

USACE Responses to Comments
By
Joan Broderic
Regarding Engineering Evaluation/Cost Analysis
For
Area-C Former Lake Ontario Ordnance Works (LOOW)

Comment 1: Is it not coincidental that CWM Balmer Rd. Site is part of the Eastern Area of CWM that they (CWM) wants to change from general industrial (M2) to heavy industrial (M3) and expand the landfill vertically and horizontally!

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). The EE/CA is not related to CWM rezoning or expansion activities.

Comment 2: CWM (Balmer Rd. Site) started in '98 - stopped in '99 for lack of funds. Original project to have cost over \$2.1 million, but present alternative to cost \$1,741,000.

USACE Response: The question is not clear but appears to address some discrepancy in the cost of USACE contracts involving the investigation and remediation of the former LOOW. A list of USACE contracts and their costs is provided below:

Year	Contract/Project	Contractor	Final Cost
1998	History Search Report	EA Engineering & Science Inc.	
1998-1999	Phase I Remedial Investigation	EA Engineering & Science	
1998	Interim Removal Action - Asbestos Removal on Sym's Property		
1999-2000	Interim Removal Action - TNT and Chemical Waste Sewerline Removal on CWM and Sym's Property	Radian	
2000-2001	Interim Removal Action - TNT and Chemical Waste Sewerline Removal on CWM property (continuation of 1999-2000 project)	Sevenson Environmental Services Inc.	\$1,600,000
<i>To be determined</i>	<i>Proposed Interim Removal Action - Buried Wastes in Area-C on CWM property</i>	<i>To be determined</i>	<i>Estimated \$1,741,000</i>

Comment 3: I would have chosen Alternative #5, but then that was the cost of the original proposal! (Note prior comments on landfills and you understand my concern).

USACE Response: The comment is not clear. There have been no prior proposals for an interim removal action to remove the buried wastes in Area-C. Alternative-5 was not selected for the reasons mentioned in the EE/CA.

Comment 4: Twelve Mile Creek will need to be rerouted in order for CWM to expand outward. What have previous studies indicated when we start fooling around with Mother Nature and ecological systems:

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). The EE/CA is not related to CWM rezoning or expansion activities and has no impact on Twelve Mile Creek.

Comment 5: We are currently in an era of advanced technology (See attachment #4) but we continue with a "TWABAL" (There Will Always Be A Landfill) mentality. We are only making a dent in our waste problem by reducing, recycling, and reusing but it is a positive start and should be an encouraged trend. We are perpetuating "TWABAL" by allowing CWM and Modern to extend leases and expand. Don't you agree!

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). The EE/CA is not related to CWM or Modern Landfill Inc. rezoning or expansion activities.

Comment 6: p.13 EE/CA (Not numbered in my copy!) start p.12 "In 1969, the Somerset Group (Somerset) obtained an approximately 100-acre section of the (p.13) mer LOOW property that contained AFB-68. Around 1979, the southern half of the former AFP-68 (about 50 acres) was sold to SCA. The section is currently owned by CWM, (CWM operates the site as a Resource Conservation and Recovery Act (RCRA) TSDE".

p.7 EE/CA "Based upon analytical results, Resource Conservation and Recovery Act (RCRA) hazardous wastes would be disposed to a commercial treatment, storage, and disposal facility (TSDF) permitted to accept RCRA wastes. Excavated soils would either be returned to the excavation if "clean" or disposed to a properly permitted commercial landfill if "contaminated". That's CWM folks.

Read on! P.20 EE/CA 2.2.2 Private, Public, Municipal and Federal (Non-DoD) Operations on LOOW: "Based on information obtained to date, most of the possible impacts from DOD-related activities on private, public, or municipal operations appear to be confined to the approximate 1,500-acre area south of Balmer Road, formerly owned by the USAEC/DOE. Private corporations or municipalities own this area, with the exception of the 191-acre NFSS and the 98-acre USAF parcel (former YTA)"..."These include CWM, Modern Disposal Services, Inc. (including former Department of Labor (DOL) property), and the Town of Lewiston....Lew-Port Schools.

Read p. 21 for more information on Modern Landfill - "125.57 acres were subsequently owned by the DOL for a training site, then sold to Modern Disposal Services, Inc., in 1988"

Is it coincidental that CWM and Modern (both waste facilities) request to go upward and outward and remain for another 40 to 50 years!

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). The EE/CA is not related to CWM or Modern Landfill Inc. rezoning or expansion activities. Contractors hired by the Corps of Engineers are required to seek multiple bids for subcontracts - including waste disposal. USACE will dispose of wastes with the lowest responsible bidder.

Isn't it their (CWM/Modern) location advantageous to the Federal Government with their carry-over problem!!

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). The EE/CA is not related to CWM or Modern Landfill Inc. rezoning or expansion activities. Contractors hired by the Corps of Engineers are required to seek multiple bids for subcontracts - including waste disposal. USACE will dispose of wastes with the lowest responsible bidder.

In Reference to comment #3, Why I prefer Alternative #5:

1. It does not rely on land-disposal of hazardous wastes in a RCRA permitted landfill untreated. P. 72 EE/CA 6.6.1 Effectiveness: - Reduction of Potential Risks To Human Health And The Environment: "Chemical treatment would likely offer more long-term effectiveness than land disposal or stabilization"

USACE Response: It should be noted that depending on the operating permit of the selected waste treatment, disposal, or storage facility, some wastes are treated and/or stabilized prior to placement in the landfill. This is determined on a case-by-case basis depending on the types and concentrations of contaminants.

After 50 years of "baby-sitting" this as Tim Henderson stated, our community deserves the best method possible.

Alternative #2 is not the most expensive method, it is not the most effective, but is probably the least complicated.

Western N. Y. deserves a break - we have had our share and more of wastes and landfills. Western N. Y. has done their part for the State and Federal government and now let someone else share that responsibility.

I request Alternative #5 be reconsidered and CWM and Modern requests for expansion/extensions be denied.

USACE Response: The EE/CA addresses the removal of buried wastes from past federal government activities on property now owned by Chemical Waste Management Incorporated (CWM). Wastes will be disposed to the lowest responsible bidder. Wastes from USACE activities at the LOOW site have been disposed at facilities outside the local area. The EE/CA is not related to CWM or Modern Landfill Inc. rezoning or expansion activities. The author's concerns are noted and understood, however, the selection of Alternative 2 remains the preferred alternative as explained in the EE/CA.

In conclusion:

It is convenient for the Federal government that CWM just happens to have a RCRA TSD facility. All that is being done in Alternative #2 is sampling, analyzing, and disposing in the same area. Yes I agree with you that it is a "unique situation", but it is not in the best interest of the citizenry.

It is a documented fact that all landfills leak. There has been a higher than average rate of different cancers, MS, Asthma, etc in Niagara County. We cannot afford the time and money it would take to do a comprehensive study, but just ask any physician in Niagara County to verify this.

Yes, I have a personal interest in this whole scenario. I have personal friends and relatives that have or had cancer. My son was diagnosed with MS with no family history, but he has spent a lot of time in this disputed area. MS is one of those diseases for which they have found no cure and it is a nerve disease.

World War II brought with it the development of many chemical compounds. Since then we have dealt with residuals from these of DDT and TNT to name just two. Use of these two chemical combinations are known to cause tumors, pancreatitis, and nerve dysfunctions.

I will end with this statement taken from a previous Lewiston-Porter chemistry text, Chemicals in Action 1987 p.313 Debate the nuclear issue - "Our ancestors generated long-term effects on our environment and today we continue to do the same thing. What we have that our ancestors did not have is the ability to predict the long-term effects of our actions."

USACE Response: The author's concerns are noted. The USACE strategy in cleaning up contamination from former DoD activities on the LOOW site is to minimize risks to human health and the environment, comply with regulatory local, state, and federal requirements, and complete an effective interim removal action with available resources.