

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Niagara Falls Storage site comment letter  
**Date:** Tuesday, January 5, 2021 3:00:47 PM  
**Attachments:** [NFSS - Tuscarora Nation comments Jan 5 2021.pdf](#)  
**Importance:** High

---

To Whom It May Concern,

Hope you are well and having a great day!

Attached is a comment letter from the Tuscarora Nation, signed by Chief [REDACTED], about the Niagara Falls Storage Site clean-up.

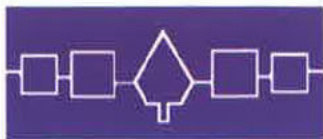
Should you need any additional information, please feel free to us.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[www.tuscaroraenvironment.org](http://www.tuscaroraenvironment.org)

fb: Tuscarora Environment

IG: Tuscarora Environment



**HAUDENOSAUNEE**

Mohawk • Oneida • Onondaga • Cayuga • Seneca • Tuscarora

Tuscarora Environment Program  
5226E Walmore Road  
Tuscarora Nation Territory  
via: Lewiston, NY 14092

January 4, 2021

U.S. Army Corps of Engineers, Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, NY 14207-3119

RE: Niagara Falls Storage Site

To whom it may concern:

At this present time, I hope that this letter finds you in good health and well-being during the COVID-19 pandemic.

The Tuscarora Nation recognizes the importance of the clean-up of the NFSS and that it is in the best interest for the health, safety and welfare of our Tuscarora people, our neighbors in the Towns of Lewiston and Porter, along with all of our relatives of the Natural World (animals, plant species, waters). We would like to remind the U.S. Army Corps of Engineers, that there is no other place on this earth where Tuscarora people can call home and live together as a Nation but where we are now and it will be our future generations of the Tuscarora Nation left to deal with the remnants of this legacy site.

We acknowledge the U.S. Army Corp's preferred choice is Alternative 3 but we feel that our choice would be an option that meets the needs for our future generations and Natural World relatives with a more stringent effort than Alternatives 2 & 3. If this site is not restored correctly and to a better zoning ordinance than "light industrial use", then we as human beings are not doing our due diligence to our future generation's rights to have a healthy – balanced relationship with the Natural World in this area.

As this restoration clean-up begins, we would also like to state that there is to be no transporting of any clean-up waste through the Tuscarora Indian Reservation boundaries by any mode of transportation hired through any federal, state, and local government and contractors. This includes Route 104 (Ridge Road) that cuts through the northwest corner of our territory. The Tuscarora Nation wishes to inform you that by signing this letter we do not relinquish our sovereignty or jurisdiction over our territory, the Tuscarora Indian Nation, or our citizens.

Thank you for your cooperation. If you have any additional questions feel free to contact us.

Oneh!



Tuscarora Nation



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

December 3, 2020

U.S. Army Corps of Engineers – Buffalo District  
Environmental Project Management Section  
1776 Niagara Street, Buffalo, New York 14207

To Whom it May Concern:

The U.S. Environmental Protection Agency submits the attached comments on the U.S. Army Corps of Engineers' *Proposed Plan, Balance of Plant and Groundwater Operable Unit, Niagara Falls Storage Site*. Thank you for the opportunity to review the plan.

Sincerely,

██████████ Chief  
Technology, Transportation, and Radiation Branch

Attachment

EPA Comments on USACE *Proposed Plan, Balance of Plant and Groundwater Operable Units*, Niagara Falls Storage Site (NFSS)

Comment 1: EPA recommends the complete removal of building 433 and the foundations of buildings 430, 431/432 and 433.

Basis: Regarding contamination of these foundations, below are the excerpts from USACE reports on the subject matter.

"In 1988, isolated areas of residual radioactivity from across the NFSS were excavated and placed into temporary storage on the slab of Building 430."(Feasibility Study (FS), 2020). "Building 433 served as a radium vault and Building 430 served as an open-air storage of radioactively contaminated materials."

"...Following cessation of TNT production activities, some of the buildings were known to have temporarily stored radioactive materials. Only two LOOW buildings remain; Building 429, which is used as an office, and Building 433 (radium vault), which is a small, one story cinder block structure, which was reportedly used for sealed radium source storage...A radiological survey performed by the USACE of Building 433 (radium vault) identified elevated levels of radionuclides. Radiological surveys during the RIs also identified elevated levels in the foundations of Buildings 401, 430, and 431/432. Core samples from the Building 401 foundation also identified radiological impacts. Except for Building 401, no samples were collected from the other buildings and foundations to confirm the presence of contamination. Building 433 and the building foundations identified in this FS are assumed to be contaminated based on one or more factors, such as gamma survey results, history of use, and/or presence of adjacent soil contamination..."

"...A radiological survey performed by the USACE of Building 433 (radium vault) identified elevated levels of radionuclides. Radiological surveys during the RIs also identified elevated levels in the foundations of Buildings 401, 430, and 431/432. Core samples from the Building 401 foundation also identified radiological impacts. Except for Building 401, no samples were collected from the other buildings and foundations to confirm the presence of contamination. Building 433 and the building foundations identified in this FS are assumed to be contaminated based on one or more factors, such as gamma survey results, history of use, and/or presence of adjacent soil contamination. (Feasibility Study)..."

"Radon and its short-lived decay products are not a concern for the only BOP building (i.e., radium vault – Building 433) that is in disrepair, open to the elements, and slated for removal."

Also, Field Investigation Reports (2013, 2015) reported that soil sampling at EU-4 and 8 near the buildings was done only to a depth of 3 feet, with indicated elevated levels for Radium, Thorium and Uranium. There are indications of subsurface contamination in EU-3,5,6 and 8, in the vicinity of the buildings. Surface and subsurface radiological and organic contamination was found right at building 430 and in close vicinity.

Samples near buildings 431 and 433 did not indicate contamination at the foundations, nevertheless the footprints of buildings remain unsampled, i.e., soil under the foundations was not sampled.

Based on the published results, one may conclude that after staying open to the elements for many years, foundations are degrading and will certainly degrade within 1,000-year performance period.

There is a high potential that radionuclides of concern (ROC) stored on foundations are diluted by rainwater and transported through cracks and joints in the foundations and deposited within the network of cracks, joints and soil under foundations. The FS states that foundations would likely degrade and should be treated as soil for development of preliminary remediation goals. Further degradation of concrete would create release pathway for ROC deposited there. Removal of the buildings and foundations would be the preferable alternative given relative cost differential with Alternative 3. ROC deposited deep within the framework of foundation cracks and joints are extremely difficult to detect due to radiation shielding by concrete. Also, the effectiveness of scarification is very low for removal of ROC deep within the framework of foundation cracks and joints.

Long-term effectiveness and permanence of the remedy cannot be established without knowing with a high degree of certainty the amounts of ROC that are currently contained in cracks, joints and underground portions of concrete, and therefore how much ROC will be released once the concrete degrades and disintegrates within next 1,000 years. With this knowledge, the overall protection of human health has a high degree of uncertainty and cannot be assessed as High, as presented in the Factsheet "NFSS BOP GW OU PP Rollout FINAL Fact Sheet.pdf" dated September 2020.

Comment 2: If scarification techniques will be deployed during remediation, but Rad-NESHAP analyses for such new sources would not show that the potential effective dose equivalent to the maximally exposed individual exceeds 1% of the 40 CFR Part 61 standard, then, per 40 CFR 61.94(b)(8), the Army Corps of Engineers shall provide EPA with all information that normally would be required in an application to construct or modify, following receipt of the description and supporting documentation. Note that per 40 CFR 61.93(f), "...the estimated release rates shall be based on the discharge of the effluent stream that would result if all pollution control equipment did not exist..." Examples of such control equipment are filtration, dust collection devices, vacuum containment devices, temporary enclosures, tents, and other.

Basis: A recent experimental study of scarification techniques showed that the potential radiological impact of fine dust produced may be relatively high. The study showed that the typical size distribution of the aerosol produced during the scarifying operations has a mass median aerodynamic diameter equal to 4.3  $\mu\text{m}$  with a geometrical standard deviation of 1.7, that would produce relatively high respirable and thoracic conventional fractions.

(Mamadou Sow. *Aerosol release fraction by concrete scarifying operations and its implications on the dismantling of nuclear facilities*. Journal of Hazardous Materials, Volume 400, 5 December 2020.)

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] New York State Comments on the USACE FUSRAP Proposed Plan for the Balance of Plant and Groundwater Operable Units at the Niagara Falls Storage Site  
**Date:** Monday, January 4, 2021 3:51:06 PM  
**Attachments:** [NFSS BOP & GW OU PP DEC-DOH response.pdf](#)

---

Attached please find comments from the NYS Departments of Environmental Conservation and Health on the USACE's FUSRAP Proposed Plan for the Balance of Plant and Groundwater Operable Units at the Niagara Falls Storage Site. We appreciate your accommodating our request to extend the comment period.

Regards,  
[REDACTED], Chief  
Radioactive Materials Management Section  
NYS Department of Environmental Conservation  
(518)402-8789 [Timothy.Rice@dec.ny.gov](mailto:Timothy.Rice@dec.ny.gov)

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Materials Management

625 Broadway, Albany, New York 12233-7250

P: (518) 402-8651 | F: (518) 402-9024

www.dec.ny.gov

January 4, 2021

[REDACTED]  
LOOW Project Manager  
USACE-Buffalo District  
1776 Niagara Street  
Buffalo, New York 14207-3199

RE: Niagara Falls Storage Site, Niagara County, New York

Dear [REDACTED]:

The New York State Department of Environmental Conservation and the New York State Department of Health have received the Proposed Plan for the Balance of Plant and Groundwater Operable Units at the Niagara Falls Storage Site. The document contains the findings of analysis of remedial alternatives presented in the Feasibility Study and presents a preferred alternative.

Our principal comment is that the Departments do not agree that the proposed remedy is protective of public health and safety with respect to groundwater. Attached to this letter are our detailed comments.

If you have any questions regarding this letter, please contact [REDACTED]  
[REDACTED] or by e-mail.

Sincerely,

[REDACTED]

Bureau of Hazardous Waste & Radiation Management

[REDACTED]

Bureau of Environmental Radiation Protection

cc:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



Department of  
Environmental  
Conservation

NYS DEC and DOH Comment on the United States Army Corps of Engineers (USACE) Proposed Plan for the Balance of Plant and Groundwater Operable Units at the Niagara Falls Storage Site

1. Future industrial reuse of the Niagara Falls Storage Site (NFSS) was assumed. However, no future industrial reuse, beyond having construction workers come onsite for remedial activities, is mentioned or evaluated. Please explain how/what industrial use was evaluated.
2. The Proposed Plan (PP) notes that the two overburden water-bearing zones (upper and lower) exhibit significant concentrations of naturally occurring total dissolved solids that indicate NFSS groundwater is classifiable as a NY State Class GSA water resource (saline groundwater) and a U.S. Environmental Protection Agency (USEPA) Class IIIB non-potable and limited beneficial use water. Was the Department consulted on this determination? The PP also mentions that a March 2006 Niagara County Department of Health private well study identified 117 private wells near the property and found that 19 wells were active. Thirteen of the 19 active wells were sampled and analyzed for various chemical and radioactive constituents; all 13 wells met safe drinking water standards with respect to radiological quality. Chemical quality in the private wells was not mentioned. An evaluation of the chemical quality of groundwater in private wells, especially as it relates to site contamination should be discussed.
3. It would be helpful if the locations of the 19 active private wells were shown on Figure 1 along with some indication of groundwater flow direction. If they were left off due to privacy concerns, please provide them to the Departments under separate cover as confidential information not subject to release.
4. The US Army Corps of Engineers is not authorized to make classifications of groundwater resources on New York State. Groundwater classification can only be made by the New York State Department of Environmental Conservation. Groundwater at the Niagara Falls Storage Site is classified as Class GA and water quality standards associated with this classification are applicable and enforceable. New York State considers all groundwater to be a potential drinking water resource unless specifically identified in 6NYCRR part 701.
5. The risk-based groundwater PRGs developed for CVOCs (PCE=1,500 ug/L; TCE=330 ug/L; cis-1,2-DCE=2,400 ug/L; Vinyl Chloride=170 ug/L) ranged from 66 to 480 times higher than NYS Class GA groundwater standards for these CVOCs. The groundwater PRGs for CVOCs are the same as, or higher than, the soil PRGs for the same compounds. If NYS Class GA groundwater standard values were used to define the CVOC plume (shown on Figure 2), would the extent be significantly larger? NYS standards (6 NYCRR Part 703) are applicable as PRGs for the site.
6. The 2007 baseline risk assessment reportedly evaluated potential current and future exposure pathways for industrial land use, including adult and adolescent trespassers, construction workers, maintenance workers, and industrial workers. However, the Remedial Action Objectives (RAOs) only



address construction workers; no future industrial reuse, beyond having construction workers come onsite for remedial activities, is mentioned or evaluated. Please address this issue in the document.

7. There were no RAOs to prevent offsite migration of groundwater contamination or restore the upper groundwater aquifer to pre-disposal/pre-release conditions. No groundwater use restrictions are mentioned. Groundwater monitoring is not mentioned in the remedial alternatives. No soil cover is mentioned for areas of residual PAH contamination exceeding NYS soil cleanup goals for the protection of public health. Please explain your rationale for this omission or correct the issue in the document.

8. No Soil Vapor Intrusion (SVI) evaluation, due to CVOCs, was mentioned and there is no RAO for SVI evaluation/mitigation for future industrial redevelopment (buildings). This should be addressed as part of evaluation of future industrial use of the property.

9. Discussion of Remedial Alternatives, page 12: It is indicated that some volume of ROC-impacted road bedding ( $\leq 2000$  cubic yards) will require remediation. There are several miles of roadways at NFSS, likely built to robust war-time specifications (i.e., tens of thousands of cubic yards of road bedding), but the areas(s) of road bedding requiring remediation is not described in any detail nor is it shown on Figure 2. Please address this omission.

10. Discussion of Remedial Alternatives, page 12, table: The EU4 VOC plume soil volume is shown as 3,400 cubic yards; however, the EU4 VOC plume (assuming 1 gal/yd<sup>3</sup> of EU4 plume soil removed) is 3,302 gallons. Is this correct?

11. The Building 431/432 trench remediation is mentioned on page 12 of the Discussion of Remedial Alternatives but seems to become lost in the following individual Alternative analysis discussions. Remediation of PAH and PCB contamination is also not mentioned in the Alternative analysis discussions. Please clarify this issue.

12. In the Evaluation of Alternatives section, #3. *Long-Term Effectiveness and Permanence* on page 16: Are the off gases from Alternative 5 also going off-site for destruction?

13. In the Evaluation of Alternatives section, #7. *Cost* on page 18: It seems that there would be no cost difference between Alternatives 2 and 3 if all the concrete is contaminated (i.e., full concrete removal for both alternatives), rather than what is stated. Is this correct?

14. The USACE selected remedy, Removal with Building Decontamination Alternative 3; is similar to Alternative 2 and includes the excavation and off-site disposal of impacted soil, road bedding,

groundwater, and Building 401 foundation/utilities; and, five-year reviews to ensure protectiveness of the remedy. However, unlike Alternative 2, building foundations (Buildings 430 and 431/432) and Building 433 determined to be impacted would be decontaminated by scarifying and left in place. The ACOE has not evaluated the contamination of the foundations and are assuming that the foundations are contaminated to the same level as surrounding soils. If the foundations are left in place there is no practical way to sample the soils under the foundations to ensure they meet the DCGLs. We recommend that all building foundations be removed. In the event that the foundations are not removed, the USACE should perform bias sampling under the foundations to ensure that soils met the DCGLs.

15. The Departments do not concur with the USACE's belief that chosen remedial alternative is protective of human health and the environment, with respect to the groundwater. The Remedial Objectives used by the USACE are not in compliance with NYS remedial groundwater standards. In previous comments on the remedial investigation, we expressed the view that groundwater in EU4 had not been sufficiently investigated/characterized and that separate phase contamination was likely to be present. Although migration from the source area has been limited due to the low permeability and gradient of the shallow groundwater flow unit, source concentrations of contaminants remain unacceptably elevated after approximately 60 years. Due to these factors, active measures to remediate and monitor the EU4 groundwater contamination is required.

16. Figure 2:

- The Legend defines green circled areas of "Modeled Extent of Organic Contamination," several of which appear on the figure, but this "organic contamination" is not described nor is its remediation specified in the PP text. Are these the PAH or PCB impacted areas? What is the "organic contamination" and does it require remediation?
- The road bedding areas requiring removal are not indicated.

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Comment: ROD Alternatives NFSS BOP and GW  
**Date:** Wednesday, October 14, 2020 2:40:57 PM

---

Please accept my comment on the selection of Alternative 3:

According to data collected during the Feasibility Study and presented in the NFSS BOP and GW Proposed Plan Preview slides, there are “areas of contaminated media with concentrations above preliminary remediation goals that warrant cleanup” directly adjacent to the north side of Building 430 and there is a trench along the west side of Building 431/432 that “contains 1,000 cubic yards of contaminated soil and concrete”. In addition, there does not appear to be any sampling data for soils beneath the slabs of Buildings 430 and 431/432. The Comparative Analysis of Alternatives presented in the Preview slides indicates a projected remediation cost of \$35.7M, including a contingency of \$11.4M for Alternative 2 (complete removal) and a projected cost of \$24.5M, including a contingency of \$6.6M for Alternative 3 (the preferred alternative – removal with decontamination of Building 430, 431/432 and 433 foundations by scarification). This analysis also indicates the time to complete remediation of both alternatives is identical – 29 months. It should also be noted that pictures of the foundations of Buildings 430 and 431/432 show visible cracks in the concrete.

Based on the data presented, how did USACE conclude that there is no contamination beneath the slabs of Buildings 430 and 431/432? Contaminated media adjacent to building foundations is usually an indicator of contamination events inside a building that migrated under the slab to adjoining areas. Wouldn't it be prudent to spend the contingency, which is almost equal to the cost difference between Alternative 2 and Alternative 3, and completely remove the foundations of these buildings and totally remediate the site?

--

[REDACTED]

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] BOP Proposed Plan - public comment  
**Date:** Tuesday, January 5, 2021 1:52:36 PM  
**Attachments:** [2021-1-4-AW-Corps-BOP-PpsdPlan-F.pdf](#)

---

Please see comments on the Proposed Plan for the NFSS Balance of Plant Operable Units, attached.  
Thank you.  
Sincerely,  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

---

January 4, 2021

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, New York 14207

via email to: [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil)

**RE: U.S. Army Corps of Engineers (“Corps”) Proposed Plan for Remediation of the Balance of Plant and Groundwater Operable (“BOP”) at the Niagara Falls Storage Site (“NFSS”) in Lewiston, New York, located on the former Lake Ontario Ordnance Works (“LOOW”) site**

Dear Environmental Project Management Section:

I agree with local government requests to the Corps for modifying the BOP Proposed Plan to include removal of all buildings and foundations, (essentially Alternative 2.)<sup>1</sup>

The Corps’ Proposed Plan for the BOP made an incorrect assumption that future land use at the NFSS would be industrial. The current zoning reflects the condition of the NFSS foisted on the community by the federal government, *not* what the public would envision for future use if the NFSS were a vacant and unrestricted property.

Industrial development is not the priority for Lewiston, rather, tourism, residential and agricultural uses are the areas identified for growth, as noted in other comments to the Corps by elected officials as well all local government planning documents. Local stakeholders desire a restoration to Unrestricted use, which is not an option the Corps provided. The Town could not zone the NFSS as agricultural, for example, given its current use. The Corps never asked the public or local government what the property would be used for if fully remediated to Unrestricted use. There was no discussion of why that option was not provided, other than the Corps’ apparent, sole reliance on zoning that the federal government effectively forced on the Town of Lewiston.

**Key issues and or questions:**

1. Time is of the essence to remove all Interim Waste Containment Structure (“IWCS”) contents. The IWCS cap was constructed in 1987 with an original 25-year design life estimate, expiring 2012.

The IWCS Feasibility Study called for 2 yrs. of planning, then 1 yr. of infrastructure construction, then 1 yr. of subunit B/C removal to access subunit A, followed by retrieval and treatment of the high activity residues (subunit A) in year 4.<sup>2</sup> [See also Attachment to this letter.] Therefore, removal of IWCS high activity residues would begin in 2024 if the BOP estimated project timeframe of 28.5 months were to begin by Feb. 2021, simultaneous to IWCS planning and design phase.

---

<sup>1</sup> Specifically, the BOP R.O.D. should make removal of Building 433 and foundations of former Buildings 430 and 431/432 required, (instead of contingent on investigation and scarifying in prpsd. Alternative 3.)

<sup>2</sup> Final Feasibility Study Report for the IWCS at the NFSS, December 2015, p.4-43, [USACE 12-039(E)/101615]

As such, the Corps should work to have the BOP R.O.D. signed ASAP, not in 2022, given the age and dubious integrity of the IWCS combined with recent unfavorable changes in NFSS surveillance data.

Whether the Corps now deems IWCS cap design life at 25-50 yrs. (vs. max 25 yrs.), the condition of the underground WWII-era basement located inside the IWCS (which houses the highest activity radioactive residues) cannot be predicted with certainty. Thousands of soil samples taken by the Corps do not explain escalating detections of uranium in groundwater (or rising radon detections on the cap), prompting many of us to conclude the IWCS is probably already leaking.<sup>3</sup>

2. Groundwater (EU 4): If we assume IWCS leakage is, indeed, the cause of elevated uranium detections in NFSS groundwater, then completion of IWCS remediation would presumably also remedy the BOP groundwater problem. After completion of BOP and IWCS remediation, if elevated groundwater detections have not subsided, the Corps should then institute a new groundwater remedy that would be effective. To reiterate, *any* unnecessary delay to the removal of IWCS contents from the site may significantly increase risk to the community given the age and changing condition of the IWCS.
3. Easement: I support the Town and County requests for placing an easement prohibiting subsurface excavation on NFSS property which, in turn, would also prohibit any kind of subsurface structure (other than repair of the existing fence and signage for public safety.) Available technology today is not sufficient to identify, in the field, *all* contaminants known to have been handled, stored and spilled on the NFSS. Some of the NFSS contaminants of concern are dangerous to public health, even in small amounts, (whether under FUSRAP or Dept. of Energy remedial programs.)

It's been 80 years since federal activity began at the NFSS. Therefore, Cesium-137, a strong gamma emitter, is not routinely co-located with Plutonium, an alpha emitter. The Corps has, in fact, found Pu *not* co-located with Cs-137 on the LOOW in recent years. (DOE has also found cesium an unreliable marker for Pu in instances where cesium had washed away at other federal sites.) Therefore, the Corps may be unable to meet any clean up standard with complete certainty, particularly in subsurface areas.

An easement would; 1) reduce risk of resuspending or mobilizing any residual radionuclides, and 2) preclude foundations or subsurface structures, since any could potentially create obstacles to the BOP proposed 5-year post-remedial confirmatory reviews. (Additionally, climate change may cause changes to site sampling locations for 5-year confirmatory reviews in the future.)

4. Clean Up Standard: The public prefers and deserves an unrestricted cleanup standard, not the proposed restricted industrial cleanup standard, provided this *would not delay* the critical public health protection need to remove IWCS contents *as soon as possible*. There is presently no significant industrial "activity" in the NFSS vicinity. The map of the area surrounding the NFSS in the Proposed Plan's Figure 1 ("Map") is incomplete and seems designed to defend an industrial-level cleanup standard:

---

<sup>3</sup> Reductions in dramatically increasing uranium levels in groundwater on the east side of the IWCS seem to occur only when Corps activity has disrupts/alters a pathway or when groundwater monitoring well locations change. See also; 1) USACE Oct. 2020 Radon Flux Monitoring Fact Sheet for elevated radon readings also on the east side of the IWCS, 2) USACE 2019 NFSS Surveillance Memo for increasing Uranium detections at the site also in sediment.

East: The section of the Modern landfill to the east is fully developed with an interim cap; there is no future activity planned for that area when final capping is complete.

North: The CWM RCRA-C landfill has been closed for more than 5 years and we anticipate it will remain so.

South: Vacant land, a hydroponic tomato hothouse, a KOA campground with a swimming pool, and many residences are not reflected on the Map.

West: A narrow public utility easement, a fish hatchery and recreational fishing area, vacant land, and numerous residences are not reflected on the Map.

When the contents of the IWCS are removed, would the Plan allow for more contaminated soil meeting only an industrial standard to fill the remaining 10± acre hole that may be left? The community prefers clean, unrestricted quality soil at the site, whether imported fill or not.

Would the Corps please provide the name of those property owner(s) and indicate prior property use(s) for the entire NFSS property, that immediately proceeded federal ownership?<sup>4</sup> (This information may be useful to the community in considering future requests to DOE for mitigation, if the NFSS is not fully restored to its original use.)

5. Agriculture: It is not clear from Corps reports or public presentations what agricultural uses, if any, may still be feasible based on the proposed clean up standard. Please provide:

Specifically, what crops, plants and flowers could be harvested on the NFSS based on the proposed industrial cleanup standard for human use: 1) for medicinal purposes, 2) for direct dietary consumption, and 3) decoration (ex. cut flowers)?<sup>5</sup> (Again, this may help inform future requests from the community to DOE for mitigation of any residual federal impairment to NFSS property, post-remediation.)

6. Future Community Engagement:

As the IWCS and BOP projects move forward, we hope DOE will engage the community to discuss future use and potential DOE mitigation as soon as possible. As has been noted by others, the community may or may not want all electric utilities removed from the site during deconstruction. This is one example of a decision that might impact a future Corps or General Contractor contract and, therefore, would need to be addressed before not after project completion.

We hope the Corps will engage the community to discuss contractor or subcontractor activities that could have a traffic, air or noise impact, before the associated Requests For Proposal are issued. For example, whether it would be feasible in the future to require all construction and transport vehicles be electrically powered (i.e., quiet and without emissions) instead of gas or diesel-powered.

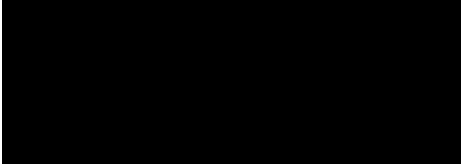
---

<sup>4</sup> Please segregate this request from BOP public comments in the rest of this letter if it will expedite the BOP ROD signature.

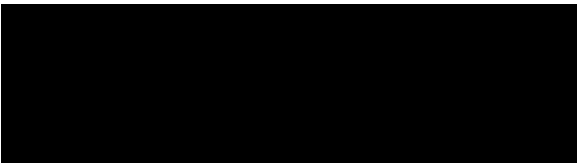
<sup>5</sup> Please segregate this request from BOP public comments in the rest of this letter if it will expedite the BOP ROD signature.

This community has borne the NFSS burden for too long. With the best cleanup possible, we hope the Corps and Dept. of Energy will leave us a site that will enhance the residential, cultural, and agricultural character of the area for residents and visitors, which are the priorities set forth in all local plans.

Sincerely,



Attachment





# Attachment

Excerpt from *NFSS IWSC Feasibility Study*, December 2015 p.4-43

The estimated time to complete Alternative 4 is 8 years. The time related to post-construction regulatory documents is not included in this estimate. The estimated durations in Figure 4-4 are based on the productivity assumptions used in the cost estimation presented in Appendix J.

Alternative 4	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Design and Planning	■	■	■	■					
Infrastructure			■	■					
Subunit B/C Removal to Access Subunit A			■						
Subunit A Retrieval/Stabilization/Disposal				■	■	■	■		
Subunit C Excavation/Disposal					■	■	■	■	
Subunit B Excavation/Disposal							■	■	
Facility D&D							■	■	■
Site Restoration									■

**Figure 4-4. Sequencing of Activities for Alternative 4**

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Niagara Falls Storage Site  
**Date:** Saturday, October 24, 2020 4:22:31 PM

---

Questions

1. By what means and by which routes will materials be removed?
2. After cleanup has been completed will the site be put on the open market for sale?

Respectfully,

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] FACTS, Inc. Comments on NFSS BOP Proposed Plan (USACE October 2020)  
**Date:** Wednesday, December 2, 2020 2:30:04 PM  
**Attachments:** [NFSSBOPcomments12-02-2020.docx](#)

---

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, New York 14207

Attached are FACTS, Inc. comments on the NFSS BOP Proposed Plan (USACE October 2020).

And we have a question:

Re the just released request for architectural/construction design proposals for excavation of the IWCS, will USACE be requiring an enclosure design that will withstand winds of at least 70 mph, (experienced at the NWS station at BNIA recently)?

Thank you,

[REDACTED]  
F.A.C.T.S. (For A Clean Tonawanda Site), Inc.

December 2, 2020

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, New York 14207

**Subject: Proposed Plan Balance of Plant and Groundwater Operable Units Niagara Falls Storage Site (USACE October 2020)**

This USACE proposal has deficiencies that violate longstanding AEC/NRC/DOE radioactive waste management regulations and principles. It echoes 30 years of early reckless waste disposal and abandonment, followed by 40 more years of outright violations of established radioactive waste management criteria and practices (1980-2020).

This plan does not protect the long term interests and well-being of New Yorkers for the following reasons:

- 1) The USACE plan presumes very limited exposure pathways and durations by designating a very limited "industrial" future use scenario. Such designation is unreasonable and translates into an unacceptable minimal cleanup of the estimated contamination. Further, DOE Legacy Management will decide on future uses; in this regard see comment 3 below.
- 2) It makes little sense to remove completely the residues and wastes from the IWCS (March 2019 ROD), while leaving heavily contaminated foundations and soils. At the Tonawanda, NY FUSRAP Site, three unsuccessful attempts were made to decontaminate a concrete building (Bldg. 14) to the appropriate cleanup criteria at a cost of over \$10 million, while unnecessarily resulting in greater cleanup worker exposures. All the contaminated foundations should be removed along with the residues/wastes/contaminated soils.
- 3) When institutional control inevitably ceases in future, well before the hazard ceases thousands of years into the future, this land is likely to revert to some form of its previous highest use and suitability: agricultural use. Therefore, a modification of the "resident farmer" scenario is the most appropriate future use designation. Such a designation will provide the thorough cleanup needed to protect the health of future residents of this area.

Note: Army Corps is in the habit of furthering the public's misconception that a "park use" implies a thorough cleanup to high standards, when in fact such a scenario is the least protective cleanup scenario, next to no cleanup since it implies extremely limited

exposure pathways and very short durations of public exposure. The NYS DEC should rectify this confusion in its comments.

4) The applicable and appropriate cleanup criteria for the resident farmer cleanup scenario are contained in Option 1 of the 1981 NRC Branch Technical Position on Disposal or Onsite Storage of Thorium or Uranium Wastes from Past Operations

This widely applied policy states:

"For natural uranium ores having daughters in equilibrium, the concentration limit is equal to that set by the EPA (46 FR 2556-2563) for radium-226 (i.e., 5 pCi/gm, including background) and its decay products.

We call for a soil cleanup level of 30 pCi/gm total uranium; this should be the maximum "hot spot" level remaining after remediation. This was the standard used at the Colonie, NY FUSRAP Site near Albany, NY.

For more background regarding the serious mismanagement of this site and the closely related Tonawanda Site see:

Army Corps' Manhattan Project "Cleanup" Fiasco:

<https://westvalleyfactsofwny.org/fiasco.htm>

Niagara Falls Storage Site - Key Considerations and Recommendations:

<https://westvalleyfactsofwny.org/NFSSbrief.htm>

5) NYS DEC has the authority to identify the appropriate State and federal ARARs, under CERCLA, and thereby achieve meaningful complete restoration of this site. We request a copy of their input on this proposed plan.

Sincerely,

[REDACTED]

F.A.C.T.S. (For A Clean Tonawanda Site), Inc.

[REDACTED]

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Comments related to alternative 3  
**Date:** Thursday, December 3, 2020 8:02:49 AM

---

The Lewiston-Porter School District would appreciate having access to your emergency plan operations, and how we will be notified if there is an emergency related to the removal, whether it is a spill, or exposure.

We would like assurances that the transportation route of the waste disposal will not be done during school hours and will not be transported in a route that would have trucks driving in front of school property.

I would be curious to know the location where the waste is being moved.

Thank you for feilding these questions

[REDACTED]

[REDACTED]



December 7, 2020

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street; Buffalo, New York 14207

Re: Niagara Falls Storage Site  
Comments on Proposed Plan

Modern Landfill, Inc. hereby submits the following comments in response to the Army Corps of Engineers solicitation dated 11/25/20 and 12/4/20. That solicitation is copied below, in italicized text:

*Niagara Falls Storage Site News from the Corps Sent Wed 11/25/2020 10:01 AM*

*Hello from the U.S. Army Corps of Engineers Buffalo District: The district is pleased to announce the opening of a solicitation for an Indefinite Delivery/Indefinite Quantity Architect-Engineer (A-E) contract for engineering design and construction oversight services for remediation of the Niagara Falls Storage Site. The contractor will provide engineering and design support to construct and operate the infrastructure necessary to safely remediate the site. Firms will be evaluated based on their demonstration of specialized experience or evidence of similar relevant experience in the type of work expected to be required.*

*Additional details are available at the link*

*below: [https://beta.sam.gov/opp/52c851d3aa144cee807ab80994bd2ec8/view?keywords=W91 2P420R0007&sort=-relevance&index=&is\\_active=true&page=1](https://beta.sam.gov/opp/52c851d3aa144cee807ab80994bd2ec8/view?keywords=W91%20420R0007&sort=-relevance&index=&is_active=true&page=1)*

*We would also like to remind you to email your comments on the Niagara Falls Storage Site Balance of Plant and Groundwater Operable Units proposed plan to [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil). The public comment period closes December 5, 2020.*

*The public meeting presentation, transcript and responses to questions received regarding the proposed plan are available on the project website in the Presentation section*

*at: <https://www.lrb.usace.army.mil/Missions/HTRW/FUSRAP/Niagara-Falls-Storage-Site/>.*

*In response to requests received by the Corps of Engineers today, December 4, 2020, the public comment period for the Proposed Plan, Balance of Plant and Groundwater Operable Units (OUs), Niagara Falls Storage Site (NFSS) is being extended by an additional 30 days. You are encouraged to review and provide your comments on the proposed plan by January 5, 2021.*

The proposed selected alternative #3 for the Balance of Plant and Groundwater Operable Units includes scarifying foundations and discusses concrete dust (approximately 83 cubic yards). How will air emissions and contaminant transport/protection of people at adjacent operating facilities, be addressed?

How will an Operations and Maintenance period of 1,000 years be implemented and enforced?

Modern Landfill is an active solid waste landfill adjacent to the facility with employees, customers, and the community traversing daily along roads adjacent to the storage site. Please consider this when the remedial plans are developed. Communicating the measures that are proposed to assure no exposure to our employees, customers and the community will be critical.

\\\\str1\\User Folders\\markm\\My Documents\\Landfill\\NFSS\\NFSS comment ltr 120720.docx



■ 4746 Model City Road, P.O. Box 209, Model City, NY 14107-0209

■ 716-754-8226 ■ 1-800-330-7107 ■ Fax: 716-754-8964

The Community Relations Plan, Appendix F, lists the Modern Corporation contact as [REDACTED], please change that to [REDACTED]

This plan summarizes the four possible remedial options for the balance of plant areas and the groundwater discusses how the USACE selected their preferred option. Their preferred option was Alternative 3 which includes removal of contaminated soil and groundwater with off-site disposal and decontamination of contaminated concrete by scarifying and removal of the scarified material.

Based on the information provided, I would agree with their selection of Alternative 3 as the best option assuming that the property would never be sold. Once the remedial alternative is formally confirmed a remedial design and plans will be developed. It will be important that Modern has the opportunity to comment on those plans. Some of the comments I have on this proposed plan will likely be addressed in the remedial design and plans.

Review of the document generated the following comments:

- With respect to Alternative 3, they have no analytical data to document the extent of contamination of the concrete. From my experience, scarifying can take considerably longer than simple excavation and removal, therefore, their estimate of construction time may be underestimated
- Figure 2 shows two areas of surface radiological contamination that are immediately adjacent to Modern's property. One is in exposure unit (EU) 8 and the other in EU 12. As a consequence, Modern request detailed mitigation and containment plans for these areas.
- Of more concern, based on Figure 2, the extent of contamination in EU 8 extends across onto Modern's property. As well, based on Figure 2, existing sanitary sewer lines in UE 8 cross onto Modern's property in two locations. Sewer lines, wastewater lines and drainage ditches provide preferential pathways for contamination migration. There is no mention of removing lines as part of this clean-up of the radiological contamination in EU 8; however, their removal should be addressed; and
- Since the prevailing winds are generally from the southwest, west, and northwest over the year, any remedial work that potentially generates dust or volatile organics compounds (VOCs) must have appropriate monitoring and containment measures in place so the contaminants don't move onto Modern's property.





**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Letter of Support Re: Proposed Plan, Balance of Plant, Niagara Falls Storage Site ("NFSS"), Lewiston, New York  
**Date:** Thursday, December 3, 2020 4:33:32 PM  
**Attachments:** [U.S Army Corps of Engineers.pdf](#)

---

Please see attached Letter of support from Legislator [REDACTED] of Niagara County.

Thank you,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Notice: This electronic transmission is intended for the sole use of the individual or entity to which it is addressed and may contain confidential, privileged or otherwise legally protected information. If you are not the intended recipient, or if you believe you are not the intended recipient, you are hereby notified that any use, disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information, is strictly prohibited. Niagara County is not responsible for the content of any external hyperlink referenced in this email or any email. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY EMAIL AND DELETE THE ORIGINAL MESSAGE ALONG WITH ANY PAPER OR ELECTRONIC COPIES. Thank you for your cooperation.



## THE LEGISLATURE NIAGARA COUNTY

LEGISLATOR [REDACTED]  
1<sup>ST</sup> DISTRICT  
NIAGARA COUNTY LEGISLATURE

December 3, 2020

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, New York 14207 and by email to: [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil)

**RE: Proposed Plan, Balance of Plant, Niagara Falls Storage Site (“NFSS”), Lewiston, New York**

To Whom It May Concern:

I write as the Niagara County Legislator representing portions of the Town of Lewiston, including the property which houses the NFSS, as well as representing the entire Town of Porter, much of which is downwind from the NFSS.

I am in receipt of the Town of Lewiston resolution regarding the Proposed Plan to remediate the NFSS Balance of Plant (“BOP”), i.e., all property outside the Interim Waste Containment Structure (IWCS) on the site. I understand that it is necessary to complete the BOP remediation in order to construct the infrastructure necessary to remove and ship the contents of the IWCS to an out-of-state repository. Remediation of the IWCS remains an urgent, high priority for the community.

I support the U.S. Army Corps of Engineers (“Corps”) Proposed Plan for the BOP, however, also request complete removal of all buildings and foundations at the NFSS and also the institution of an environmental easement on land records as discussed below.

The Corps BOP Proposed Plan offers removal of Building 433 and the foundations of former Buildings 430 and 431/432 as only *contingent* upon the outcome of attempts at decontamination. The cost of decontamination would be better spent on complete removal of these structures to enable the Corps to investigate and remediate the soil and groundwater beneath them to ensure the entire site will be cleaned up. The absence of any vacant structure or “attractive nuisance” at the site given its close proximity to residences and schools would be an added safeguard to the community, as would avoiding the expense to someday remove obsolete structures the federal government placed on the site.

I note that the Corps’ Proposed Plan calls for the removal of the foundation and utilities at the former Building 401. During the Remedial Design phase of the BOP, if there are any electrical utilities in place, I encourage the Corps and the Department of Energy (DOE) to consult with the public and local officials on whether there could be a benefit to leaving them for future use. For example, if the Town would like to see a surface-mount type of solar development on the NFSS after remediation, some existing electrical utilities may (or may not) be useful.

As for future use, residents would like to see the entire site restored to its unrestricted use condition in 1940, just before the federal government took what is now NFSS property from residents to support our nation’s WWII effort. The NFSS is zoned today as industrial, which reflects its current use determined by the federal government, not as what the Town ever envisioned as an ideal future use. Recognizing that full restoration of all 191 acres at the NFSS may not be feasible or practicable, and given the urgency to remove the IWCS residues, I agree with the Town’s request that the Corps recommend to DOE that an environmental easement be placed on the NFSS land records to prohibit below ground excavation and construction due to the unique history of the site.

Primary economic development in the Town of Lewiston consists of tourism, agriculture and residential development, not industrial. This is evident from the Town's Welcome page on its website which reflects the Town's historical character:

"Lewiston is a 64-square mile community nestled along the Niagara River on the Canadian border with a population of approximately 16,250 and boasts outstanding views of Toronto, the Niagara River and Lake Ontario. It is located in the westernmost portion of Niagara County. Buffalo is a 20-mile drive to the south, Rochester a 75-mile drive to the east and Toronto, Canada an 80-mile drive to the northwest. Sixty-two percent of the Canadian population and fifty percent of the U.S. population reside within a 500-mile radius of Lewiston.

The Town of Lewiston was established, by State Legislature, on February 23, 1818. Lewiston was originally controlled by the French, later by the British, and ultimately becoming a part of the United States. Due to its position as the gateway to westward expansion, Lewiston figured prominently in our County's early development. Major battles in the War of 1812 were fought in and around Lewiston. Members of the Tuscarora Indian Nation fought to protect Lewiston in key battles.

Historic character, attractive neighborhoods, working farms, scenic vistas, quaint shops and vineyards contribute to the excellent quality of life for Lewiston residents. Agriculture, development standards and community vision all strive to preserve and enhance the Town's rural character. Orchards flourish in the unique microclimate created by the escarpment. Lake Ontario and this bounty are enjoyed by locals and visitors alike. Lewiston is the gateway to the Niagara Wine Trail, with many of its vineyards supplying grapes for world-class wines.

Lewiston has a high quality recreational system that includes excellent parks and trails and specialized programs for its senior citizens. The strong, vibrant Village of Lewiston and the Hamlet of Sanborn are the focus of commercial, service and community cultural activities."

Thank you for consideration of the above requests. To reiterate, remediation of the IWCS remains an urgent, high priority for the community.

Sincerely,

[REDACTED]  
Niagara County Legislator  
District #1

cc: [REDACTED]

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Clean up standard  
**Date:** Wednesday, October 7, 2020 9:12:28 AM

---

I am wondering what the standard is that will be used to measure the clean up by? Will it be cleaned up according to the Rural Residential Standard that the property was used as prior to the US Government acquiring it? The property was not Industrial Zoned when they acquired it but had to be after the US Government used it for that purpose. If it is not cleaned up according to the Rural Residential standard it will then limit the use in the future for the Town.

[REDACTED]  
*Building Inspector*  
*Town of Lewiston*

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Clean up Pletcher Rd  
**Date:** Friday, December 4, 2020 4:30:29 PM

---

Army Corp, I believe the site should be cleaned up to better than Industrial Standard. I don't think its fair to the Town to clean it up to that level when back in the 40s it was perfectly clean for Residential or Agricultural use. It was the Federal Gov. that thought it was a good idea to bury this stuff between the Great Lakes, and in a tourist area with world class fishing and Agriculture. Seems like you're just going to leave us a useless property that when you took the property it had value.

If it was cleaned up to a better standard at least a light industry use could have confidence if they put something like a solar or wind farm there, there would be no adverse effect to their employees. This whole situation is a travesty for the Town of Lewiston. It seems like our Town has gotten hit with everything from the Power Authority, Religious uses, County and State Parks, Indian Res., Federal Property, Contaminated property, Bridge Commission, Brown Fields, all who don't pay taxes, some have contaminated the ground beyond use but the Town tax payers have to deal with it all.

[REDACTED]  
*Building Inspector*  
*Town of Lewiston*

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Subject:** [Non-DoD Source] Emailing: Resolution2020-019 (2).pdf  
**Date:** Thursday, December 3, 2020 3:02:25 PM  
**Attachments:** [Resolution2020-019 \(2\).pdf](#)

---

Your message is ready to be sent with the following file or link attachments:

Resolution2020-019 (2).pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

November 24, 2020

US Army Corps of Engineers  
Buffalo District  
1776 Niagara Street  
Buffalo, New York 14207


Hello,

Enclosed please find Town of Lewiston Resolution 2020 – 019, entitled Environmental Easement – Niagara Falls Storage Site, which was approved at the Town of Lewiston Town Board meeting of November 23, 2020.

Thank you,

  
Town Clerk

cc:

Niagara County Legislature  


New York State Assembly  


New York State Senate  


U.S. Congress  




U.S. Senate



Department of Energy Director of Legacy Management  
U.S. Department of Energy  
Office of Legacy Management  
1000 Independence Avenue, SW  
Washington, DC 20585



TOWN OF LEWISTON  
ENVIRONMENTAL EASEMENT – NIAGARA FALLS STORAGE SITE  
RESOLUTION 2020-019

**WHEREAS**, the U.S. Army Corps of Engineers (“Corps”) has solicited public comments on its proposed plan to remediate the Niagara Falls Storage Site Balance of Plant, (the area outside of the Interim Waste Containment Storage area), and

**WHEREAS**, the Corps has proposed Alternative 3, which states,

“impacted soil, road bedding, and groundwater are removed; the foundation and utilities of former Building 401 are removed; and Building 433 and the foundations of former Buildings 430 and 431/432 are decontaminated by scarifying (mechanically grinding the surface) and left in place. FUSRAP-related material that is removed will be transported off-site for disposal at an appropriately permitted disposal facility. Following implementation of Alternative 3, the site would be remediated to levels suitable for industrial use (i.e., protective of both construction and industrial workers). Five-year reviews will be conducted to ensure continued protectiveness of the remedy.”

**WHEREAS**, the Town of Lewiston is in support of the Corps’ efforts to remediate the entire Niagara Falls Storage Site, including all subsurface areas beneath existing buildings, and

**WHEREAS**, the Town seeks a federal cleanup that would restore the Niagara Falls Storage Site property to its condition in 1940, prior to seizure by the federal government, to the extent practicable, and

**WHEREAS**, the Town of Lewiston would like to ensure the institutional memory of governing municipalities, schools and agencies regarding the history of property use at the site.

**BE IT RESOLVED**, that the Town of Lewiston requests that the Corps modify then approve Alternative 3 to require the removal of Building 433 and the removal of foundations of former Buildings 430 and 431/432 under its Record of Decision, and

**BE IT RESOLVED**, that the Town of Lewiston requests that the Corps recommend to the Department of Energy (“DOE”) that it place an environmental easement that would restrict excavation and or the placement of any subsurface structure on the entire property other than for Corps or agency successor remediation of the Niagara Falls Storage Site, and

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the Corps and to elected officials representing the Town of Lewiston in; the Niagara County Legislature, the New York State Assembly and Senate, the U.S. Congress and Senate, with a copy also to the Department of Energy Director of Legacy Management.

BY ORDER OF THE TOWN BOARD  
Dated: November 23, 2020

SEAL

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Support Letter for the clean up of NFSS  
**Date:** Tuesday, December 8, 2020 1:12:36 PM  
**Attachments:** [Army Corps Letter.pdf](#)

---

Good morning,

Please see the attached letter from the Village of Lewiston, Mayor, [REDACTED]  
We support the Army corps of Engineer's efforts to remediate the entire NFSS site.

Sincerely,

[REDACTED]  
Deputy Clerk  
Village of Lewiston  
[REDACTED]

# Village of LEWISTON

145 North Fourth Street • PO Box 325  
Lewiston, N.Y. 14092-0325  
716-754-8271 • FAX 716-754-2703



December 7, 2020

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, New York 14207

and by email to: [fusrap@usace.army.mil](mailto:fusrap@usace.army.mil)

**RE: Proposed Plan for the Balance of Plant and Groundwater Operable Units, Niagara  
Falls Storage Site ("NFSS"), Lewiston, New York**

To Whom It May Concern:

The Village of Lewiston Board of Trustees has reviewed the resolution passed by the Town of Lewiston Board on the above-captioned matter and concurs. We support the Army Corps of Engineer's efforts to remediate the entire NFSS site. We agree with the Town that removal of all structures at the site and the imposition of an environmental easement by the Dept. of Energy to prohibit excavation on the NFSS property, are appropriate to protect current and future generations.

We agree with the Town of Lewiston that, ideally, the community would like the property restored to its unrestricted condition in 1940 prior to federal use, and we agree with County Legislator Myers that anything less than full restoration as is proposed by the Corps should warrant some form of mitigation by the Dept. of Energy acceptable to the community upon completion of the cleanup.

Sincerely,

[Redacted Signature]

cc:

[Redacted Distribution List]

**From:** [REDACTED]  
**To:** [Fusrap, LRB](#)  
**Cc:** [REDACTED]  
**Subject:** [Non-DoD Source] Proposed Plan for the Balance of Plant and Groundwater Operable Units  
**Date:** Monday, December 21, 2020 10:33:21 AM  
**Attachments:** [image001.png](#)  
[20201221104312882.pdf](#)

---

To Whom it May Concern:

Please see the attached letter as confirmation of a resolution passed by the Village of Youngstown Board of Trustees regarding the remediation of the Niagara Falls Storage Site, Lewiston, NY.

The original letter will be mailed to the U.S. Army Corps as well.

Thank you for your consideration.

Smiles,

[REDACTED]

[REDACTED]



Village of Youngstown  
240 Lockport Street  
PO Box 168  
Youngstown, NY 14174  
Phone: (716) 745-7721  
Fax: (716) 745-3400

Monday-Thursday, 8:00 a.m. - 4:00 p.m.  
Friday, 8:00 a.m. – 3:30 p.m.



<http://youngstownnewyork.us>

*Young in Spirit, Ageless in Pride*  
Incorporated: April 18, 1854



INCORPORATED:  
APRIL 18, 1854

## Village of Youngstown

VILLAGE CENTER • 240 LOCKPORT STREET  
P. O. BOX 168  
YOUNGSTOWN, NEW YORK 14174-0168

TELEPHONE:  
(716) 745-7721  
FAX:  
(716) 745-3400

December 14, 2020

U.S. Army Corps of Engineers Buffalo District  
Environmental Project Management Section  
1776 Niagara Street  
Buffalo, NY 14207

RE: Proposed plan for the balance of plant and groundwater operable units, Niagara Falls Storage Site (NFSS), Lewiston, NY

To Whom It May Concern:

The Village of Youngstown Board of Trustees has reviewed the resolution passed by the Town of Lewiston and letter of support from the Village of Lewiston and Legislature Myers on the above matter and is also in support of the Army Corps of Engineers plan to remediate the entire NFSS site.

The Village of Youngstown agrees that they and the community and surrounding areas would like the entire site restored to its unrestricted use condition in 1940, prior to Federal use. Anything less than full restoration should warrant some form of mitigation by the Department of Energy, acceptable to the community upon completion of the clean-up.

Sincerely:

C