the road or on soil, on gravel,
22 it was this high and it was of this area. When
23 you get into the actual document itself you'll

1 see it's very much easier to read than for the
2 purposes of this presentation. They did an
3 excellent job on it.

4 MR. MARTIN HODGINS: I got a question
5 for Doug. As a layperson how deep does these
6 readings go when you're walking the site?
7 What's the lay, when you're going down does it
8 read two feet levels?

9 MR. DOUG HAAS: Figure anything beyond a
10 foot you're not seeing anything at all.

11 MR. MARTIN HODGINS: So just for an
12 example for these people, if I was walking this
13 site and I get a high reading of a hundred
14 twenty-five thousand and that's at the foot
15 level, I wonder how high it is three feet down?

16 MR. DOUG HAAS: As a matter of fact, I
17 just did a shielding study last week and the
18 numbers have to be crunched out but by memory
19 you might see maybe a ten percent response on a
20 small source, a foot under.

21 MR. MARTIN HODGINS: I have two other
22 questions, one is are you wearing Tibex suits
23 when you're doing these walks or are you

1 wearing street clothes?

2 MR. DOUG HAAS: The walkover surveys
3 were done wearing yellow booties to keep the
4 mud off. It wasn't necessary to wear Tibex.

5 MR. MARTIN HODGINS: And number three is
6 more of a statement. This is for everybody.
7 It has a little of wit to it but it would be
8 really interesting if Doug got together with
9 Chris, who got together with Kent and took two
10 days and walked the ditch pass that Tom was
11 talking about. Because we're talking hundreds
12 of thousands of dollars we spent already, how
13 much would it cost your company to get together
14 with these two gentlemen and walk that ditch
15 for a few days and see what other levels we can
16 come up with?

17 MR. THOMAS FRECK: That's very
18 interesting but the only problem is because
19 that sediment is so deep in that creek from
20 forty years, you would have to dig into it.
21 There's just no way.

22 MR. MARTIN HODGINS: But it would be
23 interesting to see what kind of levels would

1 come up. It would be interesting to see what
2 kind of levels would come up if they did the
3 walk.

4 MR. THOMAS FRECK: Yeah, I agree.

5 MR. MARTIN HODGINS: It worked for you
6 and it's a relief for our mind to know beyond
7 this DOT property line, this magical rope line
8 here how further down the road it went.

9 MR. TIMOTHY HENDERSON: With a reading
10 in gamma of twenty-one times background, would
11 it necessarily be producing any radon?

12 MR. DOUG HAAS: Well, the site
13 contaminants being radium, uranium and thorium
14 there might be some radium production but it's
15 infinitesimally small.

16 MR. CHRIS HALLAM: Yeah, it will
17 dissipate when it gets to the atmosphere. The
18 only time you're really going to run into a
19 issue with radon is when it's trapped against
20 the ground like in your basement or something
21 similar in a confined space. The rate at which
22 the radon would be produced by the level of
23 contaminates that we're seeing would be

1 dissipated very rapidly in the atmosphere. And
2 if you remember, we also have radon monitoring
3 locations set up around the perimeter of the
4 site and we have not seen any elevated radon
5 level.

6 MR. TIMOTHY HENDERSON: Would this be a
7 high enough level that would warrant some
8 signage there to keep people off?

9 MR. DOUG HAAS: Well, we have signs
10 around the barrels right now. By the rules of
11 like a radiation area, no, you're nowhere near
12 that.

13 MR. CHRIS HALLAM: They don't constitute
14 a radiation area. So that's one of the
15 important things to see here is that, yes, we
16 are elevated above background. Are we at a
17 level that we're causing anybody an off site
18 dose, no. You have to be right on top of these
19 materials for an extended period of time to get
20 a measurable dose.

21 MR. PAUL DICKY: Following up with that,
22 what is the process that you'll go through to
23 develop levels for remedial action?

1 MR. CHRIS HALLAM: Well, there's many
2 steps involved in that obviously. This is more
3 of an indicator tool, getting these surveys
4 together and showing it counts per minute.
5 It's very difficult to directly translate that
6 into a dose because that instrument picks up
7 gamma emissions of all different levels. Those
8 levels have to be translated to biological
9 effects from the radiation. So there is a big
10 process there involved. Typically what we do
11 is we use this gamma walkover survey as an
12 indicator of where we need look, where we have
13 our most concern and then we match it up with
14 the hard numbers that would come up from a
15 laboratory. All of that gets fed into a risk
16 assessment and then within the circle of
17 process we would develop the appropriate
18 remediation goals. Does that help you out?

19 MR. PAUL DICKY: Sort of. Based on your
20 past experience with this type of
21 investigation, would you expect some
22 remediation is required on some of these
23 locations?

1 MR. CHRIS HALLAM: Based on my previous
2 experience, yes. Now, also something to
3 recognize, we had a lot of spots on there but
4 the vast majority of them were very small. We
5 don't have widespread large areas of
6 contamination. That's good news, you know, in
7 that respect. So what we see is literally a
8 lot of bucket and shovel type operations. Go
9 out, dig it up and stick it in a bucket. We're
10 not looking at this part I would expect a large
11 scale remediation effort.

12 MR. THOMAS FRECK: Going back into
13 documents of the Rochester burial area,
14 etcetera, where materials were buried in
15 documents six to twelve, twelve to fifty feet
16 deep, your instrument reads one foot. I see
17 along the fence on the western most side that
18 you have an area that seems to be a strip which
19 seems to follow a railroad track.

20 MR. CHRIS HALLAM: Yes.

21 MR. THOMAS FRECK: Which seems to follow
22 the myth of railroad cars that were buried.
23 And I had talked to a man who had said that he

1 had worked on the site and it wasn't -- the
2 cars were not run into the ground, that they
3 had taken and dug a trench next to the railroad
4 tracks and the cars were pushed off into a
5 hole. Is this possibly the Rochester burial
6 area? Has anybody taken an overlay, taken your
7 maps and taken an overlay of the previous maps
8 to see if what we are looking at is what --

9 MR. CHRIS HALLAM: We did do a records
10 research to determine as best we could the
11 location of that area; correct?

12 DR. JUDY LEITHNER: Yes, we did.

13 MR. CHRIS HALLAM: And that location was
14 determined to be?

15 DR. JUDY LEITHNER: It's up in what we
16 call vicinity property G. Just to give people
17 a status report, hopefully Monday, they already
18 have the equipment on site, Monday they will
19 begin site clearing and after the site clearing
20 then we do the geophysical walkovers to see
21 what's there. That should probably be taking
22 place, if the clearing goes as we think it
23 will, the very last week of this month they

1 will be doing the geophysical walkovers. So
2 yes, we've had people up there. We actually
3 see a depression in the ground that looks like
4 maybe the stuff was dug out and never filled
5 out. But we're going to do the whole areas and
6 see what shows up.

7 AUDIENCE MEMBER: Excuse me, Judy, could
8 you repeat when that geophysical survey will be
9 done, at the end of this month?

10 DR. JUDY LEITHNER: Yes.

11 AUDIENCE MEMBER: This month, okay.

12 DR. JUDY LEITHNER: We're having to change
13 our right of entry a little bit. It's a right
14 of entry we had with CWM. We were recently
15 requested to add a provision in it because we
16 were to have started site clearing this past
17 Monday and we had to delay it a week while we
18 addressed that right of entry.

19 MR. DANIEL SERRIANNI: Who is doing site
20 clearing?

21 DR. JUDY LEITHNER: That is Greenwood.
22 It's a subcontractor of SAIC.

23 MR. THOMAS FRECK: You were talking

1 about adjoining site, now you're talking this
2 actual spot is actually outside of your fence
3 of your storage site, your current storage
4 site. It's on the western side like between
5 Niagara Mohawk lines and your bounds; is that
6 correct?

7 DR. JUDY LEITHNER: No, it's north of --

8 MR. THOMAS FRECK: Oh, it's back up over
9 higher up.

10 DR. JUDY LEITHNER: The only reason we
11 can address that even though it's off this site
12 is it was a vicinity property that was never
13 closed out by the DOE. And that's why we can
14 go up there and pay for it out of this
15 particular project.

16 MR. THOMAS FRECK: Another highly
17 contaminated area was the Baker Smith area
18 which I don't know where you're at. I look at
19 your maps and I don't know if we are on the --

20 DR. JUDY LEITHNER: Actually when Doug
21 showed you that northwest little corner, that's
22 the Baker Smith area.

23 MR. THOMAS FRECK: So you may not be at

1 the Rochester burial area still then?

2 DR. JUDY LEITHNER: No, this is north of
3 that and we are almost sure we are at the
4 Rochester burial area.

5 MR. THOMAS FRECK: So you seem to think
6 that you found these two spots then that were
7 in question?

8 DR. JUDY LEITHNER: Baker Smith for
9 sure. That was one of the ones that showed up
10 with an elevated activity that we know we are
11 going to have to probably do something with.

12 MR. THOMAS FRECK: One comment that just
13 so you people understand that the reason there
14 is a lot of skepticism from the local people is
15 because we were told by the Department of
16 Energy the site was clean. We were told when
17 we met over there at the site at the building
18 that they had with the old firehouse that the
19 site was clean and everything was fine. So
20 there's a lot of skepticism here because you
21 found a lot of stuff that they said was taken
22 care of. So if you find people that are a
23 little bit, you know, skeptical about what is

1 getting done and how long it's taken, we've
2 gone I don't know how many years while this
3 thing sat here still, nothing done.

4 DR. JUDY LEITHNER: If I can say this
5 much and I'll try to say it carefully, we were
6 surprised too because we were told the site was
7 clean except for what was in that cell. Now
8 what happened was since the DOE is
9 self-regulating, they can chose the level to
10 which they cleaned up. Now, even if they had
11 done that perfectly, what the Corps thought was
12 we aren't self-regulating. We may be given a
13 lower cleanup level than what the DOE had. So
14 it doesn't really matter if they cleaned up
15 well or not, we have to find out what's there,
16 because even if they cleaned up -- say it was
17 twenty picocuries per gram, just to pick
18 something out of the air. What if somebody
19 came and said well, your level is fifteen.
20 Well, I need to know what's there to know where
21 to clean up. So we went out looking at the
22 whole site as though we knew nothing and found
23 significantly more contamination than what we

1 expected. So all I can say is we're surprised
2 too and that's why we're looking --

3 MR. THOMAS FRECK: Okay. One last quick
4 question about is there going to be some
5 radiation monitoring as this site is cleared of
6 trees being uprooted, etcetera, brush,
7 whatever? Is there going to be anybody on the
8 site monitoring from your people to make sure
9 that there's no radiation that's contaminating
10 these contractors, the workers and the local
11 people?

12 DR. JUDY LEITHNER: That's done all the
13 time. They wear a badge.

14 MR. THOMAS FRECK: I'm not worried about
15 their badge radiation. I'm worried about dust
16 and debris coming out of the site.

17 MR. CHRIS HALLAM: We do air samples
18 during all intrusive activities and we have
19 removal and fixed contamination surveys before
20 any equipment --

21 MR. THOMAS FRECK: I just want to make
22 sure there's somebody there looking at it.

23 MR. CHRIS HALLAM: We got it covered.

1 The people are checked, the equipment is
2 checked, the air is checked.

3 MR. THOMAS FRECK: We've been told that
4 in the past too and we kind of questioned what
5 was really done. I'm just trying to get your
6 professionalism.

7 MS. NONA McQUAY: Are the air samples
8 done in the breathing area, individual air
9 samples?

10 MR. DOUG HAAS: Absolutely. They're
11 lapel air samplers. We hang it on the person
12 most likely to inhale any radioactive material.

13 MR. CHRIS HALLAM: I don't know if this
14 helps any, I think that we are actively and
15 very aggressively pursuing this. Our coverage
16 on this site, we actually upped it from what we
17 had originally planned. Typical is about a ten
18 percent. We talked to the state. We looked at
19 that value and when we decided we really want
20 to take a fresh look at this site, we doubled
21 the coverage.

22 MICHELE HOPE: Any other questions from
23 the RAB? Question from the public? Please

1 stand.

2 MS. COLLEEN WENDELL: Colleen Wendell.
3 How airborne is radiation to surrounding people
4 or --

5 MR. CHRIS HALLAM: Right. That's
6 something to consider. Every year we actually
7 do an assessment on what the potential is for
8 some of this material to migrate off site. One
9 of the things to consider is that these are
10 heavier elements. They don't pick up real easy
11 and become airborne. They can be migratory, in
12 other words, they can migrate off site when
13 there is a lot of loose soils and that type of
14 thing exposed. So one of the things we have
15 going for us is there is still a lot of
16 vegetation. We took down a lot of trees but
17 there's still a lot of grass and sod and that
18 type of thing that would keep contaminants
19 localized. And what we do is every year we
20 look at, okay, what have we identified as
21 contaminated areas and then we make a very
22 conservative assumption. Like last year I
23 believe we assumed more than two acres were

1 completely contaminated. We don't have
2 anywhere near that according to our surveys.
3 Then we assumed a high level of contamination
4 in those areas and we said, okay, what's the
5 potential for somebody to receive a radiation
6 dose off site. And we went through and
7 calculated it and we found that it was very
8 insignificant and it's a very small dose. It's
9 part of an annual report we produce. In the
10 millirem range that you may be familiar with,
11 you get about three hundred and sixty for an
12 average annual exposure due to background,
13 natural and man-made sources. The values that
14 we came up with for the calculation I believe
15 were like .00 something millirem potential
16 exposure with those conservative assumptions.

17 MS. COLLEEN WENDELL: Even if you were
18 digging it up and cleaning it up?

19 MR. CHRIS HALLAM: Well, that's why we
20 do additional monitoring and we take
21 engineering controls if we go to disturb it.
22 Right now that material is not being disturbed
23 except by our limited activities. We're

1 walking on top of the grass or we are drilling
2 a small whole in the ground and when we do that
3 we make sure that we monitor appropriately for
4 it and if we can, anything that comes up on
5 those results, those would be placed into that
6 annual calculation to make sure that we're not
7 exposing anyone else.

8 MS. COLLEEN WENDELL: But if you start
9 cleaning it up, what about all the kids in the
10 school, shouldn't the surrounding folks that
11 live there --

12 MR. CHRIS HALLAM: Those are
13 considerations. We have active remediations
14 going on on a number of properties where we
15 actually have workers located on them, we have
16 schools nearby and we put in a lot of
17 engineering controls to keep the dust down, to
18 maintain the monitoring to make sure that that
19 does not happen. We put a lot of controls in
20 place for that.

21 MS. COLLEEN WENDELL: Little gas masks on
22 the little kids and everything?

23 MR. CHRIS HALLAM: No, ma'am, that won't

1 be necessary.

2 MS. MICHELE HOPE: Next question.

3 MS. LYNN ZANARDI: Lynn Zanardi,
4 Z-A-N-A-R-D-I. I just had a couple of
5 questions related to the school again. Was a
6 gamma walkover survey done on Lewiston-Porter?

7 MR. CHRIS HALLAM: No, ma'am, it was not
8 done on Lewiston-Porter. Did you get a
9 background location from over that way or no,
10 the Lewiston-Porter School?

11 MR. DOUG HAAS: No.

12 MS. LYNN ZANARDI: Is it going to be
13 done?

14 MR. CHRIS HALLAM: To my knowledge
15 that's not on our anticipated schedule. Judy,
16 is that correct?

17 DR. JUDY LEITHNER: I'm not actually
18 allowed to go outside of the Niagara Falls
19 Storage site in this program. The reason being
20 that that was not designated as a spot where
21 RAD was ever used and it was not designated as
22 a spot by DOE that was ever contaminated and
23 I'm only allowed to go onto those spots that

1 were designated as places where RAD was
2 handled.

3 MR. CHRIS HALLAM: As a follow-up to
4 that, if there were ever any evidence brought
5 forward that there were contaminants on a
6 different piece of property, whether it was a
7 school or what have you, then we would have to
8 go through the legal process, etcetera, to
9 evaluate that property. So if there's evidence
10 that's brought forth that that exists, then we
11 can look into it.

12 MS. LYNN ZANARDI: Well, for piece of
13 mind, is it there anyway we can get it done for
14 our schools so that we can feel extra safe?

15 MR. CHRIS HALLAM: Unfortunately I don't
16 think that can be done though the Corps of
17 Engineers.

18 MS. LYNN ZANARDI: Is the school board
19 here?

20 DR. JUDY LEITHNER: Actually I have one
21 suggestion that I think we might be able to do
22 and do it legally. We could take one more
23 background level on your school property, not a

1 detailed walkover but we can come on with the
2 instruments since we need background data
3 anyway and just take one or two more points.

4 MR. CHRIS HALLAM: At the same time, it
5 wouldn't be a widespread survey of the school
6 facility. That has been to be understood. It
7 would only be a few spots. So I don't know how
8 much that would help.

9 DR. JUDY LEITHNER: The only way it
10 would help is if it happened to come up
11 contaminated, which we don't expect, that then
12 there would be the basis for going ahead and
13 telling someone we need to look at this
14 property. So that would be a kind of thing we
15 could do without violating the law would that
16 would still --

17 MS. LYNN ZANARDI: You mean go drill
18 again or drill or dig?

19 DR. JUDY LEITHNER: No, do the walkover
20 like they are talking about because it's only
21 the surface sorts of things that would harm
22 your children. They don't drink groundwater.
23 They drink city water. Actually the wind as it

1 blows from west to east carries from your
2 school over to our site, not the other way
3 around. So it wouldn't be expected that
4 anything was spread from those sites but if it
5 was there originally, then the couple of
6 background samples we would take would tell us,
7 do you have a problem and if you do, then we
8 can go back to the DOE and say you might want
9 to look at this as a vicinity property.

10 I do have to emphasize that no records ever
11 showed anything in the buffer zone or the
12 school where any radiation was ever handled
13 there. But this could maybe make you feel a
14 little better if we took a couple of background
15 readings and I think we could do that.

16 MS. LYNN ZANARDI: Do you know how long
17 like are we talking to get results, not with
18 any pressure on you, but is it something that
19 could be done in the, you know, next few
20 months?

21 DR. JUDY LEITHNER: Oh yeah, that's a
22 very quick test to just walk over there with
23 instrument and do that. But the only thing I

1 would suggest is well, I would caution is if we
2 go over and do that and do it as a favor to
3 you, that we would not want hundreds of calls,
4 oh, you think this radiation contaminated and
5 that's what you're doing here. So we would
6 want to make sure that the parents and the
7 school board and everybody else knew the only
8 reason we are doing this is make you feel
9 better. We don't suspect anything. If that
10 were the case, it doesn't take long to go over
11 and take a couple of readings.

12 MS. LYNN ZANARDI: Right. Well, I feel
13 it's not a courtesy but I appreciate that. But
14 I think it has to be done.

15 DR. JUDY LEITHNER: The reason I say
16 courtesy is if I'm not careful I can be in
17 violation of the law. Because congress tells
18 us what we can spend money on and what we
19 can't. So I guess what I'm trying to tell you
20 is if I do this as taking a background sample,
21 I am not in violation of the law.

22 MS. LYNN ZANARDI: Right.

23 DR. JUDY LEITHNER: The minute it's

1 anything but a courtesy and a background sample
2 I am in violation. So we have to be very
3 careful.

4 MS. LYNN ZANARDI: Do you need the
5 school's approval?

6 DR. JUDY LEITHNER: We should talk to
7 the school board first. That's only courtesy.

8 MS. LYNN ZANARDI: Just one more thing,
9 how far away was that parking lot five with the
10 highest, hundred and eighty CPM to the school
11 because I'm not familiar with Campbell Street?

12 DR. JUDY LEITHNER: Unfortunately, can I
13 just walk up and show you and this doesn't help
14 our court reporter too much but your school
15 sits over here on the other side of Creek Road,
16 well, along Creek Road. What we're talking
17 about is right here into the fence on the
18 yellow spot.

19 MR. LYNN ZANARDI: So Campbell Street
20 is --

21 DR. JUDY LEITHNER: Campbell Street is
22 right up here and it was right here as you
23 would go through our fence.

1 MS. LYNN ZANARDI: So it's no longer a
2 street?

3 DR. JUDY LEITHNER: No.

4 MS. LYNN ZANARDI: Okay. That was the
5 concern.

6 DR. JUDY LEITHNER: No, no, no. When
7 they used to have a site here that was active
8 with people on it and so on they called all
9 these, they had a million different streets it
10 seemed like but now they are just -- half of
11 them aren't even paved anymore.

12 MS. LYNN ZANARDI: Okay. Thank you,
13 everybody.

14 MR. LOUIS RICCIUTI: Lou Ricciuti again.
15 I was wondering if I could ask Mr. Hallam, you
16 mentioned that you had a piece of Niobium here
17 with you and you did a count, a CPM on that
18 piece of ore. What was the count on that piece
19 of ore, do you recall?

20 MR. CHRIS HALLAM: I believe that was in
21 excess of a hundred thousand counts.

22 MR. LOUIS RICCIUTI: That was in excess
23 of a hundred thousand counts. I'm aware that

1 certain natural ores in particular the ores
2 that were prevalent in this area were quite a
3 bit less of a count than that area. They
4 ranged in between forty, eighty, except for the
5 Congolese ores.

6 MR. CHRIS HALLAM: It varies.

7 MR. LOUIS RICCIUTI: I guess my main
8 question is this, or two questions: One is
9 what sort of radionuclides would you normally
10 find that would be giving off counts of a
11 hundred and eighty thousand CPM? And also just
12 sort of an addendum to a question that was
13 asked earlier, I want to make sure that this is
14 correct, if there are material buried beyond
15 one foot under ground and they give off a
16 hundred and eighty thousand CPM, two, three,
17 four feet underground and Mr. Haas said it was
18 ten percent roughly of what would come to the
19 surface.

20 MR. DOUG HAAS: Don't use that number.
21 That's by memory but that's about right.

22 MR. LOUIS RICCIUTI: Okay. So if we
23 had something that was a hundred and eighty

1 thousand counts per minute, it would be buried
2 at six feet below the ground, there would be
3 virtually no count at the surface?

4 MR. CHRIS HALLAM: That's correct, sir.

5 MR. LOUIS RICCIUTI: But yet it could
6 still be irradiating the area where it's buried
7 including aquifer, including any water table
8 that would rise during spring, fall melt, that
9 sort of thing.

10 MR. CHRIS HALLAM: If it was deep enough
11 to encounter the actual water table?

12 MR. LOUIS RICCIUTI: Yeah, we're in a
13 flood plain here where it just comes up. It's
14 all standing water here.

15 MR. CHRIS HALLAM: Right. Well, I just
16 want to make sure that you understand that it
17 does have to come in contact in order for --

18 MR. CHRIS HALLAM: Right. What sort
19 of, your exposure as health physicist I believe
20 maybe you both are, either or, what is your
21 experience or what's your knowledge as far as
22 which radionuclides would be indicative of the
23 hundred eighty, hundred and eighty-eight

1 thousand CPM? Now, is that more along the
2 lines of non-natural ore, natural metal and is
3 it more along the lines of fission products?
4 That's my question. Thank you. I'll sit down.

5 MR. CHRIS HALLAM: Actually you had
6 three questions in there. I want to make sure
7 I get them all. Let me take your last one
8 first. In regards to the count rates that
9 we're seeing, yes, that does fit the profile
10 for the ores. Bottom line. You can find that
11 in the ores especially as you mentioned in the
12 Congolese ores. Radium is particularly high in
13 activity and will give those kinds of numbers.
14 You also have thorium and uranium.

15 MR. LOUIS RICCIUTI: How about fission
16 products?

17 MR. CHRIS HALLAM: Fission products are
18 something that could produce high levels,
19 cesium, that type of thing but we have not
20 identified and we have looked for, we have in
21 the identified fission products on that site.

22 MR. LOUIS RICCIUTI: They have been in
23 past surveys and this being the fourth

1 remediation that's been done of this location
2 here through the years, there has been
3 indications of fission products such as cesium,
4 positronium and including plutonium.

5 MR. CHRIS HALLAM: Do you mean by
6 indications historical?

7 MR. LOUIS RICCIUTI: Yes, historical from
8 the Department of Energy and from past surveys.

9 MR. CHRIS HALLAM: Okay. So far as
10 historical goes, I really can't speak for that.
11 What I can tell you is that we have no hard
12 data that shows that we have fission products
13 there. And we have sampled and every time we
14 sample we run a full spectro analysis looking
15 for anything odd, anything we don't expect and
16 we have not found it.

17 In regards to your, and I'm glad you
18 brought this up, something I wanted to touch on
19 that this gentleman here, I don't see your name
20 card.

21 MR. THOMAS FRECK: Tom Freck.

22 MR. CHRIS HALLAM: Mr. Freck brought up.
23 When you're looking at something that's only at

1 the top foot, you do have a concern for what
2 may be underneath. But rest assured, we are
3 not just doing a surface survey. We are going
4 out and drilling a heck of a lot of holes in
5 that site and we're looking to see what's in
6 the subsurface. We're pulling up those cores,
7 we're examining them and we're sending them out
8 to the lab. We are looking at subsurface areas
9 to make sure they're not impacted. What we're
10 looking for is the surface, gamma radiation
11 readings are a good indicator, hey, we need to
12 dig here. We had activity in this area. We're
13 going to take a good look here. What we're
14 finding is when we go out to take our samples,
15 we're finding that that activity is relatively
16 shallow. We actually take an instrument and
17 put down in the whole after we pull the sample
18 and we try to get a determination on how high
19 that activity is when you go down further. So
20 we go down and we sample until the activity is
21 gone.

22 MR. DOUG HAAS: We're taking a reading
23 at each depth every six inch. If it's

1 determined if the number keeps gets higher as
2 you go down, we took out the sample and it
3 didn't go down, that's identified as an area
4 that needs a deeper sample.

5 MR. CHRIS HALLAM: Anyone else?

6 MR. PAUL DICKY: I have a question.
7 Where might you dispose of remediated soils?

8 MR. CHRIS HALLAM: That would have to be
9 examined and I'll tell you right now, waste
10 disposal is a very interesting topic.

11 MR. NILS OLSEN: Especially around here.

12 MR. CHRIS HALLAM: There is a lot of
13 questions on where that material will go and I
14 would not even want to venture at this point
15 because that's down the road. Laws and
16 regulations take a change over time.
17 Restrictions come into play and quite frankly,
18 we're going to have to evaluate that when we
19 get into it or at the appropriate time. We're
20 going to have to do that a little bit in
21 advance to make a determination on cost and
22 what's appropriate for the project. But at
23 this point, we would have to make a close

1 determination on where it could go. Some of
2 this material is fairly high activity from what
3 we've seen and would have to go to a very
4 controlled facility.

5 DR. JUDY LEITHNER: Actually, I can add
6 a little bit to that. A year ago we had a very
7 thorough landfill survey done, both at federal
8 facilities and at private facilities as to who
9 could take what. But as Chris has mentioned,
10 this very quickly gets out of date and we're
11 going have to have that survey done again.
12 Because there are more and more landfills that
13 will not accept anything say from a FUSRAP site
14 even if it scans clean. It's becoming more and
15 more restrictive as to where you can even put
16 something from a FUSRAP site. So the survey is
17 going to have be done again and it was about
18 this thick unfortunately.

19 MR. CHRIS HALLAM: It's a very dynamic
20 issue. We'll just have to keep on top of it.

21 MR. TIMOTHY HENDERSON: But clearly it
22 would be unacceptable to clean up that area and
23 leave it here in some other location.

1 MR. CHRIS HALLAM: That's something that
2 has to be looked at within the scope of the
3 alternatives and the risks involved with any
4 particular approach. That's something that has
5 to be fully evaluated.

6 MR. STEPHEN YAKSICK: In our Tonawanda
7 sites you've not picked up material and left it
8 on site.

9 MR. CHRIS HALLAM: That's for sure.

10 MR. NILS OLSEN: Did you have material
11 that was comparable to the higher levels that
12 were found here, to the Tonawanda?

13 MR. CHRIS HALLAM: I'm sorry, what
14 levels, sir?

15 MR. NILS OLSEN: To the higher levels
16 that are found on this site? I mean the
17 Tonawanda site was fairly lower level, wasn't
18 it?

19 DR. JUDY LEITHNER: What you have on
20 this site is the surface contamination we
21 measured and mentioned is comparable. The
22 stuff in the cell is not. So those are not
23 even close. That's going to be something

1 completely different.

2 MR. CHRIS HALLAM: Right. These
3 residuals, these spots that you're seeing are
4 not unusual in our industry. I mean those are
5 not exceptionally high. They're higher than
6 background, sometimes twenty times background;
7 however, when you're dealing with these types
8 of materials, it's not a super high value that
9 I would have a concern with. As we stated
10 earlier, it doesn't even create what's legally
11 a radiation area around that material.

12 MR. NILS OLSEN: The other point that I
13 would just highlight I guess from some of the
14 comments is the continuing concern about both
15 the historical locations of the school on the
16 Chemwaste property and the current location of
17 the school and it's understood that the
18 location of the school and the Chemwaste
19 property is on the LOOW site, Lake Ontario
20 Ordnance site as opposed to the site that we
21 are talking about now. The school property is
22 on this vicinity site that is not directly
23 impacted but the community interest focuses on

1 those two sites so that as we go through this
2 process if there's some way to begin and
3 certainly one way to do it would be to do
4 whatever you can to within the limits that are
5 imposed on you by the law as far as the kind of
6 testing you can do, certainly any testing that
7 you can do, any information that can be shared
8 with the people in this community with respect
9 to the results is I think critical in this
10 process. There is a great deal of concern
11 about these sites as well. But what makes this
12 site unique I think is where we're sitting and
13 that's certainly a major community based
14 interest and just speaking for myself as a
15 member of this school board, I think you won't
16 find any lack of corporation with any sort of
17 information that can be gotten to us and to the
18 people of the community to assure them as to
19 the safety of the site that they send their
20 children to every day and have been sending
21 them to for thirty or forty years around here.

22 DR. JUDY LEITHNER: We really do
23 understand what your concern is and we will do

1 the very best we can. At least for the
2 background sampling for the RAD at the one site
3 I know how to approach that. At least it's a
4 start. We have to kind of think of those
5 buildings that were up on the now what's the
6 Chemical Waste Management, what we can do and,
7 if anything. That one I haven't even thought
8 of since it was a closed vicinity property but
9 as someone here mentioned, until a few months
10 ago we were not even aware those buildings were
11 used by --

12 MR. NILS OLSEN: Certainly it would be
13 appropriate I think for the DEC to become
14 involved with the district as well just because
15 of the unique nature of this site. This isn't
16 an isolated site. This is the central core
17 site for this community. There are people in
18 this community that went to school there who
19 really deserve I think some information with
20 respect to what -- at least some reassurance
21 or some information as to what the situation
22 is. It's not going to go away as this
23 progresses. It seems like we find more and

1 more out about this as we get into this process
2 and there is only so much that the school
3 district can do. It can perhaps find records
4 and things but in terms of environmental
5 testing, that has to be done with the
6 cooperation and resources of either the federal
7 agency or the state agency it seems to me. I
8 would hope that this process can lead to more
9 sort of interagency discussion of these issues
10 as well.

11 DR. JUDY LEITHNER: Kent has been
12 working close with us and actually John
13 Mitchell who is here tonight also. The DEC has
14 been a great help to us and we have exchanged
15 information and we hope to continually go at
16 this problem in a way that we're all reassured.

17 MR. LOUIS RICCIUTI: Could we borrow your
18 2221 survey counter meter there so we'll wander
19 around here.

20 MR. CHRIS HALLAM: Am I allowed to forget
21 and leave it, Judy?

22 AUDIENCE MEMBER: Your name will never be
23 mentioned.

1 MR. LOUIS RICCIUTI: I've only got a
2 model three so it's not quite as good as that
3 but --

4 MR. CHRIS HALLAM: That's pretty good.

5 MR. LOUIS RICCIUTI: I'd love to use that
6 and I will walk around and do it.

7 MR. CHRIS HALLAM: I think they're about
8 twelve hundred bucks.

9 MR. LOUIS RICCIUTI: Well, can we borrow
10 it seriously? We'll sign a little -- sign
11 it out to us.

12 MR. CHRIS HALLAM: I think I'd have to
13 take that up with our government property
14 officer. I wish I could.

15 MR. LOUIS RICCIUTI: How about the school?
16 Would the school have any objection if we were
17 to do something like that because I happen to
18 know Mr. Ludlan in Texas himself, in
19 Sweetwater. I can call him up and he'll send a
20 2221 for our use. If the school board will
21 allow us to do it, we'll do the walkover, the
22 citizens.

23 MR. NILS OLSEN: I can't speak for the

1 school board. I think the only concern would
2 be that it was done correctly and within the
3 appropriate parameters that would make it
4 useful.

5 MR. LOUIS RICCIUTI: They said if there
6 was any sign or indication of an elevated or
7 problem, that they then would be allowed to
8 come in but it's a catch 22. If we don't find
9 it then it's like if you don't look for it,
10 you're not going to find it.

11 AUDIENCE MEMBER: You can walk with us
12 and do it; right.

13 MR. NILS OLSEN: Sure. My perspective
14 is the more information that the community has
15 the better so certainly anything that can be
16 done to --

17 MR. CHRIS HALLAM: Mr. Ricciuti, just a
18 recommendation. I would recommend that if you
19 do decide to do something like that, that you
20 make sure that you have a formal plan, that you
21 have something that meets the general industry
22 standard so that when they look at those
23 results they can see that they are reliable.

1 Because if you're going to go through the
2 effort you don't want to come out with
3 something questionable.

4 MR. LOUIS RICCIUTI: I wouldn't do it
5 when the students were here either to alarm the
6 students.

7 MR. THOMAS FRECK: One point as far as
8 that goes, you already have a Niagara County
9 Health Department, Paul here has the manpower
10 and the qualified people that could make that
11 certified. Get together with him and I'm sure
12 he can bring out his radiological expert.

13 MR. PAUL DICKY: Well. No, we don't have
14 that type of thing.

15 MR. THOMAS FRECK: You don't have that
16 type of instrument. Well, when you were out
17 looking at my spots --

18 MR. PAUL DICKY: We do have some
19 radiological equipment but I don't believe it's
20 the gamma.

21 MR. THOMAS FRECK: We're involving the
22 lives of a whole bunch of children here. I
23 would think that Niagara County could some how

1 borrow from these gentlemen. You have the
2 expertise I know and just, if you don't have
3 the equipment can't we borrow it, get together
4 with the school and like all get together and
5 do this?

6 MR. NILS OLSEN: Well, I think one thing
7 that's necessarily obviously is to have
8 discussions with the DEC. The DEC has been
9 involved in this site and has been a watchdog
10 of this site for over many years.

11 MS. NONA McQUAY: May I suggest that you
12 borrow also the radiation physicist and
13 somebody who can calibrate the instruments
14 properly and use the latest devices.

15 MR. NILS OLSEN: Yeah. It has to be
16 useful information and has to be reliable
17 information.

18 MR. LOUIS RICCIUTI: I am a member of
19 the Health Physics Society so I'm not wearing a
20 cowboy hat.

21 MR. NILS OLSEN: I think it would be
22 most appropriate to start with a state agency
23 and as these issues have been raised, explore

1 the possibilities. It's unusual in the sense
2 that there is a school here.

3 MR. KENT JOHNSON: I can't commit
4 anything at this time.

5 MR. NILS OLSEN: Clearly not but it
6 might be appropriate for the district and the
7 DEC to have discussions about both sites.

8 MS. NONA McQUAY: Could our speakers
9 tell us what is the purpose of the current
10 instruments at Lewiston-Porter Central School.
11 For instance, the RAD Track, is that a yearly
12 reading radon monitor?

13 MR. CHRIS HALLAM: Those are changed out
14 quarterly. What we do is we get an average
15 annual reading from those quarters from that
16 period of time.

17 MS. NONA McQUAY: Where does that
18 information go?

19 MR. CHRIS HALLAM: We pull that all into
20 a detailed report that's issued annually. It
21 goes to congressional record, it's goes to the
22 administrative record, it's go to permanent
23 files.

1 MR. NILS OLSEN: Presumably you didn't
2 -- those devices haven't shown any cause for
3 alarm or concern or we'd hear about it.

4 MR. CHRIS HALLAM: Absolutely not. The
5 two things we are monitoring is the
6 environmental gamma radiation which is the
7 terrestrial source and the other one is the
8 radon to get a baseline to know and the radon
9 emanation is from the ground.

10 MR. MARTIN HODGINS: Hey, Nil, how many
11 acres does Lewiston-Porter cover from this
12 building to the senior high? Just give me a
13 wild guess.

14 MR. NILS OLSEN: I couldn't tell you,
15 but they own a lot more property than just
16 the --

17 MR. MARTIN HODGINS: Let's say it's a
18 hundred fifty acres. You said to me, sir,
19 earlier that you have one radon detector post
20 on that hundred and some acres. One?

21 MR. CHRIS HALLAM: Yes, sir. That's
22 correct. And once again, we are not
23 monitoring that facility. The whole idea is

1 that we actually have several of these points
2 in various locations which derive for us an
3 average value of a non-impacted area. Now,
4 it's good to have it at the school. We believe
5 it's not impacted but if anything were to ever
6 show up, just like Judy said, there a good
7 indicator there is an opportunity to --

8 MR. MARTIN HODGINS: It just seemed like
9 a stretch from this point going south over a
10 hundred acres. One detector doesn't seem to
11 cover much.

12 MR. CHRIS HALLAM: Well, actually if you
13 notice it's more of an upwind location as
14 opposed to a downwind. That's something you
15 actually want in a background location. You
16 want to be upwind. Because if you're trying to
17 make a determination of whether or not you're
18 contaminating something downwind, you have to
19 have an un-impacted area upwind to make that
20 comparison.

21 MR. MARTIN HODGINS: So let's skip the
22 radon then if that's the only thing we need for
23 that. Why don't we make some kind of motion,

1 obviously that has to go through the proper
2 channels. Quite frankly, if I do something
3 illegal, I won't be here to support you because
4 I will be long gone.

5 MR. MARTIN HODGINS: We understand that.
6 I'm just talking as a resident. That's my job
7 here is to say that for these people. We pay
8 the tax dollars every week in our paycheck,
9 let's get some little more creativity here.

10 MR. DANIEL SERRIANNI: Me personally,
11 the state can sign variances for asbestos. I
12 can't see why the government can't sign a
13 variance just to give people a piece of mind
14 here.

15 MR. CHRIS HALLAM: You're welcome to talk
16 to our attorney on that issue. I mean,
17 seriously, that's where the legality of it
18 would come from.

19 MR. STEPHEN YAKSICK: Our next agenda
20 item is to set action items for the next
21 meeting. If you would like, maybe we can ask
22 Ken and ask the Corps to see if there is any
23 additional sampling that can be done around

1 this area until we come back. See if there's
2 anything we can do within our limits and get
3 together with the state and see if there is
4 anything additional they can do around the
5 school area and come back at the next meeting
6 and see what, if anything, can be done.

7 MR. MARTIN HODGINS: That sounds like a
8 good plan.

9 MR. NILS OLSEN: We can also get more
10 specifics as to your historical, the basis of
11 your historical conclusions. I mean, as I
12 understand this, the reason that this isn't
13 being tested more is because there is no
14 historical indication that there was ever any
15 activity on this site that would be likely to
16 cause the sort of problems that would need
17 investigation or remediation.

18 DR. JUDY LEITHNER: That's one big one.
19 The other one being that the wind direction is
20 from the school towards the contaminated sites
21 and that no school children or teachers drink
22 ground water, they drink city water. So those
23 two issues plus the historical that you

1 mentioned, those are the reasons.

2 AUDIENCE MEMBER: How long has city water
3 been used?

4 MR. MARTIN HODGINS: I don't think
5 historical would be a good idea, Judy, because
6 we just found out tonight that people were
7 going to that school building in 1970 and '71.
8 So historically until today I didn't know there
9 was people in that building. Now we just
10 learned there is. So Nils' point is maybe
11 there was something here in the school property
12 but we don't know right know historically. So
13 if we did that little walkthru maybe it would
14 put everybody's mind at ease that as of year
15 2001 historically now we don't find anything.

16 DR. JUDY LEITHNER: Aren't we talking
17 two different areas because the background that
18 I said I was willing to test was the present
19 Lou-Port School System.

20 MR. MARTIN HODGINS: My point was the
21 word historically. We've been finding things
22 out today that we historically thought were
23 true and then we find out tonight that this

1 school was attended with kids up to the 1971.
2 We didn't know that. The Corps of Engineers
3 didn't know that.

4 MS. MARY KAY FOLEY: For the Lake
5 Ontario Ordnance Works we did do a historical
6 survey. We did a history report and is
7 available in the admin record. You are correct
8 about we did not know about the school. We
9 mostly researched DOD activities. We didn't
10 look very closely as to what these things were
11 used for after DOD left because we are
12 primarily interested in DOD's activities;
13 however, we have web sites. I can be reached
14 by phone, e-mail and that's -- I like to come
15 to these meetings to find out things like this.
16 Like they were talking about in that risk
17 assessment video, some things you can only find
18 out by talking to people that live in the area.
19 That's just the only way you find it out. I
20 think that we put forth a good faith effort
21 that when we do find out about something, we
22 try to follow up on it. That's why I would
23 encourage any residents that may have

1 information that they think might be pertinent
2 to forward it to us.

3 MR. STEPHEN YAKSICK: Are there any
4 other action items we want to establish for the
5 next meeting?

6 MR. DANIEL SERRIANNI: Yeah. We
7 started about I think it was second or third
8 meeting about contractors that were on site and
9 updated contractors that are upcoming and
10 awarded contracts, could we have that? We
11 started putting it in I think it was the third
12 meeting or something like that.

13 MR. MARTIN HODGINS: About a year ago.

14 MR. STEPHEN YAKSICK: We'll put it down
15 and we'll see where we are with what you asked.

16 MR. DANIEL SERRIANNI: Thank you.

17 MR. TIMOTHY HENDERSON: I would be in
18 favor of sending another letter of grave
19 concern to the Town of Lewiston Board and
20 mention that their site is still a hazard. I
21 don't know what the legal term is, Nils,
22 attracted nuisance. If we're all sitting here
23 knowing and we even see slides that it's

1 referred to as a drowning hazard, my God, they
2 should be able to do something about that in an
3 afternoon. So I think maybe they think someone
4 else is working on it. But we need to
5 communicate to the Town of Lewiston that their
6 site, if they in deed still own it, is a risk.

7 MR. STEPHEN YAKSICK: Do you want that
8 to come from the RAB?

9 MR. TIMOTHY HENDERSON: Sure.

10 MR. NILS OLSEN: Or would it be possible
11 for representatives of the Corps to meet with
12 representatives of the town government so they
13 can sort of sort this out. It sounds like on
14 the one hand the Corps is of the position that
15 since this is owned by Town of Lewiston and
16 they were beneficial, they're responsible for
17 it. It sounds like the Town of Lewiston is
18 saying since this is on this property it will
19 be taken care of by some other.

20 MR. MARTIN HODGINS: It sounds like a
21 lot of letters going on but no action.

22 MR. NILS OLSEN: Someone needs to take
23 responsibility for it one way or the other.

1 MS. MARY KAY FOLEY: We can provide our
2 information to the Town of Lewiston.

3 MR. NILS OLSEN: If you could let them
4 know your position perhaps, what you are
5 willing or intending to do with it then they
6 might be able to reach a conclusion on what
7 they should do. It sounds like you're both
8 sort of waiting for the other one to jump.

9 MS. MARY KAY FOLEY: Yeah. We can write
10 them a status letter or write them a letter
11 explaining why it's not eligible for DERP-FUDS.
12 We can do that.

13 MR. NILS OLSEN: I think that would be
14 probably be the most useful thing as opposed to
15 hearing from us.

16 MR. DANIEL SERRIANNI: As a worker on the
17 site a year ago, there was laydown areas with
18 stone and everything where that clean water
19 could have been pump into and just evaporated
20 off that area and they had fill from the TNT
21 which went into the landfill which was clean
22 that they could have filled it up with. I'm
23 sure contractor would have done that just out

1 of, you know.

2 MS. MARY KAY FOLEY: Do you have a point
3 of contact with the Town that we should be
4 corresponding with?

5 MR. TIMOTHY HENDERSON: Jim Langlois
6 used to be a board member, obviously Sandy
7 Maslen.

8 MR. THOMAS FRECK: I had a couple more
9 additional items, action items that need to be
10 looked at. You talked about the ground scars
11 and how you had mentioned previous but you
12 didn't say -- I did read that they had found
13 explosive residues but you didn't say what we
14 were doing to follow up, further sampling, how
15 -- why that was contaminated. That actually is
16 on the other side of where the School Number
17 Four was. School Number Four was in between
18 that and your other site.

19 MS. MARY KAY FOLEY: We were careful
20 when we took our samples of that area to make
21 sure we got enough samples to do a risk
22 assessment on that area. I don't know if you
23 were here for the video, we are showing it

1 again after the meeting. But anyway, we are
2 going to plug that data into a risk assessment
3 to see if there is a risk to human health or
4 the environment from --

5 MR. THOMAS FRECK: So it's been sampled
6 but it has not determined.

7 MS. MARY KAY FOLEY: Right.

8 MR. THOMAS FRECK: Somebody's got to
9 follow up with this School Number Four report
10 item of students and people were that possibly
11 contaminated. They definitely had well water.

12 AUDIENCE MEMBER: I'm calling
13 Mr. Rapphold tomorrow.

14 MR. THOMAS FRECK: That needs to be on
15 the agenda of this board. I realize that but
16 I want to see that it's written down and
17 followed up on.

18 AUDIENCE MEMBER: Dr. Polka was very
19 aware of this. He knew about it.

20 MR. THOMAS FRECK: That's fine but I
21 really want it documented that we'll take care
22 of it.

23 There is one other item. Fission products

1 that came from the Knolls Atomic Laboratories
2 which you were looking for, Mr. Ricciuti was
3 looking for fission products. You still
4 haven't located them yet. Even though I know
5 what the surveys these men did, they are not on
6 the site where I actually -- I have knowledge
7 that you still have not found them yet. I
8 believe you're not still -- you still haven't
9 even gone on to the areas. The area where that
10 is buried is under water at the moment so you
11 would not even have done a survey where that is
12 so that's one more item that needs to be looked
13 at.

14 DR. JUDY LEITHNER: Oh, not true. We
15 didn't do the walkover surveys because the
16 instruments won't read on water.

17 MR. THOMAS FRECK: You're not even on
18 the site, ma'am. I already know that from
19 other information I was given.

20 DR. JUDY LEITHNER: Okay.

21 MR. THOMAS FRECK: I have to discuss it
22 with the Syms estate people. He did have
23 information as to the location of those and

1 you're not on the site. Your Baker Smith area
2 and your Rochester burial area were two of
3 them. There is one more site that has your
4 Knolls Atomic Laboratory stuff. I can't
5 release their information to you.

6 DR. JUDY LEITHNER: I didn't ask you to
7 actually. Let me just clarify though that we
8 had showed an area when Doug was doing his
9 talk, he showed water areas and said we cannot
10 do a survey there. We didn't do the walkover
11 survey but I had other contractors do borings
12 there. Analysis would still be done even
13 thought there was no walkover survey.

14 MS. NONA McQUAY: Could we go back to
15 the issue of a health study for School Four and
16 to make that a larger health study of the
17 Lewiston-Porter community at large including
18 students, former students, employees and former
19 employees. I think it's time to do a
20 retrospective study on the school at large and
21 that is a Health Department possibility but it
22 will take a lot of pressure from the RAB to
23 have that happen. That also brings up the

1 issue of the -- Mr. Langlois was going to
2 report on the TOSC program. Is there any
3 information on that, Nils, from anybody?

4 MR. NILS OLSEN: Unfortunately I was out
5 of town at the last meeting. I wanted to
6 indicate that it seems to me that that's a real
7 critical issue that has to be addressed and
8 probably in order to get the information to
9 make an intelligent recommendation, maybe the
10 CORPS could --

11 MS. MICHELE HOPE: We've been trying to
12 get in touch with Mr. Langlois who finally
13 returned my e-mail and said and that the
14 subcommittee that had been designated at the
15 June meeting to take up the issue of TOSC had
16 not met. He would not be at tonight's meeting.

17 MR. NILS OLSEN: Well, perhaps we can
18 schedule a meeting with representatives from
19 the Corps to get more information about these
20 two programs.

21 MS. MICHELE HOPE: I believe that
22 information was provided in a letter dated July
23 5th and there was no follow-up on the part of

1 the subcommittee that I'm aware of.

2 MR. NILS OLSEN: See, I wasn't here at
3 the last meeting so I'm at a little
4 disadvantage. I was put on the committee in my
5 absence.

6 MS. MICHELE HOPE: That's never good.

7 MR. NILS OLSEN: I was actually made
8 co-chair in my absence.

9 MS. MICHELE HOPE: Would you be willing
10 to try to contact Mr. Langlois and get back to
11 us about what the status of it is?

12 MR. NILS OLSEN: Why don't you send me a
13 copy of the letter that you referred to.

14 MS. MICHELE HOPE: I'd be happy to.

15 MR. NILS OLSEN: Because you're talking
16 about early 2002 with some of these reports
17 being issued and it seems as if it would be
18 very useful to this group to have some sort of
19 independent scientific interpretation and
20 assistance with them as opposed to just talking
21 about it. From what I read in the minutes it
22 seems like there was a good deal of information
23 at least from the gentleman who came as far as

1 the type of services that were available. I
2 would just be concerned if it gets too far down
3 the line that the utility of having the expert
4 might be much less.

5 MS. MICHELE HOPE: We were concerned
6 too. We would love to hear a report from the
7 subcommittee.

8 MR. NILS OLSEN: I'll try to get in
9 touch with him but if I can't --

10 MS. MICHELE HOPE: I'll give you a copy
11 of the letter.

12 MR. NILS OLSEN: -- perhaps some of the
13 people that were on the committee can meet with
14 you and try to resolve, reach at least a
15 recommendation so we can go forward on this.

16 MR. LOUIS RICCIUTI: Another site name
17 that I came across in some of my research was
18 called the Wagoner site. I was wondering if
19 that -- if anyone heard of it or if there's a
20 plan on trying to find out what it involved.
21 The Wagoner site, W-A-G-O-N-E-R.

22 Just one last thing and I'm done, is that
23 so far we talked about explosives, we talked

1 about chemicals on the property and we talked
2 about atomic materials on this property.
3 During the course of my digging around there is
4 also some evidence of biological materials
5 here. Yes. That's something that really needs
6 to be looked at and I would be happy to provide
7 you with what I have but it involves Air Force
8 Plant 38. It involves the GOCO contractors
9 that were down here. It involves Bell
10 Aerospace and some of the munitions that were
11 down here.

12 MS. MARY KAY FOLEY: I believe you're
13 talking about the Northeast Chemical Warfare?

14 MR. LOUIS RICCIUTI: No, I'm referring to
15 in addition to the Northeast.

16 MS. MARY KAY FOLEY: Where did you get
17 this information?

18 MR. LOUIS RICCIUTI: All through
19 unclassified, declassified materials. I would
20 be happy to share it with you. I would need
21 time to put the file together. There is a
22 distinct possibility. Mr. Freck, you had some
23 cows die a number of years and they virtually

1 died overnight; is that correct?

2 MR. THOMAS FRECK: No. It was long,
3 slow death and it wasn't the exact year they
4 demolished the tower. There was no relation.

5 MR. LOUIS RICCIUTI: There is some
6 indication of some biological materials out
7 here that need to be of concern also.

8 MS. MARY KAY FOLEY: We would be happy
9 look at that if you would be willing to provide
10 it.

11 MR. LOUIS RICCIUTI: Yes, I will.

12 MR. NILS OLSEN: The other issue, just
13 to bring it to a close with respect to the
14 school is it would be very helpful I think to
15 the people who are concerned about it, to have
16 some idea of what sort of testing would be
17 appropriate to reassure people. Because I
18 think we are talking about reassurances and
19 just gaining sufficient knowledge so that
20 people can stop worrying deeply about it and we
21 can focus on the site. Certainly the citizen
22 members of this group and the people who attend
23 are not probably in the best position to know

1 what would be appropriate and what would be
2 sufficient. We have the DEC membership here.
3 We have -- I understand it isn't part of the
4 legal parameters of what you're doing on these
5 areas that are designated for your remediation.
6 But it seems like this is a resource that ought
7 to be useful to get an idea at least of what
8 sort of things could be done just to remove
9 hopefully the concern that people have.

10 MS. LYNN ZANARDI: Didn't the school hire
11 during the summer, because I was talking with
12 Mr. Truesdale the maintenance supervisor, a
13 company by the name of Chopra-Lee in Grand
14 Island. So the school did their own
15 independent testing of lead samples and found
16 that they were high.

17 MR. PAUL DICKY: I was working or
18 advising Mr. Truesdale on how best to follow up
19 on a high arsenic number that was found by the
20 Corps when they did one of their background
21 samples on the school property. June through
22 August the school district collected
23 thirty-nine surface soil samples primarily

1 around where in the Corps found the high number
2 but also across the entire school district
3 property. We were able to confirm that the
4 concentration of arsenic which was primarily
5 what we were looking at was never higher than
6 what the Corps found which was about sixty
7 parts per million. Of the thirty-nine samples
8 I think thirty-six of them were less than
9 twenty-six which is within a background range.
10 The background for arsenic might be anywhere
11 from five to fifteen. Typically it varies from
12 location to location. It was curious that the
13 Corps found sixty parts per million. That does
14 seem to be elevated beyond background. The
15 Corps' data, what they were collecting across
16 their site where all the operations were showed
17 typical New York State background levels. So
18 this was even higher than anyplace they were
19 finding at their operation areas.

20 Subsequently when we started looking --
21 this is in the northeast corner of the
22 property, we did notice in the woodline
23 adjacent to the grass where we were looking,

1 there is signs of old orchards and it's very
2 difficult to tell sometimes where different
3 chemicals come from but it is known that
4 arsenic can be found in orchard areas from past
5 spring. That may be a plausible source of what
6 we were seeing. In the end the range overall
7 was deemed to be an acceptable range. We
8 consulted with the New York State Health
9 Department. This is a range of arsenic that
10 was found as background levels when they
11 studied the Roy Heart School District in
12 Middleport where they had an arsenic issue from
13 FMC. They did a lot of background sampling of
14 area orchard areas and surrounding areas of
15 Middleport that they felt confident were not
16 impacted by FMC and the range out there was
17 what we were seeing from like five to sixty.

18 AUDIENCE MEMBER: That's basically all
19 fruit trees out there as opposed to -- this has
20 been the LOOW site for --

21 MR. PAUL DICKY: There are still fruit
22 trees in lines, in the woodlines we were told.
23 It's gone wild.

1 AUDIENCE MEMBER: Who's eating them?

2 MR. PAUL DICKY: This would have been --
3 I don't even know if that was really the
4 source. I'm just trying to develop a plausible
5 explanation as to why we might have a high
6 arsenic number. But given the number anyway
7 wherever its source may have originated, given
8 its current location and how children or humans
9 could be exposed to it, it is not a health
10 concern.

11 AUDIENCE MEMBER: You keep saying
12 northeast section of the property. Where
13 exactly -- I mean, northeast can be here, right
14 here, anywhere.

15 AUDIENCE MEMBER: Northeast, you know
16 you've got this old drainage ditch back here.

17 AUDIENCE MEMBER: Are we talking behind
18 the north elementary or are we talking about
19 the primary where the day care is? What are we
20 talking about?

21 AUDIENCE MEMBER: There's a drainage
22 ditch that runs through the LOOW site.

23 MR. PAUL DICKY: This really this is one

1 of the northern most buildings. Go a little
2 bit further north you'll hit woods. Go to the
3 east you'll hit woods and that's the corner.

4 AUDIENCE MEMBER: If you walk out this
5 building.

6 MR. PAUL DICKY: There's a gas meter
7 that is fenced in that area.

8 AUDIENCE MEMBER: What made you decide to
9 pick that exact spot?

10 MR. PAUL DICKY: The Army Corps
11 contractor was requested to pick a background
12 sample on the school district property and
13 that's the location they chose.

14 AUDIENCE MEMBER: So you sampled the same
15 area they did?

16 MR. PAUL DICKY: We tried to re-sample
17 the areas as best we could and through the
18 collection of the other samples tried to go out
19 in the radial directions, north, south, east
20 west, various distances.

21 AUDIENCE MEMBER: I guess I'm still stuck
22 on the fact that they think that a hunter's
23 lead bullet dropped on the ground is what

1 caused the elevated lead level on the school
2 property.

3 AUDIENCE MEMBER: The kids don't play in
4 the woods.

5 MR. PAUL DICKY: I'm talking about
6 arsenic. Lead was also analyzed for. Lead was
7 found. I consider it to be a background
8 number.

9 AUDIENCE MEMBER: But the arsenic was ten
10 times more than the background level.

11 MR. PAUL DICKY: Perhaps only twice.
12 Background is a range. You can have an average
13 background.

14 AUDIENCE MEMBER: Everybody I said this
15 to said well, that's pretty high, ten times
16 background level.

17 MR. PAUL DICKY: It is elevated but we
18 don't believe it poses a health risk.

19 AUDIENCE MEMBER: Are you going to test
20 the same exact spot again if it is tested or
21 are you going to come closer to the buildings
22 where the kids are?

23 MR. PAUL DICKY: We had quite a

1 comprehensive sampling. It includes -- there
2 is a day care operation in that vicinity. We
3 sample under swings, by sandboxes, by play
4 areas. We looked at all locations where we
5 thought children could have a higher exposure
6 to soil than what was a decent grass turf where
7 we were finding the higher numbers. So we are
8 confident that there is not a health risk.

9 AUDIENCE MEMBER: What about the long
10 term like they talk about everything else, like
11 over where I went to school for third grade?

12 MR. PAUL DICKY: That accounts for that.

13 AUDIENCE MEMBER: We're talking they did
14 remediation over there in the '80s, ten years
15 after I had been there. Why did they do -- I
16 want the question answered why did they do
17 remediation? What did they find there? I hear
18 that nobody knows, the records are gone or
19 whatever. They don't know what they
20 remediated. They don't know why they
21 remediated. They just remediated.

22 MR. PAUL DICKY: Where was that?

23 AUDIENCE MEMBER: Building Number Four I

1 guess we are calling it now.

2 MS. MARY KAY FOLEY: There are records
3 available.

4 MR. THOMAS FRECK: What she's talking
5 about is remediation of the central drainage
6 ditch which is on the west portion going like
7 parallel with what would be Lutts Road.

8 AUDIENCE MEMBER: Right. I'm supposed
9 to believe that nothing is here because of the
10 levels but yet they went and did something like
11 that. You know what I mean?

12 MR. PAUL DICKY: Right. I believe that
13 that topic should be followed up.

14 AUDIENCE MEMBER: I personally want
15 records of what was there and why it was
16 cleaned up.

17 AUDIENCE MEMBER: See, Dr. Polka told me
18 there was an administrative building back there
19 also that he was actually personally
20 interviewed for his job with the school. Now,
21 I don't know. Do you know anything about that?

22 DR. JUDY LEITHNER: Actually that's on
23 Mary Kay's property so I really don't.

1 AUDIENCE MEMBER: I mean, he acted like,
2 well, everybody knew that it was the
3 administrative building back there.

4 MS. MARY KAY FOLEY: Like I said, we
5 really only investigated things that were done
6 by the Department of Defense. We kind of
7 stopped when DOD left the site. We kind of
8 stopped.

9 AUDIENCE MEMBER: Who checks into the
10 school that the children went to in third grade
11 back then?

12 MS. MARY KAY FOLEY: I mean, there are
13 reports --

14 MR. STEPHEN YAKSICK: Our concern right
15 here is remediation. It's really not a health
16 concern that you're bringing up right now.

17 AUDIENCE MEMBER: So that's Paul's
18 problem; right?

19 MR. PAUL DICKY: Well, again, you want
20 to discuss what are the chemicals present, what
21 are the exposure pathways. Is it chemistry?
22 Is it something radiation? So far I'm hearing
23 that there was radiation in this ditch and this

1 ditch was nearby and this is all new
2 information and I would like to follow-up.

3 AUDIENCE MEMBER: Exactly. Thirty years
4 ago I didn't know that it was there but now
5 thirty years later I'm finding out. I don't
6 want the same thing to happen here when it's
7 too late.

8 MR. PAUL DICKY: But again, I don't even
9 know what the levels of radiation were that
10 they were cleaning up. Was it five times
11 background worthy of a cleanup but not
12 presenting a health hazard. I don't know.
13 Maybe it was more of an environmental threat
14 but we --

15 AUDIENCE MEMBER: Where do we find out
16 this information?

17 AUDIENCE MEMBER: How can we find out?

18 MR. PAUL DICKY: Well, I believe I'm
19 going to have to talk with the DEC and try to
20 track down the reports that were generated
21 during that project and see what information is
22 available.

23 AUDIENCE MEMBER: Because I've already

1 started contracting classmates to find out some
2 information on who went there. We figured
3 three years of third graders went there and,
4 you know, what kind of problems they have had.
5 Everybody remembers the water tasting funny.
6 And in 1968, '69, there was no well water -- I
7 mean, there was no city water. It was all well
8 water.

9 AUDIENCE MEMBER: So if you turn off the
10 lights, Janet will be glowing.

11 MR. STEPHEN YAKSICK: We have one other
12 item of business and that's to set a date for
13 the next meeting. Board members, Judy has some
14 additional information that she is going to be
15 able to present on the site investigation.

16 DR. JUDY LEITHNER: Yes, actually I'll
17 have it for the next several meetings but I
18 still suggest that we don't have them real
19 close together because at the same time that
20 I'm preparing things for this meeting I'm also
21 trying to do the project and the more time I
22 spend in preparation for talks here -- right.

23 MS. MARY KAY FOLEY: LOOW is not going

1 to have any new data until probably next June
2 approximately.

3 MR. NILS OLSEN: When would be a good
4 time for you?

5 DR. JUDY LEITHNER: March, let's try
6 March. By then there will be a lot more
7 fieldwork done and reported. The problem I'm
8 having right now even though have lots to
9 present to you, some of the questions you're
10 asking tonight, the material is in the lab.
11 For instance, you're interested in how the
12 counts per minute on the surface correlate with
13 the picocuries per gram which would start to
14 talk about the cleanup levels. That data is in
15 the lab sitting there being analyzed and has to
16 be checked to make sure it's accurate before I
17 present it. So I would suggest that would be a
18 good time.

19 MR. NILS OLSEN: I'm asking when this
20 would be available in March.

21 MR. DON RAPPOLD: I don't see a problem
22 any time in March. You've been traditionally
23 meeting on Thursday evenings.

1 MS. MICHELE HOPE: Wednesday.

2 MR. DON RAPPOLD: Wednesday, Thursday,
3 I don't see any problem. We just have to have
4 a date to solidify the area.

5 MR. NILS OLSEN: Tuesdays are
6 traditionally school board so a Wednesday or
7 Thursday would be better.

8 MS. MICHELE HOPE: Wednesday I think is
9 the RAB meeting tradition.

10 MS. LYNN ZANARDI: May I ask a question?
11 Does that mean we won't get any answers about
12 the school walkover until March?

13 DR. JUDY LEITHNER: If I were to take
14 those couple of background readings, we would
15 simply provide that to the school board. You
16 wouldn't have to wait for a meeting.

17 MS. LYNN ZANARDI: We would have to
18 contact the school board again?

19 DR. JUDY LEITHNER: Actually, I need to
20 contact the school board first of all to set
21 this up so that they know when we come on
22 property and actually you've seen the
23 instruments they are using but they might be

1 imposing to a small child. They might be
2 frightened so we would want to do it maybe on a
3 Saturday. So we would have to arrange this but
4 the data would be available right away. This
5 is the kind of thing where you read it right
6 off the gauge. It's not like it has to go to a
7 lab.

8 MS. LYNN ZANARDI: They couldn't hold it
9 back from us if we called them?

10 DR. JUDY LEITHNER: Oh, I can't see any
11 reason why they would. They're as interested
12 honestly as you are in protecting the kids that
13 go to their school.

14 MS. LYNN ZANARDI: I don't see a lot of
15 the board other than -- I'm surprised they're
16 not here so sometimes I wonder about their
17 concerns.

18 MR. NILS OLSEN: Well, I have a daughter
19 that goes to school so I assure you, I wouldn't
20 hide anything.

21 MS. LYNN ZANARDI: I know that. I'm
22 saying I commend you for being here but I'm
23 surprised there aren't any other members.

1 MR. NILS OLSEN: To be perfectly honest,
2 all of the evidence and information we've
3 gotten from all the studies that have been done
4 is that although this site is very proximate to
5 some very dangerous sites, the most serious
6 problem for this area are elsewhere. That's
7 the historical data that we have certainly with
8 respect to the nuclear waste and with respect
9 to the active use of the Lake Ontario Ordnance
10 Site. My concern is and I think it's
11 everybody's concern is that what makes this
12 very different is that we have a central public
13 school located right here where people from
14 this community have been educated and where
15 their children are educated so there are
16 natural concerns are that very difficult to
17 answer and sometimes no matter how carefully
18 try to answer them, you're not going to satisfy
19 everybody. There ought to be some way short of
20 just having citizens trooping around with
21 Geiger counters which probably isn't the best
22 way to do it; that we can come up with a method
23 in cooperation with the DEC which has been very

1 responsible particularly with the nuclear waste
2 if you go back over the history of this that
3 one of the reasons this site has been monitored
4 so carefully is because they refuse to sign off
5 with the Department of Energy. There may well
6 be a way that we can do the sort of thing that
7 was done with the Department of Health with
8 respect to the arsenic levels to get at least
9 some official opinion as to the safety of this
10 that will confirm what we all believe and
11 expect and hope which is this is a perfectly
12 safe site. That's really the goal I think.
13 It's certainly my goal. I would hope that we
14 could use this enterprize to get at least some
15 ideas. We have all of the agencies here.
16 Whether it's a part of the legal process that
17 they employ or not, there's a lot of expertise
18 here that we lack. We are also talking about
19 getting an expert. Perhaps the expert can give
20 us some advice. I think working together maybe
21 we can begin to answer some of these questions
22 to the assurance of all of us so that we can go
23 on with our lives with some degree of certainty

1 that things are okay.

2 DR. JUDY LEITHNER: That's well put but
3 what I can do is for these couple of readings
4 I'm going to take, I can report them directly
5 to Nils and he's a member of the board as well
6 as a member of the school board and --

7 MR. NILS OLSEN: You should probably
8 also give them to Dr. Polka but I would
9 certainly be happy to report them at a school
10 board meeting to make sure that the information
11 is provided to people.

12 DR. JUDY LEITHNER: That's good. That's
13 fine. We'll provide them to him but here's
14 your avenue to get so nothing will be held back
15 quite frankly --

16 MR. NILS OLSEN: I'm in the book, you
17 know. If the information is available and
18 people don't know, they certainly can call me.

19 DR. JUDY LEITHNER: And truly we don't
20 hide anything. If we should find something
21 elevated, we want to clean it up as badly as
22 you do really. We don't expect anything but
23 whatever the data is we will report the honest

1 data to you.

2 MR. STEPHEN YAKSICK: March 13th, it's
3 the second Wednesday.

4 DR. JUDY LEITHNER: That sounds good to
5 me.

6 MR. STEPHEN YAKSICK: If the audience has
7 anything they would like on the agenda, as
8 mentioned earlier, there is some forms out
9 there you can fill out.

10 MS. MICHELE HOPE: Let me ask one
11 question. We showed the risk video before this
12 meeting. It's a forty-five minute video. Is
13 there anyone interested in staying now to watch
14 it?

15 I would like to thank the advisory
16 committee for their participation tonight,
17 Mr. Lamb, for all your hard work these years
18 and I would like to thank my coworker Wanda
19 Cross for helping prepare this meeting. We're
20 adjourned.

21 (Whereupon, the meeting concluded at 10:33
22 P.M.)

23 * * *

1 STATE OF NEW YORK)

2) ss.

3 COUNTY OF ERIE)

4

5

I, Michele C. Aleksandrovs, Notary Public, in
and for the County of Erie, State of New York,
do hereby certify:

7

8

That the witness whose testimony appears
hereinbefore was, before the commencement of
their testimony, duly sworn to testify the
truth, the whole truth and nothing but the
truth; that said testimony was taken pursuant
to notice at the time and place as herein set
forth; that said testimony was taken down by me
and thereafter transcribed into typewriting,
and I hereby certify the foregoing testimony is
a full, true and correct transcription of my
shorthand notes so taken.

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I further certify that I am neither counsel
for nor related to any party to said action,
nor in any way interested in the outcome
thereof.

15

16

17

IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed my seal
this day of 2001.

18

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21

Michele C. Aleksandrovs
Notary Public,
State of New York, County of Erie
My Commission Expires 9/18/05

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23