

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
50 Wolf Road, Albany, New York 12233-7250
518-457-6934 FAX 518-457-0629



John P. Cabill
Commissioner

OCT 01 1997

VIA FAX AND MAIL

Ms. Christina E. Correale
Chief, HTRW Branch
U.S. Army Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203-1715

Dear Ms. Correale:

Re: Lake Ontario Ordnance Works - Interim Removal Action
Town of Porter, Niagara County

In our letter of August 22, 1997, concerning the referenced matter, we requested a response by September 22, 1997 with a schedule for the completion of the interim removal actions. To date, we have not received a response to this letter. In our August 22 letter, the Department expressed its strong opposition to further delays in the remediation of the former Lake Ontario Ordnance Works (LOOW) in the town of Porter, Niagara County.

Therefore, it is imperative that the United States Army Corps of Engineers (USACE) immediately provide a schedule and expedite the remediation of the formerly used Lake Ontario Ordnance Works.

At the September 17, 1997 meeting in the Town of Lewiston Town Hall, Lewiston, New York, our respective staffs discussed the status of the interim removal actions at the LOOW. Representatives of the USACE, New York District Office, stated that because of limited funds for the Formerly Used Defense Site Program (FUDS) the start of the interim removal action could be delayed until 1999. The Department again expresses its strong opposition to the continuous delay in the implementation of the approved interim removal actions at this site.

On September 24, 1997, the Department received the 60% Design for Interim Removal Actions, Operable Units 1 and 2, Former Lake Ontario Ordnance Works, Lewiston and Porter Niagara County, New York. The cost estimate for the removal actions (excluding asbestos abatement) included as part of the 60% design totals approximately \$4.4 million. This figure represents an \$8.6 million difference from the estimated federal cost of \$13 million that were presented by USACE at the September 17, 1997 meeting. This difference needs to be explained.

Ms. Christina E. Correale

2.

Kent Johnson, of our Bureau of Hazardous Waste Facilities, will call to schedule a meeting with USACE representatives at Department offices in Albany, New York within 30 days to discuss the schedule for the completion of the interim removal actions. If you have any questions, he may be contacted at (518) 457-9253.

Your immediate attention to this matter would be appreciated.

Sincerely,



Norman H. Nosenchuck, P.E.
Director
Division of Solid & Hazardous Materials

cc: Commander, New York COE
J. Syms, Somerset Group
R. Park-Zayatz, CWM
T. Sharp, Town of Lewiston
T. Beachy, Town of Porter
C. Stein, USEPA Region II