



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CEMP-CE

9 November 2018

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) (att: Sharron DaCosta-Chisley), 108 Army Pentagon, Rm 3E441, Washington, DC 20310-0108

SUBJECT: Notification of adding the Staten Island Warehouse Site (SIW), Port Richmond, New York, as an active site under the USACE Formerly Utilized Sites Remedial Action Program (FUSRAP)

1. References:

- a. Letter, 6 October 2009, from David W. Geiser, Deputy Director, Department of Energy, Office of Legacy Management to MG Meredith (sic) W.B. Temple, Deputy Commanding General for HQUSACE, Civil and Emergency Operations Directorate, subject: Referral of Staten Island Warehouse Site, 2393 Richmond Terrace Avenue, New York to U.S. Army Corps of Engineers for Additional Evaluation.
- b. Memorandum of Understanding between DOE and USACE Regarding Program Administration and Execution of FUSRAP, 17 March 1999.
- c. Preliminary Assessment Report, Staten Island Warehouse Site (SIW), Richmond Terrace, Port Richmond, New York, January 2012.
- d. Site Inspection Report, Staten Island Warehouse Site (SIW), Richmond Terrace, Port Richmond, New York, March 2014.
- e. Request for Inclusion of the Staten Island Warehouse (SIW) Property into the Formerly Utilized Sites Remedial Action Program (FUSRAP), May 2017.

2. BLUF: I recommend that the Staten Island Warehouse (SIW) site (hereafter, "the Site") be added to the USACE FUSRAP program and as defined by the referral from Department of Energy – Office of Legacy Management (DOELM). I further recommend that your office make the required Congressional notifications so that funding can be made available to conduct a remedial investigation.

3. Background. In 2008, EPA requested DOE to review their initial Site eligibility decision issued in 1986, on the basis of new information obtained by the New York State Department of Environmental Conservation (NYSDEC) in a study conducted at the site in 1992 and from the results of a subsequent Removal Site Evaluation (RSE). DOE-LM complied with their request, re-evaluated the Site and sent a referral letter to USACE in 2009 in accordance with Article III.D of the Memorandum of Understanding between DOE and USACE [reference b] advising USACE that subject to its evaluation, the Site could be remediated under FUSRAP.

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4. Upon receiving the eligibility determination request from DOE, HQUSACE tasked the appropriate Major Subordinate Command (MSC) to investigate the possibility of additional threats to human health and the environment resulting from the release of hazardous substances at the Site in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), and the National Oil and Hazardous Substances Pollution Contingency Plan [reference c and d]. After reviewing the MSC recommendation, HQUSACE concurs with the MSC conclusion that contamination is present at a level sufficient to warrant a CERCLA response action that we have the authority to respond under CERCLA (see reference e).

5. This letter serves to recommend that the Site should be an "active site" and included in the USACE FUSRAP Program upon concurrence from your office and in accordance with Article III.D.2 of the MOU.

6. If you wish to discuss this further, please contact the National FUSRAP Program Execution Manager, Nicki Fatherly, at (202) 761-0629 or email at nicki.fatherly@usace.army.mil.

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