

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Pesticides & Radiation
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John P. Cahill
Commissioner

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Mr. Gene Jones
USACE Northwestern Division
12565 West Center Road
Omaha, Nebraska 68144

Dear Mr. Jones:

Enclosed is the New York State Department of Environmental Conservation's technical progress report on the FUSRAP oversight program, for the fourth quarter of federal fiscal year 1998. In accordance with the former United States Department of Energy grant DE-FG05-960R22498, this report covers the period of time from July 1, 1998 to September 30, 1998.

Please call John I. Mitchell, of this Bureau at (518) 457-2225, if there are any questions.

Sincerely,

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

Enclosure

cc w/encl: Col W. Pearce, USACE, New York District
Col. Feierstein, USACE Buffalo District
T. Hempfling, USACE

**Bureau of Pesticides & Radiation
Division of Solid & Hazardous Materials
New York State Department of Environmental Conservation
Albany, New York 12233-7255**

**FUSRAP Oversight Program
Technical Progress Report
Former United States Department of Energy
Grant Number DE-FG05-96OR22498
July 1 to September 30, 1998**

The following activities have been completed with funding from the former United States Department of Energy grant number DE-FG05-96OR22498.

1. Monitoring/Sampling:

Colonie Interim Storage Site (Colonie, New York): The Radiation Section staff continued to perform air monitoring, and assisted in the collection of soil samples from the Bay 1 area and stockpiled soil piles.

Tonawanda Sites (Tonawanda, New York) Ashland 2: Radiation Section staff continued to perform air monitoring at the Ashland 2 site. Radiation Section staff, in the spirit of cooperation, began working with the United States Army Corps of Engineers (USACE) and their contractor, ICF Kaiser, as they began the process of determining whether the remediated areas met the site's clean-up criteria, as presented in the Record of Decision (ROD). Our efforts were directed towards performing a radiological survey and collecting split unbiased soil samples and biased soil samples from each survey unit as derived by ICF Kaiser using the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) approach. We have been sharing our data as it becomes available.

Tonawanda Sites (Tonawanda, New York) – Niagara Landfill (Seaway Landfill): On July 22, 1998 Radiation Section staff collected four radon samples for Browning Ferris Industries. The Radiation Section had planned on collecting confirmatory samples; however, when background counting the Lucas cells, it was discovered that our system was broken. We will have our system repaired in time for the next sampling event which is tentatively scheduled for November 1998.

Tonawanda Sites (Tonawanda, New York) – Tonawanda Landfill:

Radiation Section, on July 14, 1998, collected a leachate sample from an outbreak at the Tonawanda landfill. This site visit was in response to a local resident's telephone call notifying DEC Region 9 staff about the outbreak.

Niagara Falls Storage Site (Lewiston, New York): Radiation Section staff, on July 14, 1998, replaced the Section's thermoluminescent dosimeters (TLD) with new ones. Once back at the office, Radiation Section staff processed the collected TLDs. This information needs to be inputted into a spread sheet so that the data can be normalized to a 90-day period.

2. Documents Reviewed:

Site Plans:

Colonie Interim Storage Site (Colonie, NY): Radiation Section staff reviewed and commented on ICF Kaiser's Draft and Revision 2 of the *Sampling and Analysis Plan for Stockpiles and Bay 1 Ground Surface* for the Colonie Interim Storage Site (CISS). Those comments were submitted on August 4, 1998 and August 20, 1998, respectively.

Tonawanda Sites (Tonawanda, NY) – Praxair Incorporated (Linde Air Products):

Radiation Section staff finished the review of several United States Army Corps of Engineers (USACE) Buffalo District documents regarding the Linde Building 30 demolition. Those documents were:

Asbestos Removal Plan, Demolition and Debris Removal Former Linde Building 30 (June 18, 1998). Comments were submitted on July 3, 1998.

Mobilization and Utility Abandonment Plan (May 29, 1998), *Contractor Quality Control Plan* (May 29, 1998) and *Draft Site Safety and Health Plan* (June 9, 1998). Comments were submitted on July 7, 1998.

Waste Characterization and Stabilization Plan, Demolition and Debris Removal Former Linde Building 30 (June 18, 1998), the *Chemical/Radiological Sampling and Analysis Plan, Demolition and Debris Removal Former Linde Building 30* (August 5, 1998) which contains as Appendix A, the *Quality Assurance Project Plan, Demolition and Debris Removal Former Linde building 30* (August 5, 1998). Comments were submitted on August 28, 1998.

Draft Demolition Work Plan, Demolition and Debris Removal Former Linde Building 30 (August 26, 1998). Comments were submitted on September 22, 1998.

Waste Management, Transportation and Disposal Plan Demolition and Debris Removal Former Linde Building 30 (August 27, 1998). Comments were submitted on September 22, 1998.

Tonawanda Sites (Tonawanda, NY) – Ashland 2: Radiation Section staff finished the review of several United States Army Corps of Engineers (USACE) Buffalo District documents regarding the Ashland 2 site. Those documents were:

Sampling and Analysis Plan (May 29, 1998), Excavation and Restoration Plan (May 22, 1998), Waste Management, Transportation and Disposal Plan (May 22, 1998), Regulatory Compliance Plan (May 22, 1998), Site Operations Plan (May 22, 1998), and the Health and Safety and Emergency Response Plans - Volumes 1, 2 and 3 (May 29, 1998). Comments on these plans were submitted on July 3, 1998.

Final Status Survey Plan (June 1998). Comments were submitted on July 17, 1998.

Engineering Evaluation/Cost Analysis: None

3. Meetings Attended:

Colonie Interim Storage Site (Colonie, New York): Radiation Section staff attended the first weekly progress meeting for the Colonie Interim Storage Site on September 24, 1998. These meetings are being held at the CISS to discuss various aspects of onsite activities. These meetings will continue on a weekly basis at least for the near term.

Tonawanda Sites (Tonawanda, NY) – Ashland 2: On August 5, 1998, Radiation Section staff attended a USACE Informational Session on Ashland 2. This informational session gave an opportunity for interested citizens to meet informally with the USACE to discuss current and future remedial actions at the Ashland 2 site.

On August 31, 1998, Radiation Section staff meet with USACE staff to discuss our comments on the final survey plan.

Tonawanda Sites (Tonawanda, NY) – Praxair Incorporated (Linde Air Products): On July 15, 1998, Radiation Section staff visited the Linde Building 30 demolition project. The USACE was on site to present their last "public outreach" meetings with tenants of Praxair buildings which we were allowed to sit in on it. After the presentation, USACE and Radian International staff asked us several questions regarding the free-release criteria for asbestos and wood, and how that criteria would be measured.

On August 5, 1998, Radiation Section staff met with the USACE and Radian International to discuss the proposed plans for the demolition of Building 30 at the

Linde site. During the meeting, Radian International staff provided an overview of the plans for the demolition project.

4. Correspondence:

Tonawanda Sites (Tonawanda, NY) – Ashland 1 & 2: On September 23, 1998, Radiation Section staff sent the USACE Buffalo District a letter transmitting our contracted laboratory's analytical data from the Ashland 2 survey units 1 and 9. We informed the USACE that there are several biased sampling locations which exceeded the 40 pCi/gm clean-up guideline value, and in some cases are above any possible MARISSIM derived elevated measurement comparison value. We asked how these areas were going to be addressed and what preventive measures were going to be implemented to prevent similar radiologically contaminated areas from being missed during ICF Kaiser's final radiological survey.

In a September 25, 1998 letter to the USACE, the Department presented what this Department's role at the Ashland 2 site during these final stages of site activities was going to be.

FUSRAP General (USDOE): On August 25, 1998, Paul J. Merges, Director of the Bureau of Pesticides & Radiation, wrote to William Dennison of the United States Department of Energy (USDOE) requesting the official position on USDOE's relationship with the United States Army Corps of Engineers (USACE) as it applies to the Formerly Utilized Sites Remedial Action Program (FUSRAP). This letter was the result of receiving a letter from the United States Nuclear Regulatory Commission (USNRC) in which the USNRC assumes that the USDOE still owns the Colonie Interim Storage Site, a FUSRAP site in New York and, therefore, the radioactive materials thereon.

FUSRAP General Cooperative Agreement: On August 26, 1998, Radiation Section staff wrote to Thomas Hempfling of the Great Lakes and Ohio River District of the USACE about the proposed Cooperative Agreement. In that letter, we submitted an explanation for the increase in the annual cost of the grant from the current United States Department of Energy grant. In addition, we responded to Mr. Hempfling's request concerning what additional sites Radiation Section staff might investigate for inclusion into the FUSRAP program. We explained that in 1995 the USDOE sent letters to city mayors and town supervisors regarding facilities in their jurisdictions that participated in the Manhattan Engineering District activities during and shortly after World War II. The USDOE eliminated those sites from the FUSRAP program based on one of four reasons:

- (1) the amount of material used on the site ("Limited Scope of Activities" which could not have resulted in significant levels of radioactive contamination),

- (2) if the facility had an Atomic Energy Commission license which authorized the use of radioactive materials,
- (3) contractual language which the USDOE believes holds them harmless for any potential contamination remaining on site, or
- (4) the USDOE surveyed the site and found that the residual radioactive material was below regulatory criteria.

The eliminated sites (not in order of priority) are: Allegheny-Ludlum Steel Corporation, American Machine and Foundry, Bethlehem Steel Corp., Buflovak Company, Canadian Radium and Uranium Corporation, Columbia University, Crucible Steel Company of America, Curtiss Wright Metals Processing Division, Eastman Kodak Research Facility, Electro Metallurgical Corporation, Fordham University, Frank H. T. Rhodes site, Gleason Works, Wolf Alport site, Ledoux and Company, New York University, Niagara Smelting Company, Nuclear Development Corporation of America, Pyroferric Company, Radiation Applications Incorporated, Rensselaer Polytechnic Institute, Simmons Machine and Tool, Sylvania-Corning Plant, Syracuse University, Titanium Alloy Manufacturing Company, Utica Drop Forge & Tool Corporation, Utica Street Warehouse, University of Rochester. In addition, we will continue to advocate including in FUSRAP the Richmond Terrace site, which the USDOE alleges was contaminated by material not yet in the possession of the United States Government.

New York State believes that it is necessary to carefully review the USDOE information supplied to this Department and perform, if warranted, on-site radiological surveys focussing on environmental pathways. In the letter we said that since only a few sites can be examined each year, this Department envisions spending approximately five percent of its time and resources provided by the Cooperative Agreement on this endeavor.

5. On-site Visits:

Colonie Interim Storage Site (Colonie, New York):

<u>Date</u>	<u>Purpose of Visit</u>
July 21, 1998	Install High Volume Air Monitor
July 27, 1998	Change air filters
August 3, 1998	Install 2nd High Volume Air Monitor; Change air filters
August 10, 1998	Change air filters
August 17, 1998	Change air filters
August 24, 1998	Change air filters
August 31, 1998	Change air filters
September 8 - 10, 1998	Change air filters; collect soil samples
September 14 - 15, 1998	Change air filters; collect soil samples
September 17, 1998	Collect soil samples

Colonie Interim Storage Site (Colonie, New York) -- Continue:

<u>Date</u>	<u>Purpose of Visit</u>
September 21 - 22, 1998	Change air filters; collect soil samples
September 24, 1998	Collect soil samples
September 28, 1998	Change air filters

Tonawanda Sites (Tonawanda, New York) Ashland 2:

<u>Date</u>	<u>Purpose of Visit</u>
July 15, 1998	Site visit
July 24, 1998	Install High volume Air Monitors
July 31, 1998	Change air filters
August 6, 1998	Change air filters
August 19, 1998	Change air filters
August 31 - September 1, 1998	Mtg on Final Status Survey Plan; Collect soil samples
September 8 - 11, 1998	Collect soil samples; change air filters
September 28 - 30, 1998	Collect soil samples; change air filters

Tonawanda Sites (Tonawanda, New York) -- Niagara Landfill (Seaway Landfill):

<u>Date</u>	<u>Purpose of Visit</u>
July 22, 1998	Collect radon sample

Tonawanda Sites (Tonawanda, New York) -- Tonawanda Landfill:

<u>Date</u>	<u>Purpose of Visit</u>
July 14, 1998	Collect leachate sample

Tonawanda Sites (Tonawanda, NY) -- Praxair Incorporated (Linde Air Products):

<u>Date</u>	<u>Purpose of Visit</u>
July 15, 1998	Site visit
August 5, 1998	Meeting regarding demolition of Bldg 30

Niagara Falls Storage Site (Lewiston, New York):

<u>Date</u>	<u>Purpose of Visit</u>
July 14, 1998	Replace TLDs