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GRAND JUNCTION OFFICE

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF

20 August 2002

Project Management

SUBJECT: Notification of Transfer of the Bliss and Laughlin, New York, FUSRAP Site to DOE for Long-Term Stewardship

Mr. David Geiser
U.S. Department of Energy
Office of Long-Term Stewardship
1000 Independence Avenue, NW
Washington, DC 20585-0002

Dear Mr. Geiser:

The U.S. Army Corps of Engineers (USACE) has completed FUSRAP remedial activities at the Former Bliss and Laughlin Facility located in Buffalo, New York in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Enclosed is the Bliss & Laughlin Closure Report dated September 30, 1999 that was prepared by the USACE Buffalo District, as well as the Post-Remedial Dose and Risk Assessment for the Bliss & Laughlin Site (located in Administrative Record, Subject Code 5040). Please accept this transmittal as our notification of pending transfer of responsibilities.

The report has been fully coordinated with the community and the regulators. A letter of concurrence for decontamination of trenches and remediation of site soils dated January 7, 2000 from the New York State Department of Environmental Conservation is included in the report. On January 28, 2000 a news release was sent to the Buffalo News, The Front Page, The Metro Community News and Business First announcing the completion of the site, the availability of the closure report in the Administrative Record, and the state's concurrence with the release for unrestricted use. The closure report has been placed in the Administrative Record located at the Buffalo Erie County Public Library and the USACE Buffalo District Office.

A declaration of remedial action completion is enclosed stating that all actions have been taken to meet the remedial guidelines of the Record of Decision. The remedial action consisted of decontaminating areas of the floor, trenches, and overhead trusses of the special finishing area at the site. The special finishing area was the only area of the site where FUSRAP-related contamination was identified. In accordance with the Record of Decision, the facility was decontaminated to meet the criteria for license termination and unrestricted release contained in 10 CFR 20, which considers a site is acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a Total Effective Dose Equivalent to

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an average member of the critical group that does not exceed 25 mrem per year, and that the residual radioactivity has been reduced to levels that are as low as reasonably achievable (ALARA). Modeling was performed to confirm the ROD criteria were achieved, the results of which can be found in the attached Post-Remedial Dose and Risk Assessment for the Bliss & Laughlin Site.

A five-year review for this site is not necessary because the source of contamination was eliminated and the site has been released for unrestricted use. There are no land use controls or operations and maintenance requirements for the Bliss and Laughlin site. Based on the results of the remedial action there are no long-term stewardship responsibilities associated with this site other than records management, and, therefore, there are no Stewardship Plans/Work Plans associated with this site. Additionally, based on the final status surveys, USACE is not aware of any current statute or regulation restricting the disposal of building materials or fixtures that are now located in the areas of the former Bliss and Laughlin site addressed under FUSRAP, due to radiological constituents from MED activities.

USACE began short-term stewardship of the "Bliss and Laughlin" FUSRAP site on October 1, 1999 in accordance with the terms of the Memorandum of Understanding between the USACE and the U.S. Department of Energy (DOE). This stewardship was scheduled to continue until October 1, 2001, at which time the stewardship responsibilities were to be transferred to DOE. Because of the programmatic developments, stewardship responsibility will transfer to DOE upon receipt by Mr. Art Kleinrath of the DOE, Grand Junction Office, Office of Long - Term Stewardship, of the following previously agreed upon documents:

a. A copy of the Administrative Record and the FUSRAP Review and Approval Authority Matrix.

b. A hardbound copy of the AutoCAD/GIS back-up data.

c. A copy of the SF 135 "Records Transmittal and Receipt" showing dispersement to NARA of Bliss and Laughlin associated records.

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The USACE provides permanent access to DOE of all archived Bliss and Laughlin records, upon request of the USACE, District Commander. By mutual agreement, both USACE and DOE waive the 90-day notification period for site transfer that was agreed to as a transfer protocol. Should you have any questions or comments regarding this letter or associated documents, please contact Mr. Ray Pilon, USACE Buffalo District, (716-879-4146). A copy of this letter has been provided Art Kleinrath and Chris Clayton.

Sincerely,

Glen R. DeWillie
Lieutenant Colonel, U.S. Army
District Engineer

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CC
Art Kleinrath GJO DOE
Chris Clayton, EM DOE
Ray Pilon USACE LRB
James Karsten, USACE LRB
Tom Hempfling USACE LRDGL
Tomiann McDaniel USACE HQ
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