New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials
Bureau of Radiation and Hazardous Site Management
50 Wolf Road, Albany, New York 12233-7255
Phone: (518) 457-9253 FAX: (518) 457-9240

BLS 000002

John P. Cahill
Commissioner

JAN 0 7 2000

Mr. Carm Marranca
Civil/Structural Section
U. S. Army Engineering District, Buffalo District
1776 Niagara Street
Buffalo, New York 14207-3199

Dear Mr. Marranca:

Re: ***CLOSURE REPORT: DECONTAMINATION OF THE FORMER BLISS & LAUGHLIN FACILITY, NIAGARA COLD STEEL, BUFFALO, NEW YORK (September 30, 1999)***

This letter transmits the New York State Department of Environmental Conservation's comments on the above referenced document, which was transmitted to the Department in Raymond Pilon's letter dated October 25, 1999. The referenced document is a closure report on the remediation activities at the subject site and includes, as Attachment A, a Final Status Survey Report for the remediation. In the document, the United States Army Corps of Engineers (USACE) declares that the remedial action at the former Bliss & Laughlin facility in Buffalo, New York, is completed.

This Department has regulatory authority over radioactive materials in the environment; therefore, our review of the remediation at Bliss and Laughlin was limited to the decontamination activities in the trenches and subsurface area of the "Special Finishing Area" floor. Our oversight of the remediation of those areas consisted of a site visit at the start of the project and analysis of split samples obtained from the USACE's contractor.

Data from radiological surveys after the decontamination of trenches 01 and 02 in the "Special Finishing Area" and analytical data from post-remediation soil sampling were compared with the clean-up criterion of 100 pCi/g of U-238. In my letter dated December 8, 1998, the Department notified USACE that we were in agreement with the proposed clean-up criteria for this very limited site specific remediation. Also, the Department's modeling of the proposed clean-up concentration of U-238 at 100 pCi/g produced results similar to those of the USACE, and we found that the projected site specific radiation doses resulting from that concentration of uranium in soil were below the Department's 10 millirem per year guidance dose presented in *Cleanup Guideline for Soils Contaminated with Radioactive Materials,* Division of Solid & Hazardous Materials Technical Administrative Guidance Memorandum 4003 (TAGM 4003).

The data presented in Table 3-1 of the referenced document showed concentration levels of U-238 at 1.7 pCi/g (trench 01) and for trench 02, U-238 was at 4.0 pCi/g. These concentration levels are well below the clean-up criteria of 100 pCi/g of U-238. These results are in agreement with the analytical data from the split soil samples collected by USACE's contractor and analyzed by this Department's outside laboratory. U-238 concentrations in those samples ranged from 1.13 pCi/g to 14.21 pCi/g. This data was transmitted to USACE in a letter to Mr. Hallam dated March 31, 1999. These results are also below the clean-up criteria.

Based on the information provided by USACE in the Final Survey Report (Attachment A to the above referenced document) and the Department's analytical results, the Department agrees with the conclusion that the remediation activities involving the trenches at the former Bliss & Laughlin site were successful and met the agreed upon decontamination criteria. We note also that USACE conducted the remediation activities in accordance with ALARA. Therefore, those areas meet this Department's TAGM-4003, and may be released for unrestricted use.

If you have any questions or would like to discuss this further, please contact John Mitchell at (518) 457-2225.

Sincerely,

Paul J. Merges

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

cc: C. Bradt, NYSDOL
G. Brooks, USACE
Lt. Col. M. Feierstein, USACE
P. Giardina, USEPA
C. Hallam, USACE
H. Honerlah, USACE
P. Kranz, Erie Co. Dept. of Environmental Planning
K. Rimawi, NYSDOH
R. Rozansk, Niagara LaSalle Corporation