



## Department of Energy

Washington, DC 20585

September 22, 2014

[REDACTED]  
Deputy Commanding General for Civil and Emergency Operations  
Headquarters, U.S. Army Corps of Engineers  
441 G Street NW  
Washington, DC 20314-1000

Dear [REDACTED]:

The U.S. Army Corps of Engineers (USACE) encountered unassessed residual radiological contamination while removing structures associated with a former wastewater treatment plant on Vicinity Property X (VP-X) at the Niagara Falls Storage Site (NFSS) near Lewiston, New York. This letter is to inform you that the U.S. Department of Energy Department (DOE) is referring VP-X to USACE for assessment and, if needed, remediation.

The NFSS and associated vicinity properties are within the original boundary of the former Lake Ontario Ordnance Works, a portion of which was used in support of Manhattan Engineer District and U.S. Atomic Energy Commission activities. DOE designated VP-X for cleanup under the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1984. DOE removed assessed residual radioactive contamination from VP-X in 1984 and certified that radiological conditions on this property conformed to the cleanup guidelines in 1991. In 2010, DOE performed a desktop review of the remediation documentation and current land use at NFSS vicinity properties in response to stakeholder concerns. All FUSRAP material at the completed sites, including VP-X, was remediated to meet DOE guidelines for unrestricted use. This report also concluded that if undiscovered contamination is identified, the DOE would refer the property to USACE for investigation and possible remediation.

In 2011, USACE conducted intrusive work at the former wastewater treatment plant to mitigate physical hazards. Radiological release surveys conducted on process pipes revealed elevated beta activities in scale on the pipe interiors. Samples of the scale were collected and analyzed. Information provided by USACE demonstrates that the following conditions exist:

- Elevated uranium activities that exceed the volumetric radionuclide guideline established for the DOE remediation work were detected on some of the process pipes.
- The extent of elevated uranium activity has not been determined.
- Health risk was not assessed with regard to the elevated uranium detected in piping associated with the former wastewater treatment plant.



[REDACTED]

Article III.B.1.b. of the *Memorandum of Understanding Between the U.S. Department Of Energy and the U.S. Army Corps of Engineers Regarding Program Administration and Execution of the Formerly Utilized Sites Remedial Action Program (FUSRAP)* (MOU) stipulates that for sites remediated by DOE before 1997 (i.e., “completed” sites), DOE “Shall request USACE to conduct additional FUSRAP cleanup in a manner consistent with those procedures described in Article III section D, FUSRAP ELIGIBILITY (NEW SITES).”

DOE concludes that unassessed contamination exceeding cleanup guidelines might remain on VP-X. Therefore, in accordance with Article III.B.1.b., of the MOU, DOE refers NFSS VP-X to USACE for assessment and, if needed, remediation.

Article III.D.1.a of the MOU provides that DOE “Shall perform historical research and provide a FUSRAP eligibility determination, with historical references, as to whether a site was used for activities which supported the Nation’s early atomic energy program.” NFSS VP-X was previously found to be eligible and was remediated under FUSRAP, and the site was included on the list of Completed FUSRAP Sites in Attachment A of the MOU.

In accordance with MOU Article I.F.13, if USACE concurs that evaluation and, if needed, remediation is required, the status of NFSS VP-X will change to “active” and all appropriate provisions of the MOU shall apply.

We appreciate USACE’s assistance and will continue to work cooperatively with your staff in carrying out the terms of the MOU. Please contact [REDACTED] if you need further information on this matter.

Sincerely,

[REDACTED]

Director  
Office of Legacy Management

cc:

[REDACTED], USACE-Buffalo District  
[REDACTED], USACE-HQ, CEMP-CEP  
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