

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

U.S. ARMY CORPS OF ENGINEERS
GUTERL SPECIALTY STEEL
FORMERLY UTILIZED SITES REMEDIAL ACTION PLAN

Thursday, July 29th, 2021

7:00 PM

Held via Webex

U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

APPEARANCES:

██████████, Outreach Specialist

LIEUTENANT COLONEL ██████████ - Commander of
the U.S. Army Corps of Engineers Buffalo
District

██████████, Guterl Specialty Steel Formerly
Utilized Sites Remedial Action Program Site
Project Manager

██████████ - Chat Moderator

MEETING REPORTER: ██████████, RPR

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

	<u>P U B L I C C O M M E N T S</u>	
	NAME	PAGE
1		
2		
3	[REDACTED]	30
4	[REDACTED]	33
5	[REDACTED]	35
6	[REDACTED]	41
7	[REDACTED]	42
8	[REDACTED]	42
9	[REDACTED]	43
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 [REDACTED]: Good evening, everyone.
2 Thank you for joining us tonight. This meeting
3 is being recorded. A court reporter is also on
4 the line to prepare an official transcript of
5 the meeting. Please keep your phones on mute
6 during the presentation of this meeting.
7 During the public comment period portion of the
8 meeting you will be called on in the order that
9 you signed up to speak.

10 To orient you a little to WebEx, some of
11 the icons shown above will be visible on the
12 bottom of your screen. Again, please keep your
13 phones on mute during the presentation portion
14 of this meeting.

15 If you have a question, please click on
16 the chat icon and type in your question.
17 Please hit enter when you are finished typing.
18 The chat box will be monitored during the
19 presentation and your questions will be
20 addressed after the comment portion of the
21 meeting is completed.

22 It's my pleasure to introduce Lieutenant
23 Colonel [REDACTED], the Commander of the U.S.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 Army Corps of Engineers Buffalo District.

2 LIEUTENANT COLONEL [REDACTED]: Thank you,
3 [REDACTED]. Can you hear me?

4 [REDACTED]: Yes, sir.

5 LIEUTENANT COLONEL [REDACTED]: Good evening,
6 everyone. I regret we're not able to meet in
7 person tonight, but I understand the current
8 COVID-19 circumstances preclude that
9 opportunity for many folks. Either way, we
10 appreciate the opportunity to connect with the
11 community on this vital project which will
12 benefit our region.

13 Since 1857 the Buffalo District has
14 served the people in the watersheds of the
15 lower Great Lakes all the way from Massena, New
16 York in the east to the Indiana state line in
17 the west. We have many projects across this
18 area of responsibility, but this one is
19 particularly close to home.

20 Many of our 300 employees from the
21 District live in this community and we care
22 about serving all of our fellow citizens and
23 safeguarding them. The number one priority

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 about our decision-making process and
2 subsequent cleanup of the Formerly Utilized
3 Sites Remedial Action Program, or FUSRAP, sites
4 is the protection of human health and the
5 environment. Cleanup activities are conducted
6 in a manner that is safe for our on-site
7 workers and the community.

8 Next slide please. So as you can see,
9 this is an agenda for our meeting tonight.
10 Tonight's session is being recorded by a court
11 recorder. Once we have completed the
12 presentation we'll receive your comments.
13 Commentators will be called in the order that
14 they are registered.

15 Questions can be placed in the chat
16 section. Questions received tonight in the
17 chat will be addressed after the comment
18 portion of the meeting. The questions and
19 answers will also be posted on the site's
20 website.

21 Thank you for participating in our
22 virtual meeting and I'd like to take this time
23 to thank the federal, state and local elected

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 officials and agency representatives who are
2 joining us tonight.

3 I understand Legislator [REDACTED],
4 representing the 13th District of Niagara
5 County has also joining the meeting and would
6 like to say a few words. [REDACTED]?

7 LEGISLATOR [REDACTED]: Can you hear me?

8 LIEUTENANT COLONEL [REDACTED]: Absolutely.

9 LEGISLATOR [REDACTED]: I'd like to thank
10 you for having us and for coming down here to
11 Lockport and taking care of this situation. My
12 father worked at Simonds Steel at the time for
13 24 years until they closed. My family lives
14 down the street, my mom and my sister, and I
15 have another sister who has a business
16 literally right on the corner, so we're very
17 pleased that the Army Corps of Engineers is
18 taking action to clean that site up and I'm
19 very appreciative as a legislator in the City
20 of Lockport.

21 My district encompasses a good portion
22 of the city. Not that ward in particular, but,
23 as I said, I have a long history with that

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 particular site, so thank you again for being
2 here.

3 LIEUTENANT COLONEL [REDACTED]S: Thank you,
4 [REDACTED]. Mayor [REDACTED] for the City
5 of Lockport. Would you like to also say a few
6 words? Is Mayor [REDACTED] online?

7 [REDACTED]: I did see her on the line.
8 She's muted right now. There we go.

9 MAYOR [REDACTED]: It was confusing with the
10 phone. You told me to call in on the phone and
11 not on my computer, so sorry. I unmuted my
12 phone and not my computer. Can you hear me
13 now?

14 LIEUTENANT COLONEL [REDACTED]: Absolutely,
15 Mayor.

16 MAYOR [REDACTED] Okay. I wanted to
17 reiterate what Legislator [REDACTED] said. I
18 greatly appreciate all the work that you have
19 put into this so far and we are looking forward
20 to the cleanup of this site so that the health
21 and safety of everyone there, including the
22 current workers who work in the adjacent lot so
23 that they know that when they go to work that

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 they're going to be safe as well, so thank you
2 very much.

3 LIEUTENANT COLONEL [REDACTED]: Thank you,
4 Mayor [REDACTED] I'll now turn this meeting over
5 to [REDACTED], our Guterl Site Project
6 Manager.

7 [REDACTED]: Thank you, sir. Can
8 everyone hear me? All right. Let's see. Good
9 evening, everyone. Before I get started, we
10 tried to keep our use of acronyms on these
11 slides to a minimum. These are some of the
12 acronyms used in the presentation that you're
13 going to hear tonight. These acronyms will be
14 explained when they are used on each slide.

15 We are here tonight to discuss the
16 proposed plan for the Guterl Specialty Steel
17 Site which is being addressed under FUSRAP.
18 Most importantly, we are here to receive your
19 comments on the proposed plan preferred
20 alterative which is shown on the screen.

21 Our preferred alternative is the result
22 of complex and meticulous analysis that we have
23 performed since we last met with you to discuss

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 the results of our remedial investigation of
2 the site. As we walk through the slides in
3 this presentation, we will go into more detail
4 about the process we followed to arrive at a
5 preferred alternative and the other
6 alternatives that were considered.

7 In our judgment, the remedial action
8 outlined in the preferred alternative, or
9 Alternative 3, provides the best overall
10 long-term protection of human health and the
11 environment.

12 It has been a while since we've met with
13 you regarding the site, so I'm going to cover
14 some background information first. The work we
15 are doing at the Guterl Specialty Steel Site is
16 authorized under FUSRAP. The program was
17 initiated in 1974 to identify, investigate and,
18 if necessary, cleanup or control sites through
19 the United States that were contaminated as a
20 result of the Manhattan Engineer District or
21 the early Atomic Energy Commission activities.

22 The objectives for FUSRAP are identified
23 on this slide.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 Our number one priority while performing
2 activities at the site is the protection of
3 human health and the environment and the safety
4 of the community and site workers.

5 Use of the site began in 1910 when it
6 was owned and operated by Simonds Saw and Steel
7 Company to manufacture steel and specialty
8 steel alloys. Simonds owned the site
9 through 1966. During its period of ownership,
10 and specifically during World War II, normal
11 plant operations were suspended and the plant
12 conducted operations for the United States
13 Government under various contracts.

14 Between 1948 and 1952 the New York State
15 Operations Office of the Atomic Energy
16 Commission, or AEC, managed a contract with
17 Simonds to roll uranium steel bullets into
18 rods.

19 Between 1952 and 1956 Simonds continued
20 the rolling work under a subcontract to
21 National Lead Company of Ohio who was under
22 contract to the AEC. Under each contract, the
23 uranium metal bullets were received on the site

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 by rail car, were rolled to contract
2 specifications and then transported back
3 off-site by rail car. Records indicate that
4 Simonds processed between 25 million and 35
5 million pounds of natural uranium metal and
6 approximately 30,000 to 40,000 pounds of
7 thorium metal between 1948 and 1956.

8 In 1966 the site was sold to
9 Wallace-Murray Corporation who operated the
10 site until 1978. In 1978 the site was sold
11 again to Guterl Specialty Steel Corporation who
12 operated the site until 1982. In 1982 Guterl
13 filed for Chapter 11 bankruptcy protection. In
14 1984 Allegheny Ludlum Corporation, now ATI
15 Specialty Materials, purchased the Guterl Steel
16 Corporation's assets. An approximate nine-acre
17 portion of the property, which is now known as
18 the Excised Area, was removed from the sale.
19 Equipment used during the time at Simonds that
20 was conducted during the work for the Atomic
21 Energy Commission was also excluded from the
22 sale.

23 The Guterl Specialty Steel Site is

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 located in Lockport, New York situated north of
2 the Erie Canal. The Guterl Site is comprised
3 of two areas. The 60.6-acre ATI Specialty
4 Materials property includes four buildings that
5 were constructed after the termination of AEC
6 activities. ATI currently operates an active
7 specialty steel manufacturing facility in the
8 southwest portion of this property.

9 The nine-acre Excised Area, owned by
10 Guterl Specialty Steel, includes nine buildings
11 located in the southeast corner of the site
12 that were used by the AEC to roll uranium
13 metal. These buildings are currently abandoned
14 and a chain link security fence surrounds the
15 inactive buildings.

16 When implementing FUSRAP, the Corps of
17 Engineers follows this Comprehensive
18 Environmental Response, Compensation and
19 Liability Act, or CERCLA, as amended, and the
20 National Oil and Hazardous Substances Pollution
21 Contingency Plan using the process that is
22 outlined on the screen.

23 This is the CERCLA process again with

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 the years entered for the activities that have
2 been taking place at the Guterl Site. In 2000
3 the site was referred to the Corps of Engineers
4 by the U.S. Department of Energy, or DOE, as
5 potentially eligible for FUSRAP. The Corps
6 completed the preliminary assessment and site
7 inspection in 2001.

8 During 2010 the remedial investigation
9 report for the site was released. The Guterl
10 Site is currently in the feasibility study and
11 proposed plan phase. The reason we are
12 together virtually tonight is to receive your
13 comments on the proposed plan for the Guterl
14 Site.

15 Once we have considered your comments,
16 our next step will be to reach a record of
17 decision which will outline the selected remedy
18 for the site. We estimate that due to the
19 priorities for sites already in remediation
20 within the FUSRAP national program, it will be
21 several years before we can begin remediating
22 the Guterl Site.

23 I am now going to provide you with a

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 recap of the remedial investigation findings
2 for the site. The conceptual site model in
3 this slide indicates the potential exposure
4 pathways from contamination in site soil,
5 surface water, sewer or storm water,
6 groundwater and in the buildings.

7 When we performed the remedial
8 investigation a baseline risk assessment was
9 conducted. The risk assessment included a
10 human health risk assessment and screening
11 level ecological risk assessment. The text
12 bubbles inside the dotted box focus on the
13 potential receptors in the human health risk
14 assessment.

15 The human health risk assessment
16 indicated that some increased risk existed for
17 persons within the project area when long term
18 exposure is assumed, if the buildings in the
19 excised portion of the site were to be
20 reoccupied for industrial or commercial use.

21 The greatest potential human health
22 risks at the site are posed by exposure to
23 building materials and contaminated soils

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 underneath Building 8 and a localized area of
2 elevated activity in surface soil within the
3 railroad right-of-way. Uranium in groundwater
4 below some areas of the site could pose
5 unacceptable risks if the site groundwater was
6 used as a source of potable drinking water.
7 The Erie Canal is not a medium of concern for
8 human health because uranium concentrations are
9 not elevated in the Canal.

10 The text bubbles inside the dotted boxes
11 on this slide focus on the potential receptors
12 in the screening level ecological risk
13 assessment. The Erie Canal is not a medium of
14 concern for ecological receptors because
15 uranium concentrations are not elevated in the
16 canal.

17 Some potential risks to terrestrial
18 ecological receptors at the Guterl Site were
19 identified based on this risk evaluation.
20 Since the radiological standards or dose rate
21 limits for protection of human health are
22 generally more conservative than recommended
23 dose rate standards for protection of

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 ecological populations, it is generally assumed
2 that the environment is protected when remedial
3 actions are taken to protect people from
4 exposure to FUSRAP-related materials.

5 Based on the results of the human health
6 risk assessment and screening level ecological
7 risk assessment, response actions are necessary
8 to protect public health from unacceptable risk
9 posed by FUSRAP-related constituents in
10 buildings, site soils and groundwater.

11 When developing alternatives in the
12 feasibility study, we considered the potential
13 exposure pathways to humans and the environment
14 of the FUSRAP-related contaminants based on the
15 reasonably anticipated future land use.

16 These figures show current conditions
17 for uranium contamination in the groundwater at
18 the site. Groundwater is underground water.
19 It resides within cracks, crevices and spaces
20 in soil, sand and rock. Groundwater within the
21 shallow bedrock aquifer is observed within a
22 few feet of the ground surface and extends to
23 an approximate depth of 20 to 30 feet.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 The deep water-bearing zone encountered
2 is encountered at approximately 35 to 40 feet
3 below the ground surface. The Environmental
4 Protection Agency's maximum contaminant level
5 for community drinking water resources is 30
6 micrograms for uranium.

7 Groundwater monitoring is performed at
8 the site to determine potential for movement of
9 FUSRAP-related radiological contaminants
10 associated with historical Atomic Energy
11 Commission activities, developing baseline data
12 for monitoring groundwater for use in assessing
13 effectiveness for remedial alternatives once
14 implemented and to develop and evaluate
15 alternatives to address unacceptable risk.

16 Uranium concentrations in groundwater at
17 the Guterl Site remain consistent with
18 historical results and exemplify seasonal
19 fluctuations derived from variations in
20 groundwater recharge through contaminated site
21 soils.

22 Groundwater under the site is currently
23 not utilized as a source of drinking water.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 Niagara County's drinking water comes from the
2 Upper Niagara River. As indicated by
3 groundwater monitoring, contaminated
4 groundwater is not degrading surface water in
5 the Erie Canal. Therefore, there is no
6 unacceptable risk to human health or the
7 environment from uranium in site groundwater.

8 Site soil is impacted with
9 FUSRAP-related materials. The purple areas in
10 this figure show the impact of the soil
11 contamination using a preliminary cleanup goal
12 based on risk. This figure shows approximately
13 5000 cubic yards of soil that would need to be
14 removed in order to protect a construction
15 worker from direct contact exposure; to just
16 the soil via ingestion, inhalation or external
17 gamma.

18 The purple areas in this figure show
19 that approximately 58,000 cubic yards of soil,
20 the majority of which is within 18 inches of
21 the surface, needs to be removed to protect the
22 underlying groundwater from the impact of
23 uranium leaching from the soil to the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 groundwater.

2 It assumes that the underlying
3 contaminated groundwater would then be used as
4 a potable water source of drinking water, which
5 it currently is not.

6 As you can see while comparing the two
7 figures, the volume of soil that needs to be
8 removed to be protective of groundwater is much
9 greater than would be needed to be removed to
10 be protective for the construction worker.

11 In the figure on your left as you look
12 at the screen, you can see that most of the
13 impacted buildings are within the boundary of
14 the Excised Area, the light blue outlined area.
15 The figure on your right is enlarged and shows
16 the sample locations for samples taken in the
17 buildings. Note, these are the building
18 material samples that are different than soil
19 samples.

20 Before we developed a proposed plan, we
21 developed potential alternatives to address
22 FUSRAP-related contamination on the Guterl
23 Site.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 A feasibility study is performed to
2 identify, develop and evaluate remedial
3 alternatives, analyzing in detail each remedial
4 alternative. Reading from the left to right as
5 you look at the screen, a potential remedial
6 alternative is evaluated for its overall
7 protection of human health and the environment,
8 compliance with applicable or relevant and
9 appropriate requirements, and if these first
10 two criteria are not met an alternative cannot
11 be considered.

12 Balancing criteria are considered next.
13 They are the primary criteria used for a
14 detailed analysis of the developed alternatives
15 and are used to select the preferred
16 alternative based on the best balance among the
17 criteria; long-term effectiveness and
18 permanence, reduction of toxicity, mobility or
19 volume through treatment, short-term
20 effectiveness, implementability and cost.

21 The last two criteria, or modifying
22 criteria, are considered based on the comments
23 received on the proposed plan.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 Applicable or relevant and appropriate
2 requirements, or ARARs, are the standards for
3 cleanup of contaminants used in conjunction
4 with risk-based levels developed in the risk
5 assessments. These are used to direct response
6 actions at CERCLA sites.

7 Another one of our acronyms on this
8 site, Code of Federal Regulations, or CFR. The
9 District identified these federal regulations
10 as relevant and appropriate requirements for
11 the Guterl Site. The second regulation listed
12 above is relevant and appropriate for sight
13 groundwater since the aquifer below the site
14 could be used for drinking water in the future,
15 although it currently is not being used for
16 drinking water.

17 The alternatives outlined in the
18 feasibility study are listed on this slide.
19 Site-Wide Alternative 1 is No Action. This
20 alternative is developed for comparison
21 purposes only. The alternative is not
22 protective of human health and the environment
23 and does not meet applicable or relevant and

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 appropriate requirements, so we will not be
2 discussing it further tonight. It is not
3 considered a viable option.

4 We will be discussing Site-Wide
5 Alternatives 2, 3 and 4 in the upcoming slides.
6 Site-Wide Alternative 3 which is boxed in green
7 is our preferred alternative.

8 Site-Wide Alternative 2 includes
9 dismantlement and off-site disposal of
10 buildings that were involved in AEC activities,
11 soil removal to meet the soil preliminary
12 remediation for groundwater protection for
13 approximately 58,000 cubic yards of soil and
14 off-site disposal; and monitored natural
15 attenuation of groundwater with environmental
16 monitoring. Monitored natural attenuation is a
17 systematic approach of modeling, predicting,
18 monitoring and measuring the rate at which
19 natural attenuation of contaminants occurs in a
20 groundwater system.

21 For this alternative, it is expected to
22 take approximately 120 years for the uranium
23 concentrations in groundwater to achieve the

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 EPA's maximum contaminant level for community
2 drinking water sources which is necessary to be
3 fully protective of human health and the
4 environment.

5 The buildings where AEC activities took
6 place which are highlighted with blue numbers
7 on this slide would be dismantled and disposed
8 of off-site under Site-Wide Alternative 2.

9 This slide shows the estimated extent of
10 soil, approximately 58,000 cubic yards, that
11 would be removed and disposed of off-site
12 during the preliminary remediation needed for
13 groundwater protection. The vast majority of
14 this soil is located within 12 to 18 inches of
15 the surface with select areas of deeper soil in
16 the northern portion of the site.

17 Site-Wide Alternative 3 is the Corps'
18 preferred alternative for the site. The
19 alternative includes dismantlement and off-site
20 disposal of buildings that were involved in AEC
21 activities, soil removal to meet the soil
22 preliminary remediation goal for groundwater
23 protection and off-site disposal and

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 groundwater recovery using extraction wells and
2 a rubbleized trench with ex situ treatment and
3 environmental monitoring.

4 Building dismantlement and soil
5 remediation actions will take approximately two
6 years. This alternative is estimated to take
7 approximately 30 years for the uranium
8 concentrations in groundwater to achieve the
9 EPA's maximum contaminant level for community
10 drinking water sources. This alternative will
11 be explained further in the next set of slides.

12 In Site-Wide Alternative 3 the buildings
13 where AEC activities took place would be
14 dismantled and disposed of off-site.

15 This slide shows that the estimated
16 extent of soil, again approximately 58,000
17 cubic yards, that will be removed and disposed
18 of off-site using the preliminary remediation
19 goal for groundwater protection.

20 And this is an expanded view of the
21 rubbleized trench and the pump and treat portion
22 of the alternative. A rubbleized trench is an
23 extraction technology process option installed

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 in the area to extract groundwater for
2 treatment.

3 Small explosives placed underground are
4 used to fracture the bedrock into highly
5 permeable material to enhance the extraction of
6 groundwater. A sump and extraction wells are
7 then placed into the trenches to collect water
8 inflow. The groundwater is pumped into a
9 treatment plant, treated and then discharged
10 into surface water after treatment. Wells
11 would monitor the level of contamination in the
12 groundwater.

13 Site-Wide Alternative 4 includes the
14 dismantlement and off-site disposal of some of
15 the buildings that were involved in AEC
16 activities. This will be explained further on
17 the next slide.

18 Contaminated soil will be removed to the
19 soil preliminary remediation goal for the
20 protection of the construction worker and
21 disposed of off-site. Groundwater will be
22 monitored for natural attenuation with
23 environmental monitoring, and it is estimated

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 that this would take almost 660 years for
2 uranium concentrations in groundwater to
3 achieve the EPA's maximum contaminant level.

4 In Site-Wide Alternative 4, Building 1,
5 pointed to in light blue, is decontaminated
6 using scarification. Building 35, pointed to
7 in black, is not addressed because the soils
8 beneath the building are not above the
9 remediation goal for the construction worker.

10 The remaining buildings indicated with
11 dark blue and blue buildings numbers are
12 dismantled and disposed of off-site.

13 In Site-Wide Alternative 4 contaminated
14 soiled is removed to the soil preliminary
15 remediation goal for protection of the
16 construction worker and disposed of off-site.
17 In this alternative only approximately
18 5000 cubic yards of soil are estimated to be
19 excavated and disposed of off-site. You can
20 see that the purple area indicating soil to be
21 remediated is much less than in Site-Wide
22 Alternative 2 and 3.

23 This and the next slide show our

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 analysis of each alternative in the feasibility
2 study against the balancing criteria. High
3 represents a favorable rating, whereas low
4 represents the least favorable rating. The
5 ranking for our preferred alternative is
6 highlighted with the green box. Alternative 3
7 is our preferred alternative because of its
8 higher rankings in long-term effectiveness and
9 reduction of toxicity through treatment of the
10 groundwater.

11 This slide covers the cost comparison
12 and the amount of time each alternative would
13 take to completed if implemented. Our
14 preferred alternative costs more, but takes
15 much less time to complete. Building
16 dismantlement and soil remediation actions will
17 take approximately two years.

18 The time difference is mostly attributed
19 to the inclusion of active groundwater
20 treatment in Alternative 3. It will take
21 approximately 30 years for the uranium
22 concentrations in groundwater to achieve the
23 EPA's maximum contaminant level for community

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 drinking water sources.

2 And this is just a review. Alternative
3 3 again is the preferred alternative for the
4 proposed plan. Under this alternative,
5 Buildings 1, 2, 3, 4/9, 5, 6, 8, 24 and 35 are
6 dismantled and disposed of off-site.

7 Approximately 58,000 cubic yards of soil would
8 be excavated and disposed of off-site.

9 Groundwater will be recovered using
10 extraction wells and a rubbleized trench treated
11 in the above-ground treatment plant.

12 Environmental monitoring would be performed.

13 An approximate total timeframe for the
14 preferred alternative is 33 years which
15 includes dismantlement, excavation and
16 groundwater remediation.

17 Once the comment period closes, we will
18 consider the comments received and develop a
19 record of decision. The preferred alternative
20 may be modified based on any new information
21 acquired during the designated public comment
22 period. Responses to comments received will be
23 provided in the record of decision, which will

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 identify the selected remedy to be implemented.
2 The record of decision is scheduled to be
3 released in 2023.

4 That concludes the main portion of our
5 presentation. We will now begin the public
6 comment portion of the meeting.

7 [REDACTED]: Thank you, [REDACTED]. The
8 following operating principles will be in place
9 during the comment portion of this meeting. To
10 receive your comments on the proposed plan we
11 will be calling one person at a time in the
12 order that you signed up to comment.

13 Please state your name and affiliation
14 or town of residence before you make your
15 comment. Please keep your phone line muted
16 until your name has been called. Please keep
17 the subject of your comments to the proposed
18 plan and limit your comments to under three
19 minutes. Please indicate when you are finished
20 with your comment.

21 Questions placed in the chat box will be
22 responded to either tonight or on the project
23 website. If you did not sign up early to

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 provide comments tonight and you would like to
2 provide a comment, please use the chat feature
3 when asked to do so to type in your name and
4 indicate that you would like to comment.

5 We will be leaving the meeting open for
6 15 minutes after the closing comments for those
7 that want to chat in questions or additional
8 comments.

9 I have two people that have signed up to
10 provide comments. The first one is
11 [REDACTED]. [REDACTED], are you on the
12 line? If you are, you need to unmute your
13 phone. We will go to the next person and that
14 was [REDACTED]. Will you state your name for
15 the court reporter and your location of
16 residence.

17 [REDACTED] Certainly. My name is [REDACTED]
18 [REDACTED]. I reside at [REDACTED]
19 [REDACTED], City of Lockport.

20 [REDACTED] Thank you. You can go
21 ahead give us your comments now.

22 [REDACTED] Well, a wee bit of my
23 background. My father was the eye physician

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 for Simonds Saw and Steel during the period of
2 time when they were working with the uranium
3 and as a small child I recall them coming into
4 the waiting room absolutely covered with dust
5 and whatever the material was that they were
6 working with and, of course, his project was to
7 remove the steel from their eyes.

8 One of my questions, and I'm cognizant
9 of the fact that payouts of \$150,000 have been
10 made to a number of people who consequently
11 died as a result of being subjected to the
12 material at that particular plant.

13 Do you by any chance happen to know how
14 many people died and the families were
15 reimbursed for that amount of money? You may
16 not know that, but that's a question, you know,
17 that I myself am very much interested in.

18 My second, most important to me, is the
19 thought of the water actually being allowed to
20 seep through and enter into the canal. I do
21 have a lot of written material here from a
22 number of years by [REDACTED] and all kinds
23 of other people that have been interested in

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 this.

2 How often have you actually sampled the
3 water that may be going into the canal? I know
4 you did it in 2007 and then it said in the
5 report here that 2011 that there would be more
6 sampling events.

7 How often do you actually monitor that?
8 That's the question that I think is important.
9 And it's important, too, to be noted that at
10 one time our city actually had to use the canal
11 water as our drinking water, so it is
12 exceedingly important and a concern that this
13 is taken into consideration.

14 We just recently had a gigantic flood in
15 this community and interesting to see how much
16 of the water -- the groundwater from over there
17 ran off into the canal.

18 So I thank you very much for listening
19 to me and I look forward to a response.

20 ██████████: All right. Well, thank you
21 ██████████. Well, I can take the first
22 response. With regard to the payouts and the
23 people who have passed, honestly we do not --

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 we're not a party to that program. That is
2 actually a Department of Labor program and we
3 don't have any data with regard to the people
4 who have been paid out or anything like that,
5 so that's a completely different agency that
6 runs that program so, unfortunately, we don't
7 have a lot of information with regard to that.

8 I think you're on mute, ma'am.

9 [REDACTED]: I just wanted to say thank
10 you for your response.

11 [REDACTED]: Sure. No problem. And I
12 will pass the second response on to our hydro
13 geologist, [REDACTED], with regard to the
14 groundwater.

15 [REDACTED]: Good evening. We have
16 been monitoring the groundwater actively every
17 year for probably the last 10 years and we
18 sample anywhere between 20 and 30 wells as well
19 as we sample groundwater seeping out of the
20 cliff and at the barge canal, so we actually
21 float a boat and collect water down coming into
22 the canal, as well as we sample the canal water
23 both near the seeps as well as the water near

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 the emergency intake for the city that is the
2 intake that you're referring to that is for the
3 town and the samples for groundwater and seep
4 water generally are pretty consistent and so it
5 does show contamination entering into the
6 canal, but the canal is large so the amount of
7 water in the canal relative to the amount of
8 water that is seeping into the canal, the
9 amount of water in the canal is so great that
10 it essentially dilutes that uranium discharge
11 down to background levels immediately.

12 We do not see any elevated samples in
13 the canal water indicating that there would be
14 a large scale release from the site. It's very
15 small scale seeping.

16 [REDACTED]: Well, I'm well aware of the
17 fact that the canal water and the water from
18 different areas in the city. To me it's still
19 a concern.

20 What is the answer to the fact that we
21 had the flood this week and all that rainwater?
22 Would that have had any effect? I mean, could
23 that not have washed a great deal of materials

DEPAOLO-CROSBY REPORTING SERVICES, INC.

1 into the canal?

2 [REDACTED]: No, ma'am. The soil
3 where the soil contamination is is very much
4 contained to the site. There is no gross
5 movement of material from rainwater on and off
6 the site and then anything that could get into
7 the groundwater just during a heavy rain would
8 have residence time in the groundwater for a
9 few years before it gets to the canal, so it
10 would be attenuated so you would not see that
11 big flux of uranium in the groundwater because
12 the groundwater has the ability to dilute it as
13 well.

14 So no, I don't believe you're going to
15 see any impacts off the site from that rain
16 event.

17 [REDACTED]: Thank you.

18 [REDACTED]: Ma'am, this is [REDACTED],
19 Environmental Toxicologist and Risk Assessor
20 for the Army Corps of Engineers in Buffalo and
21 I also just want to point out that we did try
22 to evaluate that kind of like a worst case
23 catastrophic event.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 We did what is called a mass balance
2 calculation to look at what if all the uranium
3 in the soil was going to leach into the
4 groundwater at once and then how much would
5 needs to get into the canal in order for us to
6 see an exceedance of that EPA maximum
7 contaminant level for drinking water that
8 Natalie mentioned earlier, that 30 micrograms
9 per liter that the EPA indicates is a level
10 that uranium should not exceed in groundwater
11 to maintain protection of human health, so we
12 did that.

13 We went through that exercise and we
14 determined that we don't have enough uranium on
15 the site to impact the canal at a level
16 exceeding the maximum contaminant level for
17 drinking water, so we do share your concerns
18 and we did try to evaluate what that potential
19 was and we still don't see the uranium on the
20 site could have a negative adverse impact on
21 the canal water, even if the canal water were
22 to be used for drinking water in an emergency
23 situation.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 ██████████: This is an interesting
2 comment that was made by a friend of mine who
3 wrote her thesis on this situation over at
4 Simonds. She was told that once she was over
5 there and she had walked around a certain area
6 that prior to her getting back into her car she
7 should remove and leave her sneakers, so it
8 would seem to me that if someone had made that
9 type of a statement to her, that there must be
10 a great deal of contamination that you're going
11 to have to deal with.

12 Do you have any idea as to when you're
13 going to commence the cleanup and obviously
14 it's going to take a number of years, but we in
15 the community would like to know when something
16 is going to happen. I have volumes and volumes
17 of written material that I have kept over the
18 years.

19 I was involved with the contamination in
20 Watertown and worked with Kathy Hochul with
21 regards to having the demolition of a number of
22 homes, so I'm very well aware of contamination
23 and the amount of time it takes to go into it,

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 but I really feel that our community has waited
2 a long time for this to commence and I thank
3 you.

4 I thank all of you for the work that
5 you're doing, but I would really like a date as
6 to what we can look forward to as seeing
7 something commence.

8 [REDACTED] Yes, ma'am. Thank you for
9 that. With regard to the plan commencement,
10 the project is contingent upon -- the funding
11 is contingent upon the national program for
12 FUSRAP and there are a lot of sites that are in
13 the program that are ahead of this schedule
14 that have completed their records of decision
15 and are ready to put the shovels in the ground
16 and start working, so for those projects that
17 are ahead of us they are going to be done and
18 funding is not slated for Guterl to begin
19 cleanup until year 2032.

20 [REDACTED]: Did I hear you correctly?
21 2032?

22 [REDACTED]: Yes, ma'am, you did.
23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 [REDACTED]: Well, since 1948 to 2032
2 that's a lot of lives affected. A lot of
3 lives.

4 [REDACTED]: Yes, ma'am.

5 [REDACTED]: But I want to reiterate, you
6 know, the appreciation that you people put
7 forth in trying to remediate it, but I do know
8 when I went through with regards to the
9 contamination in Watertown if it hadn't been
10 for the fact that Kathy Hochul was in
11 Washington and working at that time with the
12 president, we would not have had any action
13 taken.

14 I'm very cognizant that politics play a
15 great deal in how these things are remediated,
16 unfortunately.

17 [REDACTED]: Yes, ma'am. We're limited
18 by how much money the program gets each year,
19 so there is a possibility that that timeline
20 could get moved up, but as of right now that is
21 the current timeline.

22 [REDACTED]: What can we do to speed it
23 up?

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 [REDACTED]: Speak to your Congress
2 people I suppose because they are the ones that
3 put together the bills that create our funding
4 so --

5 [REDACTED]: What about petitions? What
6 about if we were to take up a petition and we
7 could say, you know, maybe come up with 10,000?
8 Do you think that would have any consequence
9 with it?

10 [REDACTED]: Possibly could help. I'm
11 not sure.

12 [REDACTED]: Couldn't hurt.

13 [REDACTED]: Correct.

14 [REDACTED]: Thank you.

15 [REDACTED]: Thank you.

16 [REDACTED]: Thank you for your
17 comments. I just want to remind everybody that
18 on the bottom of your screen on the right-hand
19 side as you look at the screen you should see a
20 bubble that says chat because now we're going
21 to -- I need to ask if there's anybody that's
22 on the line that would like to provide comments
23 that didn't sign up to provide comments, if you

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 would please type your name in the chat so that
2 I can call on you.

3 [REDACTED] from the New York State DEC
4 would like to make a comment.

5 [REDACTED]: Yes, [REDACTED]. Thank you
6 very much and thank you to everybody for the
7 presentation here.

8 I want to say that I first traversed
9 this property back in 1999, a long time before
10 it was even brought into the FUSRAP program,
11 and it was a long time coming to get to that
12 point and that was due to the, I guess for lack
13 of a better term, the openness of the
14 Department of Energy to consider it because
15 that's the way these things have to go, so the
16 fact that this is kind of relatively new
17 compared to some of the other Buffalo District
18 FUSRAP sites is the reason that it's so far off
19 in the, you know, in the project schedule and I
20 hope that kind of helps clarify things a little
21 bit.

22 That being said, the Department may or
23 may not have some comments on the proposed

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 plan, but I can say that I'm happy to see that
2 it was incorporated into the FUSRAP program and
3 we're looking forward to the remedial action
4 being performed whenever it's feasible. Thank
5 you very much, everybody.

6 [REDACTED]: Thank you, [REDACTED]. We have
7 [REDACTED], City of Lockport
8 resident. She would like to make a comment.
9 Please make your comments now.

10 [REDACTED]: Hi. Thank you. I just
11 have two concerns, one being the debris from
12 the cleanup, how the process is to prevent that
13 from going into the community and the second
14 question is with the debris that the soil
15 that's being removed, where is that being
16 removed to?

17 [REDACTED]: [REDACTED], would you like that
18 one?

19 [REDACTED]: Yes. For the sake of
20 the soil excavation and debris removal, the
21 exact location of disposal is not decided until
22 the remedial design phase, so it will be
23 similar to other projects, but at this time we

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 don't have an exact location.

2 [REDACTED] Would you mind explaining
3 to her the process of the demolition of the
4 buildings?

5 [REDACTED]: Sure. Very careful
6 engineering controls would be put in place,
7 meaning dust control measures, everything from
8 misting, using water to keep down dust. There
9 will be monitoring of the environment both
10 locally and at the fence line as well as for
11 occupational health purposes for workers, so
12 any indications of any migration of
13 contamination from the point at which the
14 deconstruction is happening and making sure our
15 engineering controls for controlling those
16 contaminants from becoming airborne and moving
17 on towards the community and outside of our
18 control is paramount to verify that our
19 controls are working.

20 [REDACTED]: For the members of the
21 team, would you please state your name and what
22 your position is for the court reporters
23 record.

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 [REDACTED]: My name is [REDACTED]
2 and I'm a Health Physicist with the Buffalo
3 District Corps of Engineers.

4 [REDACTED]: And [REDACTED]
5 [REDACTED],
6 Project Engineer.

7 [REDACTED]: Thank you both.

8 [REDACTED], do you have additional comments?

9 [REDACTED]: No. That was all.
10 Thank you.

11 [REDACTED]: Anyone else that would
12 like to provide comments that perhaps is on a
13 phone and is unable to chat? Please unmute
14 your mic and state your name and affiliation if
15 there's someone on the line with those
16 circumstances.

17 Not hearing anyone, I am going to go to
18 [REDACTED]. She is going to let us know if
19 there were any questions in the chat box during
20 the presentation.

21 [REDACTED] Yes. Hello. This is
22 [REDACTED]. My apologies if I do not
23 pronounce your name correctly, but [REDACTED]

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 [REDACTED] has asked the following question:
2 What degree of confidence does [REDACTED] have
3 for an actual record of decision to be
4 committed?

5 In other words, we would do a record of
6 decision in 2020. However, the pandemic hit so
7 now we're in 2021 and still awaiting a record
8 of decision that's already 20 years in the
9 making. Thank you. End of question.

10 [REDACTED]: Thank you, [REDACTED].
11 Yes. There was a little bit of a delay with
12 regard to the pandemic, but really that didn't
13 effect our completion of the report. It was
14 just a matter of ensuring that we had all the
15 data in all of the alternatives in the way that
16 we wanted them in there, so really at this
17 point from this day, now that we're done with
18 the public meeting, and once we receive all of
19 the public comments that we're going to include
20 in the record of decision, we will begin
21 directing that in FY '22 which basically begins
22 in October of 2021 and then we're expecting to
23 have that completed and reviewed and approved

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 by FY '23 or 2023.

2 So it will get done in the next couple
3 of years, so yes, there's a high degree of
4 confidence.

5 [REDACTED]: Anyone else that would
6 like to either chat in a question or would like
7 to make comments?

8 Okay. I am going to put the information
9 for -- our contact information in the chat so
10 that if you need to reach us for anything you
11 can give us a call, you can mail your comments
12 to the Buffalo District or you can email us.
13 The email address is fusrap@usace.army.mil.

14 I also want to remind you that we have
15 an electronic newsletter distribution list that
16 we use to send updates when we have new
17 information about the Guterl Site and if you're
18 not on that list and you would like to be,
19 please email fusrap@usace.army.mil to let us
20 know you'd like to be added to the distribution
21 list.

22 So our comment period is going to last
23 until September 10th, so please provide your

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 comments to us by then. We do encourage you to
2 email your comments. We're never quite certain
3 what the COVID restrictions are going to be and
4 it may delay receipt of our postal mail.

5 I'm going to -- we are going to leave
6 this slide up and we're going to stay on the --
7 leave the meeting open for 15 additional
8 minutes in case you have any additional
9 questions that you want to put in the chat.

10 The team will be leaving the meeting so
11 your questions will be responded to at a later
12 date on the project website.

13 So thank you for attending our meeting.
14 We are very thankful that you were able to
15 participate and please enjoy the rest of your
16 evening and, again, the chat will remain open
17 for another 15 minutes. Thank you very much.

18
19 (Proceedings concluded at 7:53 p.m.)

20
21
22
23

DEPAOLO-CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 STATE OF NEW YORK)

2)

3 COUNTY OF ERIE)

4

5

6

I, Rebecca Lynne DiBello, CSR, RPR, Notary
Public, in and for the County of Erie, State
of New York, do hereby certify:

7

8

9

10

11

12

13

14

15

16

17

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

18

19

IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed my seal this
1st of August, 2021.

20

21

22

23

Rebecca Lynne DiBello, CSR, RPR
Notary Public - State of New York
No. 01D14897420
Qualified in Erie County
My commission expires 5/11/2023