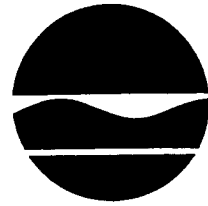


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New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Pesticides & Radiation
Radiation Section, Room 402
50 Wolf Road, Albany, New York 12233-7255
518-485-8981 FAX 518-485-8390



John P. Cahill
Commissioner



October 27, 1998

Lieutenant Colonial M. Feierstein, USA
U. S. Army Engineering District, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

Re: FUSRAP Former Bliss & Laughlin Site Proposed Plan (September 1998)

Dear Lieutenant Colonial Feierstein:

The New York State Department of Environmental Conservation has reviewed the subject document, which George B. Brooks sent to us on October 21, 1998. We received the report on October 22, which allowed us only five working days to review and comment on the plan. This is insufficient time to perform a complete review of a proposed remediation.

This Department agrees with the use of Alternative 3 (Decontamination of Buildings) as the preferred cleanup alternative for the Bliss & Laughlin Site, as explained on page 21 of the Remedial Investigation, Feasibility Study, & Proposed Plan. We do, however, have the following comments.

On page 12 the first paragraph states, "Any water generated or collected during performance of work would be contained, sampled, analyzed and disposed appropriately." Discharge of such water to surface water, groundwater and sanitary sewer must comply with New York State's *Rules and Regulations for Prevention and Control of Environmental Pollution by Radioactive Materials*, 6 NYCRR Part 380 (copy enclosed).

One action item listed on page 21 under the proposed plan needs clarification. It is item number 2 which reads, "characterization of suspect areas including the filled in trench to confirm the presence or absence or contamination." However, coring performed

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LBLS 21.00

Lieutenant Colonial M. Feierstein

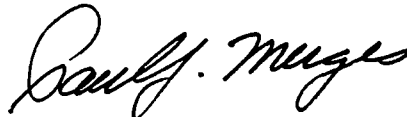
2.

in 1995 has already identified subslab contamination in the form of debris, as differentiated from soil (see page 5 of Appendix A, *Bliss and Laughlin Steel Characterization Results*). It is our presumption that this material will be remediated and disposed of accordingly. Any soil contamination needs to be removed to background levels, or a site specific guideline value needs to be developed with our concurrence.

Once the remediation is finished and the Corps of Engineers has conducted and documented the final status survey of the building, the Corps of Engineers should obtain the services of an independent contractor to verify that the criteria established in the Record of Decision have been met.

If you have any questions or need further information, please contact me at the above telephone number.

Sincerely,



Paul J. Merges, Ph.D.
Director, Bureau of Pesticides & Radiation
Division of Solid & Hazardous Materials

Enclosure

cc w/o encl: R. Aldrich, NYSDOL
K. Rimawi, NYSDOH
P. Kranz, Erie Co. Dept. of Environmental Planning