

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Radiation & Hazardous Site Management
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LTSM012582

John P. Cahill
Commissioner

DEC 08 1998

Mr. Raymond L. Pilon
U. S. Army Engineering District, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

Dear Mr. Pilon:

Re: Bliss and Laughlin FUSRAP Site

This letter acknowledges that the New York State Department of Environmental Conservation has received the November 1998 Draft Record of Decision (ROD), which included the Responsiveness Summary, and a Technical Memorandum - Cleanup Goals For The Soil At The Finishing Area Of The Former Bliss And Laughlin Facility. These two documents were sent to John Mitchell of this Bureau electronically on November 25, 1998. The one comment we would like to make on the ROD is that a section should be added after section 3.2 entitled "To-Be-Considered Selected for Bliss & Laughlin Site Remediation." This section should recognize and discuss New York State's Technical Administrative Guidance Memorandum 4003. We have no further comments on the ROD since we agreed with the preferred cleanup alternative for the Bliss & Laughlin Site in our October 27, 1998 letter to Lieutenant Colonial M. Feierstein.

Regarding the Responsiveness Summary, this Department disagrees with the response to our request that the USACE obtain the services of an independent contractor to verify that the clean-up criteria established in the Record of Decision have been met (Comment 6). We still insist that an independent contractor verify the clean up.

This Department has reviewed the Technical Memorandum - Cleanup Goals For The Soil At The Finishing Area Of The Former Bliss And Laughlin Facility. This technical memorandum back-calculated acceptable residual contamination levels at the Bliss And Laughlin Facility utilizing standard dose considerations of 25 mrem/year, ten mrem/yr and one mrem/yr. The conclusion of the technical memorandum included the statement, "By selecting a cleanup goal of 210 pCi/g for naturally occurring uranium (including 100 pCi/g of U-238), the residential, industrial worker and construction worker

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doses would be below the ten mrem/yr NYSDEC guideline." Our modeling of the proposed clean-up concentration for U-238 at 100 pCi/g resulted in the same conclusions; that is, that the doses under a residential, commercial/industrial or construction scenario for this site would result in doses below our TAGM 4003 goal of ten mrem/yr additional exposure.

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 Radiation & Hazardous Site Management
Division of Solid & Hazardous Materials

cc: Lieutenant Colonial M. Feierstein, USACE
R. Aldrich, NYSDOL
K. Rimawi, NYSDOH
P. Kranz, Erie Co. Dept. of Environmental Planning