August 21, 2005

[redacted]
USACE
1776 Niagara Street
Buffalo, NY 14207-3199

Dear [redacted]:

The Ohio Department of Health has completed its review of the U.S. ARMY CORPS of ENGINEERS document entitled "FINAL PROPOSED PLAN for REMEDIATION ". The plan details the scope of remediation of the former DIAMOND MAGNESIUM SITE located in Painesville, Ohio, and outlines the preferred alternative as well as the rationalization for the selection.

After review of the document ODH would like to submit the following comments. The plan references other documents such as the 2003 Remedial Investigation/Feasibility Study (RI/FS) Report and the 2005 Feasibility Study Addendum. The comments below make reference to these documents as well.

Comment 1: The determination of the future use of the site seems to be predicated solely on the past use of the property. However recent construction suggests that property in the area is moving toward a residential use! In fact, several condominiums have already been constructed near the site boundary. How has this development impacted your determination of the future use of the sight (Residential vs. Industrial)?

Comment 2: As you know the Industrial Use scenario would require the imposition of restrictions and implementation of controls to ensure that the land use is restricted to industrial use. What mechanism do you have for implementing such controls?

Comment 3: It has been stated in the past that even though the established Derived Concentration Guidelines (DCGL's) are high, that after excavation the concentration of residual radioactivity would meet free release criteria. In fact, it has been stated that your cleanup goals are at or near background levels. In the table you are now representing DCGL's as cleanup goals. Which are they?

Comment 4: In MARSSIM type final surveys, the determination of the status of the survey unit (i.e. DID IT PASS OR FAIL) is determined by the use of the value of the weighted DCGL along with other parameters dependent upon the DCGL.

Comment 5: The map that is attached to the report delineates areas of excavation within the site boundary. These areas are so classified by virtue of the fact that the contain radioactivity above the published DCGL's. However, after excavation, you maintain that residual radioactivity will be close to background levels for the contaminate, Will this be demonstrated within the framework of MARSIMM?

Comment 6: Our most important concern is areas within the site boundary that have levels of contamination below the DCGL's but are significantly of background level. What magnitude of contamination must exist for these levels to be deemed harmful which would result in their excavation?

Regards:

[redacted],MS<CHP