

New York State Department of Environmental Conservation

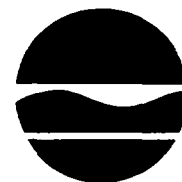
Division of Solid and Hazardous Materials

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Erin M. Crotty
Commissioner

August 17, 2004

Mr. David Romano
Project Manager
U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, NY 14207-3199

Dear Mr. Romano:

Re: TNT Walkover

The New York State Department of Environmental Conservation (the Department) has received the "After Action Report, Walkover and Surface Removal of TNT at the Lake Ontario Ordnance Works (LOOW) Site 2003" dated June 2004. The report provides details of investigation of several areas noted after excavation of the former TNT waste pipeline and the contaminated material storage area (CMSA).

As stated in U.S. Department of Defense Directive 6055.9 (DOD Ammunition and Explosives Safety Standards), Section C12.2.2: "Permanent contamination of real property by final disposal of ammunition and explosives of chemical agents is prohibited. Further, Section C12.2.3 states: "Real property that is known to be contaminated with ammunition, explosives or chemical agents must be remediated with the most appropriate technology to ensure protection of the public consistent with the proposed end use of the property." The interim removal action for the TNT waste pipelines was initiated in 1999 and the presence of crystalline TNT at the ground surface was first documented in July 2000. The presence of explosive contamination is unacceptable and must be addressed in a timely manner.

Upon review, the Department has the following specific comments on the report:

Page 4, Section 2.0. third paragraph: The report states that: "over 90 pounds of surface TNT were collected in zone 3". It is not clear from the report whether or not the ninety pounds represent actual TNT, TNT containing material, TNT contaminated soil or blended TNT material and sand. Please clarify.

Page 5, Disposal of Blended TNT and Sand: This section states that samples of the blended material were taken and "processed" to insure the blended/mixed sand was less than 10% explosive. The data supporting this statement is not included in the report. Please provide all analytical data associated with this field work.

Page 10, Section 4.0: Please provide additional discussion of the Expray TNT indicator spray including its reliability and detection capability.

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Page 10, Section 4.1: Please clarify how many points were composited when sampling the mixed sand/TNT material.

Page 11, Section 9.0: Since samples were not collected to confirm the success of the TNT removal, additional work must be performed. Please submit a work plan to fully remediate these sites.

Appendix A: Please define what is the meaning of "TNT contamination was observed".

In response to these concerns, the USACE must submit a plan of action to address explosives contamination at the former LOOW within 30 days. If you have any questions on this issue, please contact me at (518) 402-8594.

Sincerely,



Kent D. Johnson
Engineering Geologist 2

cc: M. Forcucci, NYSDOH Buffalo
J. Battaglia, RAB Tech. Comm. Chair

ecc: W. Wertz
K. Johnson