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TECHNICAL REVIEW COMMITTEE

Session two of the Technical Review Committee held at the Seneca Army Depot, Romulus, New York on the 15th day of October, 1992.

REPORTED BY: PATRICIA A. NELK

1 MR. KITTELL: We are going to get
2 started right now. First of all, the first
3 administrative announcement is an apology.
4 We don't have the agenda and handouts for you
5 just yet but they will be here shortly. We
6 are feverishly stapling and collating. I
7 know they are off the copier because I saw
8 the pile. In a few minutes we will have an
9 agenda and the handout.

10 I want to welcome you all to the second
11 Technical Review Committee. For those of you
12 who weren't here before, the primary purpose
13 of this particular body is to get together
14 the regulator and Army and community members
15 so that the final solutions that are
16 formulated for clean up of the various
17 contaminated sites on the depot are solutions
18 that everyone is brought into and that are
19 effective from a health standpoint and
20 environmental standpoint.

21 I need to introduce Trisha, who is the
22 court recorder there. What she's asked is
23 that at least for the first time that you
24 speak please identify yourself very clearly.

25 My name is Gary Kittell. I am the

1 director of Engineering and Housing at the
2 Army Depot. The Commander is not here but
3 his boss, the Commanding General, is here on
4 another visit and he's tied up with him. He
5 does have a representative here, who is John
6 Biernacki, from the Depot Systems Command.

7 What I am going to ask you to do is
8 please go around the table and identify
9 yourself and then we will take it on from
10 there with our very first briefing.

11 MR. STAHL: My name is Michael Stahl. I
12 am with the U.S. Corps of Engineers,
13 Huntsville.

14 MR. HEALY: I am Kevin Healy from the
15 Corps of Engineers, Huntsville. I am the
16 technical manager on the work that was done
17 here.

18 MR. NIVISON: I am Albert Nivison,
19 supervisor for Town of Romulus.

20 MR. TERRYBERRY: Jim Terryberry, Romulus
21 citizen.

22 MR. STRAFFORD: Ken Strafford,
23 supervisor, Town of Varick.

24 MR. COOL: William Cool, councilman,
25 Town of Varick, Seneca County Salt and Water

1 Conservation District Manager.

2 MR. HODDINOTT: Keith Hoddinott, Office
3 of Surgeon General.

4 MR. DOMBOWSKI: Brian Dombowski,
5 director of Seneca County Health.

6 MR. RICOTTA: Frank Ricotta. I am with
7 the New York State Department of
8 Environmental Conservation.

9 MR. CHEN: Marsden Chen. New York State
10 DEC, Albany.

11 MR. MANN: Kim Mann, New York State
12 Health Department, Albany.

13 MS. VERA: Linda Vera, New York State
14 Department of Environmental Conservation in
15 Avon.

16 MR. MILLER: Jim Miller, Seneca Army
17 Depot.

18 MR. WHITAKER: Gary Whitaker, Seneca
19 Army Depot.

20 MS. STRUBLE: Carla Struble, USCPA.

21 MS. BUCHI: Kathleen Buchi, U.S. Army
22 Toxic and Hazardous Materials Agencies.

23 MR. BATTAGLIA: Randall Battaglia,
24 project manager for Seneca.

25 MR. BIERNACKI: I am John Biernacki with

1 the Army on the Depot Systems Command. We
2 take care of the depots throughout the world.

3 MR. KITTELL: We have visitors, too.

4 MS. PAVAN: I am Valerie Pavan. I am a
5 resident.

6 MR. KITTELL: We are passing around a
7 sign in sheet, too, so please take the time
8 to put your name down.

9 The agenda is on the way. The first
10 people we are going to here from are
11 Huntsville Division regarding the status of
12 the work that is being done and going to be
13 done here at the Depot. The Huntsville
14 Division, for those of you who were not here
15 before, as a refresher is the contracting arm
16 and vehicle that we have to use for
17 environmental expertise and for environmental
18 contracting within the Department of the
19 Army. They are dedicated to doing that on a
20 regional basis and there is a project manager
21 and technical expert that you met earlier and
22 they will give you an update as to exactly
23 what's happening with the various projects
24 that we have got ongoing here at this time.
25 Mr. Healy?

1 MR. HEALY: Good afternoon. My initial
2 presentation three months ago was very
3 technical. We went over the generic
4 approach. This meeting and predominantly
5 from here on out every meeting will be more
6 of an update and that will be about it. We
7 started last time talking about the actual OB
8 grounds and we will continue with that same
9 procedure.

10 MR. KITTELL: The ash landfill is the
11 old landfill area where the incinerator --
12 those of you that are familiar with the area
13 off Smith Vineyard -- is that the correct
14 road, Smith Vineyard Road? It is up about a
15 half mile from the State Park entrance where
16 we have ground water contamination. We
17 reported in the last meeting contamination
18 coming from that landfill and for certain at
19 our boundary and based on the Third Phase of
20 the site investigation having been done
21 beyond the boundaries of the open burning
22 grounds is the demolition ground area and
23 that is in the corner of the depot to the
24 west and to the northwest corner of the
25 depot.

1 MR. HEALY: As a bit of a recap, we are
2 handling the OB grounds and ash landfill
3 sites somewhat concurrently. I am going to
4 discuss each of them together. Last time we
5 talked about it we talked about the
6 preliminary site characterization summary
7 reports, which we said was pretty much the
8 combination of the Phase One work. At the
9 time we spoke those reports were being
10 reviewed by the regulator. The review is
11 complete. We received their comments. Our
12 contractor has responded to all comments and
13 has been in the process or now just finished
14 putting out the revised report along with the
15 Phase Two addenda, which is the work plan for
16 the Phase Two work that is to come up.
17 Essentially what I am trying to suggest is
18 that the Phase One work is now complete and
19 we are going to try and go ahead and begin
20 with the Phase Two.

21 As far as the Phase Two is concerned, an
22 update on that, our contracts have been ready
23 for a while. We were awaiting funding.
24 Congress did not cooperate. So as of last
25 week when these slides were put together, we

1 were still awaiting funding. We have
2 received direction that we will be receiving
3 the actual money shortly, within about a
4 week, and we have been given permission to go
5 ahead and actually award the contracts. So
6 these slides will need a little bit of
7 updating. We are awaiting actually funding
8 but we have been authorized to proceed.

9 MR. KITTELL: We need to describe that
10 slightly. There was a proposal before the
11 Congress to give the Department of Defense
12 250 million more dollars towards
13 environmental clean up this fiscal year. And
14 as with every application bill it takes quite
15 a bit of trouble and time to work its way
16 through the halls of Congress. The money I
17 am talking about is the Defensive Arm
18 Restoration Account Fund that Congress
19 specifically gives the Defense to clean up
20 Defense sites, active Defense sites. The
21 Hurricane Relief Bill came through, of
22 course, on a freight train and some clever
23 people hooked that quarter billion dollars of
24 environmental work to that and it coasted
25 through on its coattails, I guess. So right

1 now there is a significant sum of money
2 available to defense that is supplemental to
3 what was previously approved to work on
4 projects like this. That is the sort of
5 money that Ken was talking about waiting for
6 and we have -- we feel that right now we are
7 going to be receiving funding for all of our
8 known requirements at this point.

9 MR. HEALY: Each equal sign that you see
10 is equivalent to an "if statement" and is
11 followed by a couple of caveats that will be
12 necessary for that "if statement." We are
13 looking at possible field work initiation by
14 November '92. That would be nice. It is
15 getting to the point where it is more wishful
16 thinking than anything else. It is no longer
17 dependent upon funding. We have received
18 funding or authorization to proceed. It is
19 now dependent on work plan approval which is
20 something that we can look for the regulatory
21 people to help us out with. The faster that
22 we can review everything the faster we will
23 be able to get together with the field work.
24 There are some things it would be nice to
25 begin in November but there are some things

1 that may prevent that. If we do begin in
2 November of '92 we look for RI/FS completion
3 by July of '93, midsummer, with ROD and
4 public comment period by October 1993. This
5 public comment reference I make here is a
6 reference specifically defined for a public
7 comment period that usually follows an RI/FS.
8 I am not suggesting there is going to be no
9 public comment between now and October of
10 '93. There will be. It is just a formalized
11 period that comes with the ROD and public
12 comment. The other alternative, if we can't
13 get work going in November of '92, will be to
14 initiate it in the spring when weather might
15 be more amenable. We will be looking for the
16 completion of December '93. The RI/FS
17 completion will be pushed back to December of
18 '93 and the ROD and public comment period
19 will be held somewhere February to March of
20 '94.

21 COMMITTEE MEMBER: Could you please
22 explain what these initials are stated for.

23 MR. HEALY: RI/FS is the acronym that we
24 use for remedial investigation feasibility
25 study. In the first presentation three

1 months ago we talked about the process and
2 what was required in order to investigate
3 these sites. RI/FS, the overall acronym,
4 covers everything we are doing to study,
5 define and delineate contamination which is
6 mostly done in the RI, which is followed by
7 the FS, which follows all the delineated
8 areas, differentiation is made and a final
9 decision is made. As far as we are
10 concerned, at that point the RI/FS process
11 says you will put it out to public comment
12 and the EPA will review it after we get the
13 public comment in. After we have satisfied
14 all of the public's concerns then we can come
15 back with what's called a record of decision
16 which is a formalization of the decision that
17 had been made.

18 MR. KITTELL: Correct me if I am wrong,
19 if a Phase Two field work and Phase Two
20 report has been done as reported and comments
21 have been received and it is being revised,
22 the next step in this is the Phase Two, which
23 is the feasibility study, to determine what
24 is feasible to do out there. We have some
25 data gaps that we are going to close; is that

1 correct? We have some data gaps that we are
2 going to close. Be sure that you understand
3 although the Army is performing this work the
4 regulated community, which is charged with
5 the welfare of the public at large, really
6 has to approve that record of decision and
7 make sure that it is in everybody's best
8 interest. And also the public comment period
9 allows the public to comment on that. One of
10 the charges, of course, of this body is to
11 ensure you don't get to that point and then
12 have one representative of the public come in
13 and say, "I didn't know knowing anything
14 about this."

15 COMMITTEE MEMBER: Is this study on all
16 the sites or just the two major ones?

17 MR. HEALY: Right now we are referring
18 to the two major ones, the ash sites and the
19 OB grounds. A little later in the
20 presentation I will talk about everything
21 else. We have pretty much completed that.
22 The object I want to point out is it depends
23 whether we get the field work initiated in
24 November or in the spring. It will make a
25 difference as when we are able to complete.

1 Next topic, as you requested, we will
2 talk about the Status Milestones, the SWMU
3 sites. Last time in my presentation we
4 discussed the difference between an RI and
5 SI. Site investigation is preliminary to an
6 RI site investigation. When you have a
7 suspicion that there is contamination, you
8 take some samples. The purpose is to confirm
9 whatever suspicion you have. If you have
10 succeeded in confirming there is
11 contamination there, an RI is being done. An
12 RI will delineate and define how much you got
13 and where it is. We are much further along
14 in the ash landfill and the OB ground sites,
15 that is why we are doing an RI and we are
16 only considering SI at many of the others.

17 Last time we talked about -- in talking
18 about SWMU we told you that there was some
19 sites that we were more concerned about than
20 others. We have begun to look at 26 of those
21 sites. The first 10 of which are what we are
22 considering relatively higher priority than
23 some of the others. Where we are at right
24 now is a work plan. It was prepared and
25 submitted to the regulator people in May of

1 '92. We received their comments and the work
2 plan is being revised. We hope as funding
3 becomes available that we will be able to get
4 out in the field and start doing SI field
5 work. More likely than not it would be in
6 May. If we do anything in November, we will
7 probably have to spend all of our energy at
8 the two RI sites. SI initiation of the field
9 work probably won't come until May at the
10 earliest.

11 I was just discussing schedule
12 projections. Those are the projections for
13 the first 10 sites. Like I said, November is
14 not very likely. I won't even spend too much
15 time talking about that.

16 As far as initiation of field work in
17 May of '93, if that happens then a formal SI
18 completion and SR reports will be ready
19 probably by December of '93 and from there we
20 will be able to tell whether there is a need
21 to continue on with these 10 sites. There is
22 a possibility that we may have to.

23 MR. KITTELL: I want to reiterate again
24 that a lot has been said about the fact that
25 the Seneca Army Depot reported 60 or 70 some

1 contamination sites. And what Seneca Army
2 Depot reported and now shows is that the
3 number stands at 72; 72 areas that fit the
4 definition of where solid waste was handled
5 or where a contamination could have taken
6 place. Now, obviously, at the ash landfill
7 site where we got contaminated ground water
8 that encompasses four or five of these and
9 this is also with the open burning grounds.
10 We are proceeding with the full environmental
11 study and then "how you are going to clean it
12 up process." But the others -- there are
13 those that although they fit the definition
14 the likelihood that something happened there
15 is remote, if not zero. Those were the sites
16 that had potential. It is a higher potential
17 that Kevin is talking about now that we are
18 going to concentrate on and actually go out
19 and see if we find anything and that will
20 give us a "go" or a "no go" situation. Do
21 you go further in this or is everybody
22 satisfied by not finding anything at this
23 particular site using these procedures we
24 have agreed to do? We then agree that
25 nothing happened to the site and then we can

1 drop it off the list. Does anybody disagree
2 with that?

3 MR. HEALY: All right. Let's go on and
4 finish up about the second site of the areas
5 of concern. These are more of a medium
6 priority. We are not concerned or we don't
7 feel there is much potential for
8 contamination as with the other sites. As
9 far as projections, we have not begun working
10 on this set yet. We will be initiating work
11 plan preparation probably as we award the
12 contract probably by November or December is
13 when initiation will begin. That is no
14 longer dependent on funding. We now have the
15 funding. It is a question of how long will
16 it take us to get the contract awarded in the
17 house. That being the case, that is pretty
18 much a definite. We feel SI field work will
19 be initiated in May of 1993. We are
20 projecting completion and the final reports
21 by, say, October of '93. At which point
22 again we will be able to tell more as to what
23 is out there, whether the suspicions have
24 been confirmed and whether there is a need to
25 continue on with the additional RI work.

1 At this point in time we are going to go
2 into a little bit more of a discussion on the
3 individual SWMU's. Mr. Battaglia was going
4 to do that.

5 MR. KITTELL: Does anybody have any
6 follow-up questions as to what Kevin said so
7 far? Okay. Before Randy is going to speak,
8 I just want to be sure that -- I am going to
9 go over this again and excuse me for
10 bothering you. Did everybody understand that
11 the current total now is 72? An area of
12 concern is an area where the Army and the
13 regulators are agreed that it is a concern
14 and it is in everybody's best interest to
15 spend dollars to go out and do confirmatory
16 testing as to whether there is or there is
17 not contamination in that area of concern.
18 So when Mr. Battaglia starts, he's going to
19 give you a list of areas of concerns. Those
20 areas of concern -- if you bump it up against
21 the number of 72, it is not going to jive
22 with 72 because there is fewer than those.
23 So keep that in mind and Randy will go
24 through all of them, I guess.

25 MR. HEALY: Let me just -- to add more

1 to what Mr. Kittell said, a SWMU is just a
2 generic area where hazardous waste was.

3 MR. KITTELL: Solid waste.

4 MR. HEALY: Solid waste. The area of
5 concern is that we have potential and some
6 even may have occurred in the past.

7 MR. KITTELL: Once again solid waste
8 management, not hazardous. And solid waste
9 can be a liquid like waste oil, it can be
10 sewage, sludge, bits of unburned paper from a
11 little incinerator, that is Solid Waste
12 Management Units.

13 MR. BATTAGLIA: It would be easier if
14 you flip through the handouts. If everybody
15 would turn to the Universal ALC's. I am
16 going to start a little bit historically how
17 things have been investigated at Seneca. The
18 Army has an old program called the Insulation
19 Restoration Program and through that program
20 you can look at any possible contaminated
21 site on any base. And through some old
22 studies we found lists that had possible
23 areas on Seneca. In the late 80's the
24 Resource Conservation Recovery Act, the law
25 that regulates its hazardous waste, was

1 re-authorized in that they identified what a
2 SWMU was. The definition was, something that
3 may have leaked or spilled or any waste that
4 was managed or handled or disposed of. So
5 anything like construction debris, landfill
6 or any other site where you may have had a
7 waste would be a SWMU by definition. That
8 lends a little confusion to what we have as
9 what is a site on Seneca Army Depot. There
10 is a little overlap. For example, on a
11 landfill site there are five separate SWMU's.
12 We have prepared a SWMU classification
13 report. One of the things that we are
14 careful to do is we didn't have any potential
15 site just dropping off the list somewhere.
16 So we took a lot of time to define everything
17 and keep everything as a number. And what we
18 have is a SWMU designation, which is a list
19 of all these Solid Waste Management Units.
20 This is also used interchangeably with an
21 area of concern in that if we were going to
22 be investigating that site then it becomes an
23 area of concern. So the Universe ALC's are
24 all the areas or are all the SWMU's that we
25 will be investigating at this point. Some

1 are still pending in status.

2 Let's flip over to Universe No Action
3 SWMU's. In this list the EPA and DEC has
4 agreed that they are not a concern. There is
5 information about these in the back of this
6 and a fact sheet in the SWMU classification
7 sheet report. There will be more background
8 when that becomes finalized as to why that is
9 not an area of concern. A good example is
10 SEAD-7, which is a shale pit, which is an
11 exempt landfill. We use fill in construction
12 materials, just concrete, stone, blacktop and
13 dirt. That is an exempt landfill. It does
14 need a permit. It was on there because it
15 was a fill area but that is an area after an
16 investigation and inspection of the sites the
17 State has agreed it is not a problem. There
18 is reasons for each one and the status of
19 each one. Some of them are still pending. I
20 will get to that in a few minutes.

21 MR. KITTELL: Maybe we should give an
22 example here. The shale pit was a shale pit
23 up until a point in time quite recently where
24 a significant number of people around this
25 table working for the Army were there when we

1 started to fill it back in with gravel and
2 pieces of concrete, things like that because
3 it really was an eyesore. There is an
4 operating history on that. We can say with a
5 fair degree of certainty that is all that is
6 in there, pieces of steel and concrete and
7 rock and asphalt and whatnot. I mean, we
8 just know that is what was done there years
9 ago but there is no one that can testify
10 specifically that nothing bad ever went in
11 there. You know how things tend to migrate
12 to open holes in the ground. If there is
13 confusion in anybody's mind why one quote
14 "landfill" is a concern and why another quote
15 "landfill" isn't, those are the things that
16 had to be hashed out on each one. Questions
17 anybody? Sorry.

18 MR. BATTAGLIA: That is all right. I
19 call it your landfill any ways.

20 MR. KITTELL: There will be a memorable
21 plaque there, I hope.

22 MR. BATTAGLIA: Flip on through to the
23 SWMU classification fact sheets. The first
24 page has 10 high priority areas of concern.
25 The second page has 16 medium priority areas

1 of concern. Now, if you add these up and
2 come up with 26 we actually have 35 Universal
3 ALC's by definition. Some of these areas of
4 concern have more than one SWMU in that area
5 of concern. For example, some of them
6 geographically -- on the second list of 16
7 you have the Building 606 Disposal Area, 69
8 43 and 56, four distinct sites geographically
9 are around that area. The whole area needs
10 to be investigated so we just combined the
11 sites. And the way the Army's budgeting and
12 funding process goes we had to prioritize our
13 sites and we grouped them high, medium and
14 low. The low priorities are anything that
15 might come in that we have to look at after
16 this.

17 Flipping on over I have 20 or so pages
18 of SWMU by SWMU and a little bit of
19 background, summary discussions between the
20 state and EPA and Seneca and the general
21 consensus of the status in classification of
22 particular SWMU's. So this is background on
23 each one of all the other potential sites on
24 Seneca Army Depot. I don't think we really
25 should go through this. It is pretty

1 straight forward. Perhaps in the TRC if
2 anybody had any questions about some of the
3 other sites, we can go over them. If you had
4 questions now say of the 10 or the 16 areas
5 of concern, I could explain what those
6 particular ones are. I don't think it really
7 pays to go through the long fact sheet right
8 now.

9 COMMITTEE MEMBER: This does make
10 everything more understandable as to what we
11 were talking about last time.

12 MR. BATTAGLIA: The questions have been
13 coming up and I went ahead and did fact
14 sheets.

15 MR. KITTELL: After the first meeting
16 there was quite a bit of inquisitiveness over
17 what you were doing about all the other quote
18 "contaminated sites" and why you weren't
19 releasing what they were and some information
20 was put out on the State side as far as the
21 Universe of the ALC, the SWMU Classification
22 Board. What we talked about in the past is a
23 document we're in the final stages of
24 resolving and that is one of the reasons that
25 Randy and Jim and Steve and the regulators

1 got together to go through this Universal
2 SWMU to decide which one was an ALC and that
3 it was the goal of that particular meeting to
4 work that classification. We do have a chart
5 as to where we are headed in the future and
6 it turns out we will be investigating quite a
7 few of those SWMU's but not certainly all as
8 we described in the case of the clean
9 landfill at the North Depot. There is some
10 where it doesn't make sense to spend any
11 dollars to go look there when you know with a
12 high degree of confidence there is nothing to
13 find.

14 MR. BATTAGLIA: A number of these are, I
15 think -- there is five or six construction
16 debris landfills. It is common practice in
17 the past and now at the shale pit if you go
18 to the building or if you have a lot, it is a
19 lot cheaper for the Army to landfill on the
20 base. The thing is, on some of these older
21 ones you don't know if anyone disposed of
22 anything else there. That is why all of
23 those are on the Areas of Concern List.
24 There is a good chance, though, that all
25 there is is dirt or construction debris

1 there. You don't know if anybody threw
2 anything else back there 20 years ago.

3 MR. KITTELL: Let's talk about the last
4 one.

5 MR. BATTAGLIA: Paint disposal. There
6 is a previous list of 69. We had added three
7 sites for reasons of there is a fill area
8 near building 2110, which I was out there one
9 day and I saw it was a fill area and we
10 didn't have it on our list. We don't have
11 any other information about that. Site 71 is
12 another good sample. How we got a lot of our
13 historical information and geographical
14 information on a lot of these was, there was
15 always a rumor of a paint solvent disposal
16 burial area over near these buildings here
17 and we had interviewed a retiree of the
18 Seneca Army Depot who came back on and showed
19 us where the actual spot was. A lot of these
20 were rumors that we had confirmed by talking
21 to people. That wasn't just a rumor. Still
22 chasing a couple other geese but until we
23 got something concrete in the spot we don't
24 know where to go to look for anything. That
25 is an example of how we found a lot of

1 information on all these sites. Seventy-one
2 is another hazardous conforming storage
3 facility by definition. We had three
4 hazardous waste facilities that are managed
5 under hazardous waste and those become a
6 SWMU. Those three storage areas are pending
7 with the DEC because they wanted to consult
8 with the hazardous people on the status of
9 those buildings before they concurred on
10 them.

11 MR. COOL: William Cool. I see you have
12 radioactive contaminants that are considered
13 solid waste under this.

14 MR. BATTAGLIA: No. By definition the
15 radioactive contamination is not a solid
16 waste. Radioactivity is a waste and
17 radioactive sites are considered sites under
18 that.

19 MR. COOL: Are you looking at all
20 radioactive sites in this study or is that a
21 separate effort?

22 MR. BATTAGLIA: Two separate areas of
23 concern. One has two locations and one a
24 miscellaneous components burial site. One is
25 SEAD-12, which is -- should be under the high

1 priority. Let's look at the Universal ALC's.
2 SEAD-12, they had entitled that as
3 radioactive burial sites at those locations.
4 There is burials of miscellaneous components
5 and parts.

6 We had excavated a site in 1986. We do
7 not have enough documentation to call it a
8 clean site under Super Fund and it is going
9 to be investigated yet as an area of concern.

10 MR. COOL: Under this study or a
11 separate study?

12 MR. BATTAGLIA: When we look at any
13 other area of concern, it will be under
14 separate studies not under this SWMU
15 Classification Report. And the way the
16 process works when you do a site
17 investigation, which normally runs in the
18 range of 250,000 when they do that, you will
19 know if you have to go do a full
20 investigation.

21 MR. HEALY: I believe the question is,
22 are we going to get set to do that as part of
23 the investigation that we have?

24 MR. BATTAGLIA: It is one of the areas
25 that I talked about in the first set of 10

1 AOC's that we are going to be looking at.

2 MR. COOL: I may have missed it.

3 MR. KITTELL: It is confusing. Let me
4 see if I can clarify it. We are in a
5 full-fledge investigation leading to bio
6 clean up at the ash landfill and the opening
7 burning grounds. When Kevin briefed us, he
8 stated we are going to look at 26 site
9 investigations in the near future. The 26
10 sites are the 10 high priority areas of
11 concern and the 16 medium areas of concern.
12 So the next round of sampling is to find out
13 is something really there or not, if we all
14 agree something is there or not and if we all
15 agree nothing is there. That is the stuff
16 that has been funded and the stuff that we
17 are going to be starting as he reported.

18 MR. COOL: But you are looking for
19 radiation as opposed to oil and other
20 contaminations but also radiation?

21 MR. BATTAGLIA: Not on all the sites.
22 Only on the two sites that is of concern. We
23 are doing field health and safety monitoring
24 at the landfill site. That is a general
25 procedure that, I think, they do at all the

1 landfill sites. I think they wanted that in
2 the health and safety plan.

3 COMMITTEE MEMBER: At the ash landfill I
4 think the Army contended there was no
5 disposal of radioactive contaminants thus we
6 wanted some kind of screening. That is why
7 there is screening, to screen out if there is
8 any contaminants on that site. We did not
9 find anything on that site.

10 MR. KITTELL: I can tell you while we
11 were developing the work plan for
12 investigation of the ash landfill and the
13 open burning grounds the Army was very
14 aggressive in defending the position there
15 was nothing radioactive there. Nobody would
16 have put anything like that there, the same
17 think with the pesticides. The State is
18 working on behalf of the public and was
19 equally stating, "yes, yes, we understand
20 you, we hear you, we believe you." Albany
21 insisted that we do at least a screening on
22 the odd chance that something was there that
23 wasn't supposed to be there. We are going to
24 go out and look at a fire training pit and
25 demonstration area. At the very first brush

1 we are not going to look out there to see if
2 there is radioactive contaminants there or
3 something like that. We are going to go out
4 and look at that and what did they typically
5 do at fire training sessions. They worked
6 with things like oil and solvents. We are
7 going to look to see if something like that
8 went on. If they did and there is
9 contamination present, you go to the
10 full-fledged study like we had. I am sure
11 they will be equally aggressive that we look
12 for everything regardless.

13 MR. COOL: Obviously, if you have
14 radioactive contaminants in a couple places,
15 possibly there are other areas that should be
16 examined for contamination evidence. It
17 existed on the base here someplace. Are
18 there other areas that maybe contaminated
19 that are being looked at? That is what I am
20 getting at.

21 MR. KITTELL: I don't believe there is
22 any area on the base where any form of
23 contamination, be it radioactive or other,
24 that we know about isn't on this list. But
25 as Randy said, the SEAD-12 radioactive waste

1 burial site we actually went to, excavated
2 both of those sites and found nothing. Our
3 recording-keeping -- I won't say it was
4 sloppy -- but our record-keeping doesn't show
5 us what the extent is. There is no way to
6 defend, "yes, I went out and looked and the
7 readings are here. That is not quite enough.
8 We want you to go look again." How do you
9 say, "no, we aren't going to go look?"

10 COMMITTEE MEMBER: In our meeting last
11 month when we were going through the SWMU's
12 to decide what should go with further work
13 and what should drop off, they said they
14 cleaned up those two areas especially in the
15 one bunker where a radioactive spill was. We
16 weren't satisfied. We are working with the
17 Department of Health in Syracuse on how we
18 are going to survey those sites and what
19 samples we are going to need.

20 MR. KITTELL: The bunker with the
21 radioactive spill, those are the igloos where
22 there was the pitchblende ore back in the
23 Manhattan Projects in the 40's, dusty ore.
24 Once it lays up against the floor for a while
25 the concrete itself gets impregnated. We did

1 a whole clean up there. The question is
2 now -- we have a fair amount of
3 documentation -- is that documentation
4 adequate to today's standard to say for
5 everybody to agree that it is cleaned up?

6 MR. COOL: That is what I was concerned
7 about.

8 MR. KITTELL: I am sorry.

9 MR. BATTAGLIA: That is okay. I am
10 pretty much done with all the SWMU's
11 unless -- the next page is a listing of all
12 the SWMU's and it gives a brief background
13 and summary and general consensus to date on
14 each and every area that we know of on
15 Seneca. Perhaps in the next TRC meeting if
16 anybody has anymore questions about
17 particular sites like that, we can talk about
18 it then. I don't think -- unless somebody
19 wants to -- I can go through each of the
20 areas of concern.

21 COMMITTEE MEMBER: Is there a map
22 available showing where all these sites are
23 located?

24 MR. BATTAGLIA: We do have a map. I
25 didn't have time to reproduce it for this

1 meeting. We are going to in finalizing the
2 SWMU Classification Report. We already have
3 a map in the SWMU Classification Report
4 showing all the SWMU's. The three new ones
5 aren't on there and we are going to have a
6 couple new ones made up showing the high and
7 medium priorities of concern.

8 COMMITTEE MEMBER: An administrative
9 record?

10 MR. KITTELL: You suppose that we will
11 have that finalized in three months?

12 MR. HEALY: That is a possibility. That
13 is a new contract.

14 MR. KITTELL: We may have the next
15 draft -- the next generation of this new
16 classification board by the time this
17 Technical Review Committee meets next time.
18 The date of the draft that Randy passed will
19 be in the SWMU Classification Board. When
20 that is a final document, that will be in a
21 report out to the community.

22 MR. BATTAGLIA: That SWMU classification
23 has a lot more information than these fact
24 sheets. It has the maps, it also has
25 photographs of each and every site, what it

1 looks like and the maps of where it is on the
2 depot. Its about a three, four-inch document
3 in its draft stage right now. Other
4 information that we might have of some of the
5 earlier studies that were done on the 800
6 row. We had a close out by the NRC. The NRC
7 said it was clean enough. The State didn't
8 like that but they didn't see the studies
9 that were done. It is some additional
10 documentation that we are going to give them.
11 If that is good enough for them, then they
12 will agree it is no action. Another
13 alternative we may do is have a State
14 radiation person come out and do the survey.
15 That was another alternative that we
16 discussed. That all goes in what gets
17 finalized in that report when we call it
18 finalized.

19 MR. KITTELL: This is SEAD-48, which is
20 on page 16, this is the pitchblende storage
21 bins. I am sure from what I have read and
22 the questions that I have been asked people
23 feel that somehow Seneca has been running an
24 illicit Department of Defense Radioactive
25 Waste Dump that we haven't told anybody about

1 and now we are being forced to confess to it.
2 That is not the case. The radioactivity that
3 we are talking about here is the sort of
4 radioactivity that came from this pitchblende
5 ore, which was a rock ore mined out of the
6 ground. We are talking about miscellaneous
7 parts. We are talking about things like if
8 you had a half dozen luminous dial watches
9 and you stuffed them in a landfill. I expect
10 there is more than one or two in the country
11 now. If you are living in the country that
12 we are living in now with regulatory
13 overview, you would have a solid waste
14 management unit and that is a radioactive
15 burial there. I don't want people to think
16 and no one should think the Department of
17 Defense was running some sort of illicit
18 waste dump.

19 MR. COOL: I am not talking about
20 illicit. We don't care if it is illicit. We
21 just want to know if it is here, make sure it
22 is cleaned up.

23 MR. KITTELL: This is the sort of
24 radioactivity that we are talking about, low
25 level pieces and components and other things

1 like that that exhibit radioactivity. I
2 think we -- I imagine if we had enough of the
3 right kind of granite we would have a problem
4 there, too.

5 MR. BATTAGLIA: Actually the shale
6 around here is. The miscellaneous components
7 burial site is SEAD-63 and the other broad
8 waste burial areas are SEAD-12. There is a
9 little discussion in here on what is known
10 about those sites in a couple paragraphs. A
11 little bit more in the classification report.
12 What we might end up doing is going out there
13 and doing more tests and going in and taking
14 samples and taking surveys. That goes to a
15 lot of scrutiny with EPA and DEC on how we do
16 it and what surveys we do. I could ramble on
17 about the other areas of security or we can
18 just go on to the charter.

19 MR. KITTELL: Does everybody understand
20 the hierarchy? Does everybody understand
21 where we are in dealing with the dirt? We
22 have got two areas that we knew with a high
23 degree of certainty that were proven that
24 were contaminated, the ash landfill and open
25 burning grounds. We are going through the

1 full study process there. Those two areas
2 compromise some of the SWMU's on the list of
3 72. That list of 72 includes 10 others where
4 we think there is reason to be concerned,
5 more so than others, and those are in the
6 work plan that Kevin briefed us on that we do
7 have funds for that. We would go out and do
8 site investigation sampling and prove yes or
9 no once and for all is there or is there not
10 contamination; if there is, they would
11 graduate into this program. There are 16
12 more but they are the ones that Kevin talked
13 about in the 26 that we are going to do site
14 investigations. Some of those 72 are namely
15 no action SWMU's, 15, where the books are
16 closed and there are a group that are in
17 limbo. We need to know a little more if the
18 books should be closed on those or we should
19 go do site investigations. That is the
20 philosophy that is being used. Does anybody
21 have any problem with that approach?

22 COMMITTEE MEMBER: I have a question.

23 MR. KITTELL: Yes, sir.

24 COMMITTEE MEMBER: The SWMU's that we
25 have to get additional information on, some

1 time is going to be needed to get that
2 information?

3 MR. KITTELL: Yes. Yes.

4 COMMITTEE MEMBER: Also you need to
5 submit a final SWMU report. The question, to
6 get that SWMU report in the administrative
7 record are we going to wait until all the
8 time -- until additional information is
9 obtained or are you going to do a SWMU report
10 in parts?

11 MR. HEALY: What's the game plan?

12 MR. KITTELL: Did you discuss that?

13 MR. HEALY: The game plan as of this
14 moment was to go out and do the minor
15 sampling at these additional sites, come up
16 with the results and then include it in the
17 SWMU Classification Study.

18 COMMITTEE MEMBER: What's the time frame
19 for that?

20 MR. HEALY: It is three to six months to
21 get the sampling done and the results
22 incorporated and the report finalized.

23 COMMITTEE MEMBER: Did you say 36
24 months?

25 MR. HEALY: Three to six months.

1 MR. BATTAGLIA: The ones that are in
2 limbo, there is further information required
3 and it is everything from providing previous
4 documents to going out and doing some limited
5 sampling. It is a very limited sampling that
6 is needed. If that sampling comes up to show
7 that we have to go do a site investigation,
8 it will be graduated to an ALC and a SWMU
9 report will be finalized. That is, of
10 course, with everyone's concurrence that the
11 sampling was a no action area or the report
12 will be finalized based on all that.

13 MR. HEALY: What the -- to the members
14 of the community we have given out a pretty
15 good synopsis on each one of the sites
16 although it is not as extensive as the SWMU
17 report. Certainly, I guess, the Army would
18 like to be able to finish and have a
19 finalized document. I think Mr. Chen's
20 concern is that if this drags on too long are
21 we eroding public trust? Does that need to
22 be out sooner? Is there a lot of concern in
23 the community that we are moving along? Do
24 you think that is adequate for the time
25 being? Rather than put you on the spot, I

1 don't have any problem with maybe waiting
2 until the next Technical Review Committee and
3 seeing how far we are there. Unless you have
4 an opinion right now. I think it
5 certainly -- I think that is what you are
6 driving at, right?

7 COMMITTEE MEMBER: I feel the
8 information that you have provided today is a
9 big help. We have an idea of what areas you
10 are looking at and they are defined. I think
11 that is a big help to us. We will go back
12 and look at that. And when people ask us
13 questions, we have got information to give
14 them now.

15 MR. KITTELL: We all agree that the
16 agenda should be revised on this issue?
17 Should we wait for the SWMU classification to
18 be done or should we wait for a partial?
19 Does anybody have any problem with that?

20 MR. HEALY: Let me respond in part to
21 Marsden's question. The SWMU classification
22 is to classify the SWMU's. Until we get that
23 sampling done we can't classify those 10 to
24 20. In my opinion, it would be better to
25 wait so we can say for certain these need to

1 be looked at further or they don't. That was
2 the reason why we were proceeding the way we
3 were.

4 MR. CHEN: The SWMU report has been
5 delayed for quite a while and seeing my boss
6 doesn't -- the State of New York -- you hit
7 it right on the head. I am concerned that
8 the public, you know -- this site is a high
9 profile site whether we want to admit it or
10 not. To keep things nice and neat I need to
11 see reports moving along and final reports
12 submitted into the administrative record
13 ASAP. That is the main reason I raise the
14 issue. I have raised this issue privately
15 with you also.

16 MR. HEALY: I just consider it
17 incomplete at this time.

18 MR. CHEN: If the people of the local
19 community find no problem with it, that is
20 fine.

21 COMMITTEE MEMBER: I think a lot of
22 people in the community felt the waste sites
23 were all radioactive because of what they
24 thought was stored here and everything. This
25 list shows us this is not a serious problem

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as people feel.

MR. KITTELL: Does anybody have any problem with the SWMU classification to be reviewed partially and discussing it at the next TRC? And if there is a problem, we can go about dealing with it.

MR. BATTAGLIA: I know I said it was partial. We can do it as a draft update. It will be more reliable in three to six months.

MR. KITTELL: The ones that we know about?

MR. HEALY: Are already being revised.

MR. KITTELL: A potential model is released on the SWMU's classification and the half dozen that we are awaiting data on. We can release it and make sure it is marked clearly as incomplete for these areas so there is a mechanism -- I am sure we can negotiate a mechanism and put it in the file if we had to.

MR. HEALY: If you really desire to put it out in the administrative record, we can finalize it in some form and put a note as to what more has to be done.

MR. KITTELL: We would prefer not to for

1 purely selfish reasons. We would like a
2 final and complete document when it goes in
3 the community and we know the regulated
4 community wants it to go in. We will find
5 out a way to get it in partial. Fair enough?

6 MR. BATTAGLIA: The reason things are
7 changing is we had a number of comments from
8 the State and EPA on the status of each of
9 the 69 sites. We didn't know if it was an
10 action site or not an action site. Some need
11 more information. The list of the priority
12 areas has changed. We have been combining
13 some sites and we added some sites. So I
14 am -- I think this is all we are going to
15 have but we may have some more. We might
16 find one tomorrow. But there is a lot of the
17 actual status of each site that was in limbo.
18 The main part of that report is to finalize
19 what the status of each site was. There is a
20 lot of things that we could put in the
21 administrative record that is not going to
22 change; for example, like some of the factual
23 information and that is more than what we
24 have here in the fact sheet. It is the
25 general information about each site. For

1 example, some of the test results or some of
2 the studies that have been done on particular
3 sites are part of this new classification
4 process. We have had numerous studies here
5 at the Seneca Army Depot. There is a SWMU
6 study that the Environmental Hygiene Agency
7 also did that was combined into the SWMU
8 Classification Report. So a lot of that
9 report is not going to change. It is all the
10 factual information about each site. What we
11 did is took out a little background on the
12 latest status of our meeting last month that
13 wrapped up all the different comments that we
14 had on the report from the regulator.

15 MR. KITTELL: I think in fairness to
16 everyone involved, in trying to prepare a
17 final and new classification report with 72
18 potential sites dealing with contamination
19 from an organization that sometimes is
20 perceived to be as shady as the Army is, it
21 is a mind boggling amount to deal with. On
22 the regulator side, they have a lot of
23 experts that they need. We all need to feel
24 comfortable with what the position is. And
25 certainly from the Army's standpoint, trying

1 to collect all the historical data that has
2 been accumulated on the sites in some sort of
3 logical and believable form and, quite
4 frankly, our desire not to spend tremendous
5 sums of dollars at certain areas where we
6 could logically prove to ourselves
7 collectively that there was no point to look
8 there. That was our motive. Certainly not
9 to hide anything from anybody. So it does
10 take quite awhile to build consensus amongst
11 the dozen of people involved in doing that
12 over the many dozen -- almost hundred sites
13 that we are talking about. It is a
14 monumental task. And, of course, when we all
15 collectively agree you are not going to look
16 at a site, it pretty much takes that site off
17 the plate and no one wants to do that
18 prematurely. Getting a SWMU Classification
19 Report done so that it is an honest document
20 and also one that preserves some finances is
21 quite a job.

22 MR. COOL: Will there be a list
23 maintained that you have decided not to
24 investigate?

25 MR. KITTELL: Yes. It is actually part

1 of the public record. The ones we decide not
2 to look at will be in the classification
3 report, too.

4 COMMITTEE MEMBER: In the administrative
5 record, which I guess is what we are calling
6 it.

7 MR. KITTELL: Once you have the site you
8 are never off the hook. The best brains in
9 the world could say nothing is there. If
10 somebody stumbles onto something, you have to
11 go back to square one and start over.

12 MR. BATTAGLIA: The next topic was the
13 charter. Jim Miller, why don't you take the
14 floor.

15 MR. MILLER: I don't think we have a
16 whole lot to talk about. If you will turn to
17 Section 6, the proposed revision to draft TRC
18 Charter. This is the second meeting of the
19 TRC. We have yet to reach a finalized
20 charter. June 8th, '92 we sent out a charter
21 for review to all TRC members and we received
22 comments from a couple Army agencies and the
23 EPA and the DEC.

24 MR. KITTELL: That was the one that
25 spawned the whole secret meetings.

1 MR. MILLER: Exactly. That was on June
2 8th. And the 28th of July you had a "where
3 do we hold those if it is secret?"

4 MR. KITTELL: It is a secret.

5 MR. MILLER: Right. So as far as the
6 community was concerned, we did not receive
7 any written or phone communication comments
8 regarding the draft charter that we had
9 initially put out which separated TRC
10 meetings down into two types, public
11 information meetings and working session.
12 And we have made the error of including
13 underneath the working sections a statement
14 that these would be to the exclusion of the
15 general public and press. And, of course,
16 that is not going to be the case.

17 MR. KITTELL: That wasn't a good option.

18 MR. MILLER: That was not a good option.
19 Unfortunately, we did not have the time to
20 revise this charter and get this back out
21 before the first TRC meeting.

22 The revised charter that you have before
23 you in Section 7 shows that that statement
24 has been deleted and the package is pretty
25 self-explanatory.

1 Section 6 shows the old language deleted
2 and what we have inserted in the highlighted
3 sections on the first page of Section 6 where
4 it says "add." What this is is the preferred
5 language of people who reviewed it and
6 commented on the charter gave to us and we
7 inserted, for the most part, a 100 percent
8 into the revised charter. I don't know that
9 it is necessary to go item for item on this
10 material especially in light of the fact that
11 it recently has been accomplished and I think
12 we should give time for all committee members
13 to look this over and come back with some
14 responses and comments, if you have any, and
15 provide those to me before the next TRC
16 Meeting and we can finish this charter up.

17 MR. KITTELL: What we can do -- what Jim
18 has done, quite clearly, is he's lined out
19 the old language and shown the additions in
20 the highlighted area right after that. He's
21 given you a copy of what the final document
22 will look like. We certainly don't have any
23 problem with giving everybody a month to
24 respond. If we don't hear from anybody, we
25 assume it is approved and send it around for

1 signatures. Does anybody have any problems
2 with that, folks?

3 MR. BATTAGLIA: Let's look at all the
4 signatures.

5 MR. MILLER: Carla, you will have to get
6 back to us as to who is going to sign.

7 MR. KITTELL: If you have got something
8 that you would like to have changed, we would
9 like to hear from you. But we don't have any
10 problem because it does have some review and
11 before and after language. To make it easier
12 on everybody, if you are prepared to sign
13 this document as written, do nothing and we
14 will send it around; and if not, certainly
15 let us know within the month. Is that fair
16 enough? Members of the community, is that
17 fair enough?

18 COMMITTEE MEMBER: Do I take it we
19 deleted the other members in this?

20 MR. MILLER: No. The community members
21 should still be on the section.

22 MR. CHEN: Second to last page.

23 MR. MILLER: Yes. For the signatories
24 on Section 7 with the revised charter as it
25 stands now I believe all town officials are

1 still signatories unless there is -- yes. We
2 just --

3 MR. KITTELL: Signatories are the
4 members and the list of members are actually
5 greater.

6 MR. MILLER: I felt that it was best.
7 Instead of each member representing the
8 Army -- instead of having each person sign,
9 the Commanding Officer for Seneca would be
10 the only signature. That is it, I believe,
11 as far as the charter. Anymore questions?

12 MR. KITTELL: Excuse me. Do we have a
13 consensus? Going once. Going twice. Month
14 to respond if you are a signatore. If we
15 don't hear from you within the month, we are
16 going to assume it is okay. We will send it
17 around for signature.

18 COMMITTEE MEMBER: My question would be,
19 can we add another member to this advisory?

20 MR. MILLER: That was actually going to
21 be the next topic on the agenda. I guess
22 since I have all the information on this I
23 will go ahead. One individual has already
24 expressed an interest to join us here.

25 COMMITTEE MEMBER: I think we have all

1 had a call from the same individual.

2 MR. KITTELL: I want to confirm, we are
3 closed on the charter? If we don't hear
4 anything negative from anybody in a month, we
5 will be sending the charter around for
6 signature. Going once. Going twice. I
7 should bring a gavel but I never took
8 Robert's Rules so I wouldn't know how to use
9 it.

10 MR. MILLER: The individual is Mr.
11 Richard Durst, D-u-r-s-t, Phd, professor at
12 Cornell University. His property -- his
13 house actually joins Depot property on East
14 Lake Road. He's across from the commander's
15 residence. I just found that out last week.
16 He was at the last meeting.

17 MR. KITTELL: I remember the gentleman.

18 MR. CHEN: Isn't TRC open to the public
19 at large?

20 MR. MILLER: Yes.

21 MR. CHEN: It should be. Dr. Durst
22 should be free to walk in.

23 MR. BATTAGLIA: He was here at the last
24 meeting.

25 COMMITTEE MEMBER: I guess he's in

1 Holland on some kind of project.

2 MR. MILLER: He would actually want to
3 become a full-fledged member such as we have
4 listings to the charter.

5 MR. CHEN: The question is -- the
6 community is represented by the elected
7 officials. A private citizen represents
8 himself. He's represented by these men on my
9 right.

10 MR. KITTELL: I think what the issue is,
11 because of the varied background of the
12 people involved in the community and the
13 highly technical nature of the documents that
14 are going to be prepared Dr. Durst, I think,
15 has volunteered to play somewhat of the role
16 of --

17 COMMITTEE MEMBER: Interpreter.

18 MR. KITTELL: The idea is to make him an
19 actual member of the TRC withstanding here
20 rather than an entrusted citizen who stopped
21 by to see the proceedings.

22 COMMITTEE MEMBER: He is more or less a
23 guide to us. The two townships have sat down
24 and discussed it and we need him for
25 background.

1 COMMITTEE MEMBER: We would like him as
2 a member.

3 COMMITTEE MEMBER: When you start
4 talking about chemistry --

5 MR. KITTELL: I went out with him on the
6 bus tour. I honestly think that he would be
7 a really constructive addition as an actual
8 member.

9 MR. CHEN: I won't fight city hall.

10 COMMITTEE MEMBER: I have just one quick
11 question. Is it -- I am moving to the Seneca
12 Falls area. I would still like to be a
13 member of this committee. Is that a problem?

14 MR. KITTELL: I don't know.

15 COMMITTEE MEMBER: What Jim is saying is
16 he would not be living within the Town of
17 Romulus.

18 MR. KITTELL: You are the one who asked
19 him to be on the committee.

20 COMMITTEE MEMBER: I wasn't aware that
21 he was going to be moving when I asked him to
22 be a member.

23 MR. KITTELL: You asked him to be a
24 member.

25 COMMITTEE MEMBER: He still has an

1 interest.

2 MR. KITTELL: It is up to you.

3 COMMITTEE MEMBER: Was there a problem
4 on your part?

5 MR. KITTELL: The only problem -- I
6 would like to ask Marsden this. You would
7 not want the actual membership of the TRC to
8 grow to an unmanageable number?

9 MR. CHEN: We wouldn't want to end with
10 four dozen people from the community being a
11 member but four dozen is certainly welcome to
12 come and watch the proceedings and
13 participate in that vein. Then in that vein
14 if Dr. Durst is a member, now every Tom, Dick
15 and Harry with some expertise could be a
16 member. Having said that I have no
17 resistance because it is the advisors' desire
18 to have him.

19 MR. BATTAGLIA: TRC has to approve the
20 new membership?

21 MR. MILLER: Right.

22 MR. KITTELL: Politically we would be
23 putting ourselves into the box as Marsden
24 said. You don't want this guy in and not
25 that guy on. Politically we need to be

1 concerned about that. Operationally we have
2 to understand that if the actual membership
3 of this committee grows out of hand, we are
4 not going to be able to accomplish anything.
5 Most of you gentlemen get along with other
6 people and convince them that you know what
7 you are doing. Keeping that in mind --

8 COMMITTEE MEMBER: I am looking at this
9 discussion today and wondering if we are
10 setting up a final membership role.

11 COMMITTEE MEMBER: He's the expert and
12 he can advise.

13 MR. BIERNACKI: John Biernacki. I am an
14 environmental engineer for Army Depots for 15
15 States. We spend like 80, 90 million dollars
16 a year and are spread all over the United
17 States. I mentioned Europe before. We used
18 to get involved in Europe. We bailed out of
19 that in most places. I do have one thing
20 that I wanted to say besides bringing in a
21 couple of points. We have lots OTR sites and
22 we have nine LP sites and especially
23 Sacramento -- I always use them as an
24 example -- that is base realignment and
25 closure. We have nine people on the TRC and

1 its been coming along five to six years.

2 MR. KITTELL: Sacramento.

3 COMMITTEE MEMBER: Essentially it is a
4 technical type of committee. There is a lot
5 of guidance. And Jim Miller has included a
6 couple things that should be in there as the
7 laws and other laws and what should be going
8 on in the Technical Review Committee. I was
9 going to suggest one of the people -- here
10 again is my case. We have got a couple of
11 positions out of the nine. Basically, we
12 only represent -- I think we have a
13 contractor in there and the other
14 contractor -- I believe, basically, we only
15 have one or two members from the Army. We
16 have a congressman who comes in very, very
17 handy. That was one suggestion to toss out.
18 And we also have an open position with a
19 congressional representative, too. What
20 happens in a lot of cases -- I am just
21 throwing it out -- is that we run into
22 funding or impasses that we can't do anything
23 about. And I won't get into any of the ways
24 he's helped us, especially very recently.
25 They help technically because they are very

1 environmental conscious out there. They get
2 into a lot of legislation. They know what is
3 going on. It is also from the funding
4 aspect. We have a lot of congressional
5 investigation teams. People wonder where
6 they are spending your money. Gary is asking
7 if we are spending yours prudently. Are we
8 cleaning everything up? I believe most of
9 these Federal EPA documents are saying
10 studying and studying. When are you going to
11 start doing? This is why we are pushing a
12 lot of cases to start doing something. I
13 want to bring that up. I will pass this
14 along.

15 MR. KITTELL: What is the position?

16 MR. BIERNACKI: We have -- we have nine
17 positions. We have Congressmen, EPA, Corps
18 One fellow and we have the local people then
19 we have the Water Board and they got the EPA.
20 State has two different agencies out there
21 with the water and everything else.

22 MR. KITTELL: State, of course, is
23 represented here with their experts, EPA is
24 with their experts and the Army has their
25 experts, each one of the communities in

1 effect is represented here.

2 COMMITTEE MEMBER: No expert, which we
3 want.

4 COMMITTEE MEMBER: Basically, it is
5 technical and none of you are going to
6 understand. In fact, most graduate engineers
7 don't understand because you got to take
8 environmental courses to understand what's
9 going on as far as the chemistry.

10 MR. KITTELL: I would just hate to have
11 two or three meetings down the road and end
12 up with a dozen people who want to be
13 admitted as standing members of the Technical
14 Review Committee and then be trying to argue
15 in front of those people and in front of the
16 press and the public as to why we don't want
17 them on. The Army wants the Technical Review
18 Committee to function. Mr. Chen has been
19 involved in this a lot more than I have in
20 the State. And you as political people can
21 see how this can grow to a nonfunctioning
22 relationship. As long as everybody --

23 COMMITTEE MEMBER: Everybody has experts
24 but us.

25 MR. HEALY: Doesn't the charter allow

1 for one or two concerned citizens?

2 COMMITTEE MEMBER: We are not going to
3 bring anybody else up as far as I know.

4 MR. MILLER: As it currently stands, we
5 solicited each of the town supervisors to
6 appoint from their unbiased prospective a
7 concerned citizen to represent them. We are
8 short one person as it stands right now. The
9 member from the Town of Ovid, the supervisor,
10 has not as of yet appointed a person. So it
11 seems like we could even things out very
12 nicely by adding Mr. Durst.

13 COMMITTEE MEMBER: He's our selection.

14 MR. COOL: If they will agree.

15 MR. KITTELL: I never disagreed. I want
16 to be sure everybody understands that, you
17 know, that if you open the door too wide this
18 will become a problem.

19 COMMITTEE MEMBER: They both want to
20 step down to put Dr. Durst in, which I don't
21 feel is fair either. He would be our
22 technical advisor.

23 MR. HODDINOTT: If I can throw something
24 down on the table? My name is Keith
25 Hoddinott, Office of Surgeon General. There

1 is a problem to let a concerned citizen in
2 because you want his chemistry expertise.
3 Why don't you let in a chemical expert who
4 happens to be a concerned citizen? That
5 would be your answer to get getting 30 or 40
6 people that are just concerned citizens that
7 want to come in to the TRC.

8 MR. KITTELL: That is exactly what we
9 are proposing.

10 COMMITTEE MEMBER: We are asking him.
11 He's not asking us. He came with me to the
12 last meeting as an advisor to me.

13 COMMITTEE MEMBER: Would it matter if he
14 did not live in the area?

15 COMMITTEE MEMBER: Yes, it would matter.
16 I certainly wouldn't want to have to call him
17 in Albany. He's a neighbor and advisor and
18 friend to the townships. As far as politics,
19 I don't know what political party he even
20 belongs to.

21 MR. KITTELL: I may have drifted far,
22 far, far, far, far off the point. I
23 certainly support the gentleman to be on
24 here. I think he's going to be a valuable
25 asset. Certainly he's able to understand the

1 jargon that comes across. He is certainly
2 able to help. My discussions and concerns
3 had absolutely nothing to do with him or the
4 idea of him being a citizen. It is only that
5 don't let this one -- we need to be careful
6 and set a precedent and don't let it grow too
7 big. The charter clearly states that we have
8 an opening. And if your guy is the person
9 that takes that position, we certainly have
10 no qualms about having him on.

11 MR. MILLER: I will view that as a done
12 deal.

13 MR. KITTELL: I don't know. I forgot to
14 ask.

15 MR. HEALY: Let's not beat this horse
16 anymore.

17 MR. MILLER: The next thing is to set
18 the agenda for future meetings and TRC
19 Meetings. I will give that over to you,
20 Gary.

21 MR. KITTELL: Let's wander around the
22 table and see if anything needs to be
23 discussed. Anything else germane to what we
24 are talking about?

25 MR. COOL: I would like to compliment

1 the stenographer, especially in trying to
2 explain our initials and acronyms and so
3 forth. I wonder if it would be possible to
4 add an index of abbreviations to the back of
5 the minutes for each meeting and any reports
6 that are published? It is very difficult for
7 us laymen to keep up with you fellows that
8 are spouting this stuff all the time, day in
9 and day out. She's done an excellent job in
10 there initially. I find myself reading the
11 minutes and asking, "what's this again?"

12 COMMITTEE MEMBER: There is a
13 publication of acronyms.

14 MR. COOL: I would be interested in the
15 ones that you are using here. Just maybe a
16 couple pages at the end.

17 MR. HEALY: Let me ask you a question.
18 In my initial presentation, which I don't
19 believe you were here for --

20 MR. COOL: I read the minutes.

21 MR. HEALY: Would you like me to go back
22 through that and put together a list?

23 MR. COOL: That including the last
24 minutes and as things are added each month.
25 Just add it to that list.

1 MR. KITTELL: You would like a prefix of
2 glossary of terms, a continuous --

3 COMMITTEE MEMBER: That way if any of
4 our town people wanted to look at a certain
5 month's meeting minutes, they would have a
6 glossary to refer to.

7 MR. MILLER: I would like to add to
8 that. All the publications that we come up
9 with at TRC meetings are going to be
10 delivered down to the Information Deposit
11 Store. As far as the acronyms, we have
12 assumed the finalized Community Relation Plan
13 will have a fairly extensive listing of what
14 each of the major terms means.

15 MR. KITTELL: Okay. Anything else?
16 Feel free.

17 MR. BIERNACKI: John Biernacki. Got one
18 item. I need some help. This is funding
19 season and it is time to get money. For
20 about three years now, I guess, plus whatever
21 it is, on the agreement one of our standard
22 links for LMN sites and Super Fund and all
23 the fancy words -- well, we finally got to a
24 point on August 12th where the Army signed it
25 and the thing is that I understand it really

1 isn't still legal. It hasn't been signed by
2 the EPA and the State. I don't know if they
3 had any discussion on these things in the
4 beginning. As soon as that thing is signed
5 and everyone's happy, our low priority down
6 here in the can, as far as getting any money,
7 goes way up here. And the thing is that I
8 really would like to get it signed since it
9 is funding.

10 COMMITTEE MEMBER: Can you explain why
11 EPA and the State have not signed?

12 COMMITTEE MEMBER: I have no idea.

13 COMMITTEE MEMBER: It went up to Army
14 Headquarters and was held up for nine months.
15 The Depot signed it and then it went to Army
16 Headquarters and was held up for nine months.
17 So we are the last ones who are able to sign.
18 Okay. We were actively negotiating and we
19 cannot sign until everyone else signs. Okay.

20 MR. BATTAGLIA: Seneca was not happy
21 with that either.

22 MR. KITTELL: Maybe I should be a spin
23 doctor for president.

24 COMMITTEE MEMBER: I recognize we had
25 some real problems at our place and all of a

1 sudden things started moving.

2 COMMITTEE MEMBER: You could talk to
3 Phil Sherman about that. I am sure he would
4 fill in you on that.

5 COMMITTEE MEMBER: I had to go in a
6 couple different directions with it.

7 MR. KITTELL: There were definitely some
8 miss-steps in the way it was handled and
9 negotiated. Also the State was quite
10 concerned about maintaining State's rights.
11 And as all good negotiators, each one of the
12 three parties in negotiations did their very
13 best to ensure that the interest to their
14 body that they were representing were taken
15 care of as to the best of their ability.
16 Unfortunately, when three people -- three
17 parties get together and negotiate something
18 and each feels they have won, collectively it
19 may not be palatable. And with various
20 levels within the Department of Defense and
21 as it involved the State there were problems
22 with language. Carla is absolutely right.
23 There were big delays. When you have an
24 Inter-Agency Agreement that is signed, John
25 is right. It does help you in the pecking

1 order when it comes to funding. I know for a
2 fact that there was concern within certain
3 political members of the community -- and not
4 these people specifically -- that the Army
5 was trying to pull some sort of fast one with
6 the Inter-Agency Agreement and it was somehow
7 associated with trying to walk away from
8 Seneca Army Depot and all the political furor
9 that is going on over down-sizing and
10 whatnot. It has absolutely nothing to with
11 that whatsoever. The inter-agencies
12 agreement is a necessity whenever an Army or
13 Department of Defense Base goes on the
14 National Priorities List. The Secretary of
15 Defense and his representatives and the
16 director of the EPA years ago agreed whenever
17 we get into this sort of situation rather
18 than doing open battle we will have a
19 structured way of dealing with the situation.
20 It is called the Inter-Agency Agreement. It
21 wouldn't make any difference if you put one
22 soldier in here or are pulling 10,000 out.
23 The message went to the community that they
24 should not be politicking to be a signatore
25 to that. I think we are going to have an

1 assigned one in pretty short order. From the
2 funding standpoint, as I said earlier,
3 Congress enacted an additional quarter
4 billion dollars as part of that Hurricane
5 Relief Bill. That money is flowing down very
6 quickly. Seneca Army Depot, it appears, is
7 going to get its full share and then some.

8 MR. COOL: Anything we can do to help
9 that?

10 MR. KITTELL: The Inter-Agencies
11 Agreement is not some sort of a fast, shady
12 deal for the Army to walk away from the
13 Seneca Army Depot and leave it dirty. It has
14 nothing to do with that whatsoever. It is a
15 requirement whenever a Department of Defense
16 Base gets on the list.

17 COMMITTEE MEMBER: It is a blueprint to
18 try to get everything to work together. One
19 of the hard things that we see in different
20 States is if we don't get everybody on board
21 and agree to something, the State or
22 something -- I am not picking on New York.

23 MR. BATTAGLIA: If the Army doesn't
24 comply with it, they are stuck with it.

25 MR. KITTELL: I think it is very

1 important. I see this gentleman back here
2 writing feverishly. I think it is very
3 important that there was mottled language
4 agreed to between the Environmental
5 Protection Agency and Department of Defense
6 and that would serve as a basis to construct
7 the Inter-Agency Agreement. Because we are
8 in the State of New York it became a three
9 party agreement. Each party negotiated with
10 the people that we had to and that agreement
11 strayed from that and that is the reason for
12 the delay. However, as I think you can see,
13 we have progressed along with the studies on
14 the two contaminated sites. We have
15 progressed along with funding. And as
16 always, though, it is not as high in the
17 pecking order with funding as we might have
18 liked, with the windfall of funds we seem to
19 be right on track. Anybody have any -- how
20 is that? Would you agree with that
21 assessment?

22 MR. CHEN: Yes. I think your assessment
23 was pretty good, Gary. In fact, in speaking
24 to the State of New York I participated a
25 great deal in the negotiations of the

1 Inter-Agency Agreement with the State
2 employee and your expert. A lot of the
3 language that New York State included in that
4 agreement was pretty tough language and it
5 saw that the interests of the people of the
6 State of New York were safeguarded so, yes,
7 it is a pretty strong agreement. The
8 agreement I know was in our Department for
9 some weeks. If the commissioner has not
10 signed it yet, it will be very shortly before
11 he signs it and sends it out to the EPA.

12 MR. KITTELL: The EPA is an innocent
13 bystander. They have been prepared to sign
14 for quite awhile.

15 MR. COOL: I am presently a member or
16 the chairman of the Seneca County Water
17 Committee. I think that is going to have
18 some effect on the State funding. If you
19 ever need a letter or something like that
20 would help you people in any way, I think
21 that could be generated. The county would be
22 glad to support whatever we can do to help.
23 It is there if you ever need it.

24 MR. BATTAGLIA: I would just like to add
25 when everyone looks over those fact sheets,

1 if they have questions or you would like to
2 go out and look at some of these sites, it
3 may take half a day or a day. It would be
4 rushed in a half day to go around to all 26
5 areas that are of concern. But we could
6 schedule that maybe in a couple different TRC
7 Meetings; maybe on a whirlwind tour. If
8 there is enough of a concern and if you do
9 want to go see them, we can do that. If you
10 have any additional information, I would
11 appreciate it if you get back to us before
12 the next meeting so if we need -- if you want
13 to see it on a map, we can show you a map.
14 If you want to go out on the site, we can set
15 up a bus tour again and do that.

16 MR. KITTELL: We'll do that. We will
17 also include those sites that we think are
18 write-offs and don't need to have anything
19 done.

20 MR. BATTAGLIA: To look at all 72 sites
21 will take two weeks just to physically drive
22 around. That is how long it took us to go to
23 each site, talk about it and go get the
24 dimensions. That is what it took with me and
25 the contractor. They thought they could do

1 it in a week but they ended up coming back.
2 I could do a whirlwind windshield survey in a
3 day, day-and-a-half.

4 MR. KITTELL: What I was driving at was
5 if some member of the community feels that
6 the title of one of the sites that are not
7 going to be investigated is so scary and
8 wonders why you would not be looking at
9 something like that, we would be willing to
10 take someone out and show what exactly goes
11 on so that everybody feels confident in that.
12 Randy is absolutely right. If you all want
13 to look at 72 sites, we will be looking at
14 sites for weeks.

15 MR. BATTAGLIA: Two weeks.

16 MR. KITTELL: The final draft will have
17 photographs and a synopsis of the
18 description. Anything else?

19 MR. CHEN: We are going to set a day for
20 the next one?

21 MR. KITTELL: I was still seeing if
22 anybody had any comments or concerns that
23 they would like to raise.

24 Okay. Well, did we decide that Thursday
25 afternoons were good for some reason? I

1 thought Thursday afternoons were good for
2 some reason. Thursday afternoons are good.
3 When three months from now would we like to
4 tentatively pencil in a date? The mechanism
5 that we used today was project managers and
6 then the TRC in the afternoon. That seems to
7 be a successful formula.

8 COMMITTEE MEMBER: Isn't the Depot
9 closed.

10 MR. KITTELL: Well, we are going to be
11 closed but we're not closed. The 21st is a
12 Thursday. It looks like 12:30 at the NCO
13 Club, Thursday the 21st, January, 1993.

14 Does anybody have any problem with the
15 direction we are heading in? We originally
16 envisioned this would be a Technical Review
17 Committee dealing with the ash landfill but
18 it certainly is impractical given the climate
19 and the other vast lists of other concerns to
20 try to limit the discussion. I think it is
21 best served that we keep this in the universe
22 of items. It will get pretty -- it will get
23 pretty detailed when we get down to deciding
24 and all agree on the decision of a specific
25 site and the direction that we are going to

1 go to remediation.

2 I guess we asked last time that if
3 people had agendas to send in, please do that
4 and we will add them to the agenda. And we
5 will get updates from the Huntsville people
6 and any new initiatives that the State and
7 EPA people will have. We have one agenda
8 item already and that is to revise the
9 classification report status and what areas
10 should be released. Does anybody have an
11 agenda item or concern right now?

12 COMMITTEE MEMBER: Is there extra copies
13 of the information packet?

14 MR. COOL: Mr. Durst will be mailed one?

15 COMMITTEE MEMBER: I will do that.

16 COMMITTEE MEMBER: I got him a copy.

17 MR. COOL: I provided him a copy of the
18 first minutes.

19 MR. KITTELL: Is there anybody who wants
20 to be heard from?

21 COMMITTEE MEMBER: If Kevin is going to
22 be here at the next meeting, will he give us
23 an update of the contracts?

24 MR. KITTELL: We can do that now.

25 COMMITTEE MEMBER: No. No, not now.

1 MR. KITTELL: I think there is something
2 that is germane. The main contractor that
3 has been doing our work has a pretty good
4 standing with the regulatory community as far
5 as the conference goes; the conference that
6 we had with them where we could ask them
7 about a certain amount of work; we meaning
8 the corps. It is very technical in the way
9 they do that for a set price; up to a certain
10 dollar limit per this delivery order and a
11 dollar limit per year expired. It expired
12 just before that appropriations bill went
13 through so they were left in -- with no
14 mechanism to award work. Now, foreseeing
15 that they had also been negotiating a brand
16 new contract and got this contract so they
17 now have another mechanism in place to do
18 work that's more flexible. It is a cost plus
19 type contract. The problem is that there is
20 a tremendous amount of up front type
21 negotiations and statement of work
22 preparation and all that stuff that it takes
23 to get one of these delivery orders awarded
24 and they had all that done to use that money
25 on this contract. The only problem is that

1 this contract stopped and this next one
2 started and now they have to take all that
3 and rewrite it so it is in the form of this
4 contract even though it is a State contract
5 and put it over here. So that has caused an
6 administrative delay over them. In the long
7 run we have a better contract vehicle to get
8 work done.

9 MR. CHEN: Was that just for the
10 undertaking of this?

11 MR. HEALY: We have made sure that Maine
12 (phonetic), who is a sister company of the
13 company that got the contract -- we have made
14 sure that the same people will remain on
15 staff.

16 MR. CHEN: Do they have enough people to
17 handle a job of this size?

18 MR. HEALY: They took care of
19 everything.

20 MR. CHEN: Do they have enough staff?

21 MR. HEALY: It may get tough if you
22 throw in this second SI and --

23 MR. CHEN: Depends on how detailed it
24 would be?

25 MR. KITTELL: They had to be pretty

1 qualified for that volume.

2 MR. HEALY: Right.

3 MR. KITTELL: There are
4 pre-qualification features.

5 COMMITTEE MEMBER: The actual contract
6 is with the same personnel. It is a State
7 organization all under the Parsons Umbrella.
8 So what we are doing is we are dealing with
9 the same people. I was up there two weeks
10 ago and they actually are going to become an
11 internal bookkeeping arrangement. It will be
12 Engineering Science Personnel.

13 MR. CHEN: Another concern, for the size
14 of the contract we are talking about -- I
15 heard some dollar figures thrown around this
16 morning. For a contract that size you are
17 going to need some experienced people and you
18 are going to need good people to do work
19 here. My only warning is, I am sure you
20 don't want green people in the facility.

21 MR. HEALY: They have handled a variety
22 of work for us under the existing contract.
23 They have done nothing but succeed to this
24 point. I have no reason to be concerned
25 about future work.

1 MR. KITTELL: You mean on the Army's
2 side?

3 MR. CHEN: No. No. The contractor's
4 side. No. You have got good people here.

5 MR. KITTELL: Anything else? Questions
6 from the floor?

7 Okay. Thank you very much for coming.
8 I hope that we have more to report and we
9 will also be able to report significant
10 progress in submitting the funds that have
11 been allocated to us and maybe some
12 interesting new twists.

13 * * *

GLOSSARY

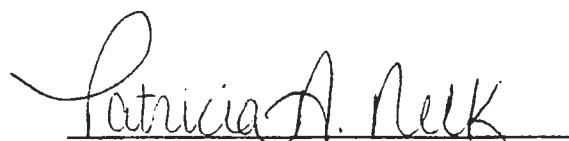
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- | | |
|---------------|--|
| 1. OB grounds | opening burning grounds |
| 2. RI/FS | remedial investigations and
feasibility studies |
| 3. AOC's | areas of concern |
| 4. SWMU's | solid waste management units |

C E R T I F I C A T I O N

1
2
3 I, Patricia Ann Nelk, hereby certify that I reported
4 in stenotype shorthand the proceedings had on the 15th day
5 of October, 1992, in the matter of the Technical Review
6 Committee.

7 And that the foregoing transcript, herewith numbered
8 pages 2 through 78, is a true, accurate and correct record
9 of those stenotype shorthand notes to the best of my
10 ability.

11
12
13 
14 Patricia Ann Nelk

15 DATED AT: Rochester, New York
16 this 6th day of November, 1992.
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SENECA ARMY DEPOT

TECHNICAL REVIEW COMMITTEE

Need cys



HAND OUTS

OCTOBER 1992

TECHNICAL REVIEW COMMITTEE

HANDOUT

INDEX

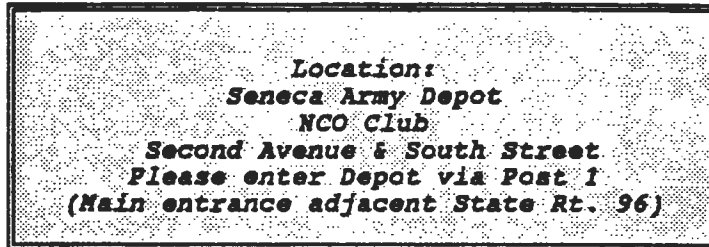
SECTION	TITLE
I	AGENDA FOR OCTOBER 15, 1992 TRC MEETING
II	SITE BRIEFING STATUS UPDATE NOTES
III	LISTING OF THE UNIVERSE OF AOC'S AT SEAD
IV	LISTING OF THE UNIVERSE OF NO ACTION SWMU'S AT SEAD
V	SWMU CLASSIFICATION FACT SHEET
VI	PROPOSED REVISIONS TO THE DRAFT TRC CHARTER
VII	REVISED TRC <u>DRAFT</u> CHARTER

I
AGENDA FOR OCTOBER 15, 1992
TRC MEETING

FINAL AGENDA

SECOND MEETING OF THE SENECA ARMY DEPOT

TECHNICAL REVIEW COMMITTEE (TRC)



THURSDAY, 15 OCTOBER 1992

- 1230-1235 **Welcome
Seneca Army Depot**
- 12:35-1:15 **Site Briefing Status Update
Huntsville Division US Army Corps of Engineers**
- 1:15-1:30 **Solid Waste Management Unit Classifications
Seneca Army Depot**
- 1:30-1:45 **Discussion of TRC Charter finalization**
- 1:45-2:00 **Discussion of expanding TRC Membership**
- 2:00-3:30 **Set Agenda for future Meetings, TRC direction**

Any questions regarding this agenda should be directed to Mr. James Miller
at
(607) 869-1532

II
SITE BRIEFING STATUS UPDATE NOTES

**SECOND MEETING OF THE
TECHNICAL REVIEW
COMMITTEE**

SENECA ARMY DEPOT

15 OCTOBER 1992

STATUS MILESTONES

ASH LANDFILL AND OPEN BURNING GROUNDS SITES

PHASE I REMEDIAL INVESTIGATIONS

- o PRELIMINARY SITE CHARACTERIZATION
SUMMARY REPORTS**
 - SUBMITTED FOR REGULATORY REVIEW
IN APRIL 1992**
 - REGULATORY COMMENTS RECEIVED...
RESPONSES PROVIDED**
 - PHASE II ADDENDA PREPARATION
INITIATED**
- o PHASE I COMPLETE**

PHASE II REMEDIAL INVESTIGATIONS AND FEASIBILITY STUDIES

- o PHASE II CONTRACTS**
 - AWAITING FUNDING**
 - WILL BE AWARDED AS
FUNDING IS PROVIDED**
 - SCHEDULE PROJECTIONS
= FIELD WORK INITIATED BY
NOVEMBER 1992 ?
: DEPENDENT UPON FUNDING
: DEPENDENT UPON WORK PLAN
APPROVAL**

**THEREFORE, RI/FS COMPLETION BY
JULY 1993 WITH ROD AND
PUBLIC COMMENT BY OCTOBER 1993.**

**= FIELD WORK INITIATED BY MAY 1993 ?
THEREFORE, RI/FS COMPLETION BY
DECEMBER 1993 WITH ROD AND
PUBLIC COMMENT BY MARCH 1994.**

STATUS MILESTONES

SWMU SITE INVESTIGATIONS

- o FIRST TEN AREAS OF CONCERN**
 - WORK PLAN SUBMITTED FOR REVIEW IN MAY 1992**
 - COMMENTS RECEIVED...
RESPONSES PROVIDED**
 - WORK PLAN REVISED**

- SCHEDULE PROJECTIONS

**= INITIATION OF FIELD WORK IN
NOVEMBER 1992 ?**

**: DEPENDENT UPON FUNDING
AVAILABILITY**

**THEREFORE, SI COMPLETION/REPORTS
BY JUNE 1993**

**= INITIATION OF FIELD WORK IN MAY 1993 ?
THEREFORE, SI COMPLETION/REPORTS BY
DECEMBER 1993**

**o SECOND SET OF AREAS OF CONCERN
(INVOLVES SIXTEEN AREAS)**

- SCHEDULE PROJECTIONS

**= WORK PLAN PREPARATION DONE
BY DECEMBER 1992 ?**

**: DEPENDENT UPON FUNDING
AVAILABILITY**

**THEREFORE, SI FIELD WORK INITIATED IN
MAY 1993 WITH SI COMPLETION
AND REPORTS BY OCTOBER 1993**

UNIVERSE OF THE AREAS OF CONCERN

SEAD-3 *	SEAD-23 *	SEAD-59 -
SEAD-4 '	SEAD-24 ' -	SEAD-62 -
SEAD-5 -	SEAD-25 ' -	SEAD-63 -
SEAD-6 *	SEAD-26 ' -	SEAD-64 -
SEAD-8 *	SEAD-43 -	SEAD-67 -
SEAD-9 -	SEAD-44 -	SEAD-68 -
SEAD-11 ' -	SEAD-45 ' -	SEAD-69 -
SEAD-12 -	SEAD-46 -	SEAD-70 -
SEAD-13 ' -	SEAD-50 -	SEAD-71 -
SEAD-14 *	SEAD-54 -	
SEAD-15 *	SEAD-56 -	
SEAD-16 ' -	SEAD-57 ' -	
SEAD-17 ' -	SEAD-58 -	

- * INDICATES A PORTION OF AN EXISTING OPERABLE UNIT , IE. R/VFS INVESTIGATIONS ARE CURRENTLY UNDERWAY.
- ' INDICATES THAT THESE AOC'S ARE CURRENTLY SCHEDULED AS THE INITIAL TEN AOC'S TO UNDERGO SITE INVESTIGATIONS.
- INDICATES THAT THESE AOC'S ARE CURRENTLY SCHEDULED TO BE INVESTIGATED UNDER THE CONTRACT FOR SITE INVESTIGATIONS AT THE SECOND SET OF AOC'S. SEAD-43, -56 AND -69 WILL BE INVESTIGATED AS A SINGLE UNIT. SEAD-50 AND -54 WILL ALSO BE INVESTIGATED TOGETHER AS A SINGLE UNIT. CONSEQUENTLY, A TOTAL OF SIXTEEN AOC'S WILL BE INVESTIGATED UNDER THE SECOND SET.

SWMU'S WHERE ADDITIONAL INFORMATION IS REQUIRED

SEAD-1

SEAD-32

SEAD-48

SEAD-2

SEAD-33

SEAD-49

SEAD-10

SEAD-34

SEAD-51

SEAD-27

SEAD-38

SEAD-52

SEAD-28

SEAD-39

SEAD-60

SEAD-29

SEAD-40

SEAD-72

SEAD-30

SEAD-41

SEAD-66

SEAD-31

NO ACTION SWMU'S

SEAD-7	SEAD-35	SEAD-55
SEAD-18	SEAD-36	SEAD-61
SEAD-19	SEAD-37	SEAD-65
SEAD-20	SEAD-42	
SEAD-21	SEAD-47	
SEAD-22	SEAD-53	

III
LISTING OF THE UNIVERSE OF AOC's AT SEAD

UNIVERSE OF AOC's

SWMU DESIGNATION	UNIT NAME
SEAD-3	Incinerator Cooling Water Pond
SEAD-4	Munitions Washout Facility Leach Field
SEAD-5	Sewage Sludge Waste Piles
SEAD-6	Abandoned Ash Landfill
SEAD-8	Non-Combustible Fill Area
SEAD-9	Old Scrap Wood Site
SEAD-11	Old Construction Debris Landfill
SEAD-12	Radioactive Waste Burial Sites - Location A: Northeast of Building 813 Location B: North of Building 804
SEAD-13	IRFNA Disposal Site
SEAD-14	Refuse Burning Pits (2 units)
SEAD-15	Building 2207 - Abandoned Solid Waste Incinerator
SEAD-16	Building S-311 - Abandoned Deactivation Furnace
SEAD-17	Building 367 - Existing Deactivation Furnace
SEAD-23	Open Burning Grounds
SEAD-24	Abandoned Powder Burning Pit
SEAD-25	Fire Training and Demonstration Pad
SEAD-26	Fire Training Pit
SEAD-43	Building 606 - Old Missile Propellant Test Laboratory (refer to SEAD-56)
SEAD-44	Quality Assurance Test Laboratory - Location A: West of Building 606 Location B: Brady Road
SEAD-45	Demolition Area
SEAD-46	Small Arms Range Location A: Berm Location B: Circular Berm
SEAD-50	Tank Farm (refer to SEAD-54)

SWMU DESIGNATION	UNIT NAME
SEAD-54	Asbestos Storage (refer to SEAD-50)
SEAD-56	Building 606 - Herbicide and Pesticide Storage (refer to SEAD-43)
SEAD-57	Explosive Ordnance Disposal Area
SEAD-58	Debris Area Near Booster Station 2131
SEAD-59	Fill Area West of Building 135
SEAD-62	Nicotine Sulfate Disposal Area Near Buildings 606 or 612
SEAD-63	Miscellaneous Components Burial Site
SEAD-64	Garbage Disposal Areas - Location A: Debris Landfill South of Storage Pad Location B: Disposal Area South of Classification Yards Location C: Proposed Landfill Site Location D: Disposal Area Waste of Building 2203
SEAD-67	Dump Site East of Sewage Treatment Plant No. 4
SEAD-68	Building S-335 - Old Pest Control Shop
SEAD-69	Building 606 - Disposal Area
SEAD-70	Building 2110 Fill Area
SEAD-71	Alleged Paint Disposal Area

IV
LISTING OF THE UNIVERSE OF NO ACTION
SWMU'S AT SEAD

UNIVERSE OF NO ACTION SWMU's

SWMU DESIGNATION	UNIT NAME
SEAD-7	Shale Pit
SEAD-18	Building 709 - Classified Document Incinerator
SEAD-19	Building 801 - Classified Document Incinerator
SEAD-20	Sewage Treatment Plant No. 4
SEAD-21	Sewage Treatment Plant No. 715
SEAD-22	Sewage Treatment Plant No. 314
SEAD-35	Building 718 - Waste Oil Burning Boilers (3 Units)
SEAD-36	Building 121 - Waste Oil Burning Boilers (2 Units)
SEAD-37	Building 319 - Waste Oil Burning Boilers (2 Units)
SEAD-42	Building 106 - Preventive Medicine Laboratory
SEAD-47	Building 321 and 806 - Radiation Calibration Source Storage
SEAD-53	Munitions Storage Igloos
SEAD-55	Building 357-Tannin Storage
SEAD-61	Building 718 - Underground Waste Oil Tank
SEAD-65	Acid Storage Areas

V
SWMU CLASSIFICATION FACT SHEET

10 HIGH PRIORITY AREAS OF CONCERN

<u>SEAD #</u>	<u>DESCRIPTION</u>
4	Munitions Washout Facility Leach Field
11	Old Construction Debris Landfill
13	IRFNA Disposal Site
16	S-311 Abandoned Deactivation Furnace (DF)
17	Building 367 Existing DF
24	Abandoned Powder Burning Pit
25	Fire Training and Demo Pad
26	Fire Training Pit and Area
45	Open Detonation Facility
57	Explosive Ordnance Disposal (EOD) Area

16 MEDIUM AREAS OF CONCERN

<u>SEAD #</u>	<u>DESCRIPTION</u>
58	Booster Station Debris Area
67	Building 4 Dump Site
68	Old Pest Control Shop
50,54	Tank Farm, Asbestos Storage *
46	Small Arms Range
44	QA Lab
5	Sewage Sludge Piles
59	Fill Area, Building 135
62	Nicotine Sulfate 606/612
63	Miscellaneous Components Burial Site
64	Garbage Disposal Areas
69,43,56	Building 606 Disposal Area, Old Missile Test Facility, Herbicide and Pesticide Storage *
12	Rad Waste Burial Areas
9	Old Scrap Wood Site (Landfill)
70	Building 2110 Fill Area
71	Alleged Paint Disposal Area

* COMBINED- same geographical area

SEAD-1: Building 307-Hazardous Waste Container Storage Facility.

Background: Drums of hazardous waste which are generated on Seneca are transported to the building and stored until disposal contracts are procured. Regular inspections by Seneca and NYSDEC are performed in compliance with the Resource Conservation and Recovery Act, the law which regulates hazardous waste storage buildings such as this.

Summary of Discussions: Historical use, regulation, compliance information, and building designs and specifications for this facility were scrutinized.

Consensus: NYSDEC Federal Facilities will consult with applicable NYSDEC RCRA compliance authorities. The Army is not required to supply any additional information at this time. Upon consulting RCRA authorities, NYSDEC Federal Facilities will inform SEAD of its recommended classification SEAD-1. This task will be performed expeditiously, so that the SCR can be updated accordingly.

Classification: NYSDEC-Reserved, Army-Concur, USEPA-(deferred to earlier meeting).

SEAD-2: Building 301- PCB Transformer Storage Facility

Background: Decommissioned transformer units and other suspected PCB-contaminated electrical equipment are delivered to the building by linemen. The equipment is then sampled and analyzed to determine whether or not the equipment is contaminated, and to determine appropriate disposal procedures for the equipment.

Summary of Discussions: Historical use, regulation, compliance information, and building designs and specifications for this facility were scrutinized.

Consensus: NYSDEC Federal Facilities will consult with applicable NYSDEC RCRA compliance authorities. The Army is not required to supply any additional information at this time. Upon consulting RCRA authorities, NYSDEC Federal Facilities will inform SEAD of its recommended classification for SEAD-2. This task will be performed expeditiously, so that the SCR can be updated accordingly.

Classification: NYSDEC-Reserved, Army-Concur, USEPA-(deferred to earlier meeting).

SEAD-3: Incinerator Cooling Water Pond.

Background: The pond was used to hold the cooling water and fly ash generated from the scrubber on the municipal waste incinerator. The fly ash was removed every 18 months and disposed at the ash landfill. This unit is included in the current investigations at the ash landfill.

SEAD-4: Munitions Washout Facility Leach Field.

Background: Operations at this unit included dismantling and removing explosives from munitions by steam cleaning. This process produced explosive solids and wastewater. It was reported that the wastewater was processed through sawdust to remove any solid explosive residues prior to being discharged to as an area where it leached into the ground or flowed into a nearby ditch.

Summary of Discussions: Limited. This SWMU is being addressed under the Workplan for CERCLA Investigation of Ten Solid Waste Management Units (MAIN/January 1992). This workplan is under review by EPA.

Consensus: All parties were in agreement prior to the 21-22 SEPT 92 meetings.

Classifications: NYSDEC-AOC, Army-Concur, USEPA-(deferred to earlier meeting).

SEAD-5: Sewage Sludge Waste Piles.

Background: Sludge is removed approximately every two months from the two sewage treatment plants' sludge beds and was formerly stored in the waste piles until a permit is acquired to apply the sludge to the land for growing grassy areas for pheasant habitat.

Summary of Discussions: Limited. The Army is currently making plans to conduct a CERCLA Site Investigation at this site.

Consensus: All parties were in agreement prior to the 21-22 SEPT 92 meetings.

Classifications: NYSDEC-AOC, Army-Concur, USEPA- (differed to earlier meeting).

SEAD-6: Abandoned Ash Landfill

Background: The ash landfill was operated from 1974 to 1979 for ash which was generated from the municipal incinerator. Previously, this area was used with refused burning pits from 1941 until the late 1950's or early 1960's. The Town of Varick's public sanitary landfill was used for a period of time until the incinerator was constructed.

Summary of Discussions: Limited. This unit is a part of the Ash Landfill Operable Unit currently being addressed in a RI/FS.

Consensus: All parties were in agreement prior to the 21-22 SEPT 92 meetings.

Classification: NYSDEC-AOC, Army-Concur, USEPA-(differed to earlier meeting).

SEAD-7: Shale Pit.

Background: Construction debris is dumped into the pit. No cover is applied. The fill area is not regulated under Subpart 360-7 of the New York Solid Waste Regulations. The regulations exempt sites at which only recognizable uncontaminated concrete, asphaltic pavement, brick, soil or stone is placed (Section 360-7.1(b)(1)(i)).

Summary of Discussion: Past clean fill disposal practices were discussed. 6 N.Y.C.R.R Subpart 360-7 Construction and Demolition Landfill regulations were reviewed. SEAD-7 receives only recognizable uncontaminated concrete, asphalt pavement, brick, soil and stone.

Consensus: The shale pit does not pose a reasonable threat of release.

Classification: NYSDEC-No Action, Army-Concur, USEPA-(differed to earlier meeting).

SEAD-8: Non-Combustible Fill Area.

Background: This fill area is near the ash landfill. Items which were too bulky, or non-combustible were buried here instead of being incinerated.

Summary of Discussions: Limited. This SWMU is part of the Ash Landfill Operable Unit currently being addressed in a RI/FS.

Consensus: All parties in agreement prior to meetings

Classification: NYSDEC-AOC, Army-Concur, USEPA-(Differed to earlier meeting).

SEAD-9: Old Scrap Wood Site.

Background: This area was used for scrap wood from 1984 to 1986; construction debris was landfilled here from 1977 to 1984. Firewood was sold from this site from 1984 until the present. Periodically, the fire department held training exercised using the woodpile as fuel.

Summary of Discussions: The Army agreed that this site may pose a reasonable threat of release do to past waste disposal uncertainties. Prior to this areas use for a scrap site, the area received landfill. The origin and nature of this landfill is unknown

Consensus: All parties agreed that due to uncertainty regarding the site, further investigation is needed.

Classification: NYSDEC-AOC, ARMY-Concur, USEPA-(deferred to earlier meeting).

SEAD-10: Present Scrap Wood Site.

Background: Scrap wood from various depot activities is dumped into piles and is sold to depot employees and the public. The area is segregated for scrap wood, pallets, pressure treated wood, and railroad ties. Periodically, the fire department holds a training exercise using only the scrap wood pile as fuel.

Summary of Discussions: Historical management of SEAD's current scrap woodpile was reviewed. Past practices were discussed at length.

Consensus: NYSDEC asked that limited sampling and analysis be performed at this site. SEAD agreed.

Classification: NYSDEC-Reserved, Army-Concur , USEPA-(differed to earlier meeting).

SEAD-11: Old Construction Debris Landfill.

Background: This landfill is approximately four acres in size, and was operated approximately 1946 to 1949. The operating practices at that time are unknown.

Summary of Discussions: Limited. This unit is currently being addressed under the Workplan for CERCLA Investigation of Ten Solid Waste Management Units (MAIN/January 1992). This workplan is currently under EPA review.

Consensus: All parties were in agreement prior to the 21-22 Sept 92 meetings.

Classifications: NYSDEC-AOC, Army-Concur, USEPA-deferred to earlier meeting.

SEAD-12: Radioactive Waste Burial Sites.

Background: Location A: Five separate burial pits located northeast of Building 813; Location B: Two separate areas located north of Building 804. A 5,000 gallon tank and a dry storage pit are located here.

Radioactive wastes were reportedly buried in the five pits located northeast of Building 813. The underground storage tank was reportedly used for storage of wastewater which was reportedly generated during the washing of radioactive contaminated clothing.

Location A was excavated in 1986. A sizeable amount of lab trash was found in the pits. The excavated trash and soil were loaded into containers and shipped to an authorized off-post radioactive waste landfill in December, 1987. Surface-level radiation readings indicated that all radioactive contamination had been removed from the area. Location B, which included the 5,000 gallon tank and dry storage pit, was also excavated in 1986. No suspicious debris was encountered in the dry pit except for pieces of plywood.

Location B was found to be free from radioactive contamination.

SEAD-12: Radioactive Waste Burial Sites. (cont'd)

Summary of Discussions: Limited. The Army is currently making plans to conduct a CERCLA Site Investigation at this site.

Consensus: All parties were in agreement prior to the 21-22 Sept meeting.

Classifications: NYSDEC-AOC, Army-Concur, USEPA-deferred to earlier meeting.

SEAD-13: Inhibited Red Fuming Nitric Acid (IRFNA) Disposal Site.

Background: Limestone-lined pits were used to neutralize unserviceable IRFNA. The pits were formed using a bulldozer which scraped soil down to a shale stratum four feet below grade. Limestone was placed in the pits to a depth of approximately 2.5 feet. The sides of the pits were also covered with limestone. A stainless steel ejector, operated by water pressure, was fitted into a barrel with water flowing through the ejector. The ejector discharged a mixture of water and IRFNA through a long polyethylene hose under the water surface in the pit being used.

Summary of Discussions: Limited. This unit is currently being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/ January 1992).

Consensus: All parties were in agreement prior to the 21-22 Sept 92 meetings.

Classifications: NYSDEC-AOC, Army-Concur, USEPA-Differed to earlier meeting.

SEAD-14: Refuse Burning Pits (2 Units).

Background: Refuse was dumped into the pits and burned at least once per week. Metal was removed for recycling, and the ash was pushed into the adjacent ash landfill.

Summary of Discussions: This SWMU is part of the Ash Landfill Operable Unit currently being addressed in RI/FS.

Consensus: All parties in agreement prior to meetings

Classification: NYSDEC-AOC, Army-Concur, USEPA-Differed to earlier meeting.

SEAD-15: Building 2207- Abandoned Solid Waste Incinerator.

Background: The municipal incinerator was a multiple chamber, batch-fed, 2,000 lb/hr capacity unit designed to burn a mixture of rubbish and garbage. Depot refuse was incinerated once per week. Approximately 18 tons of refuse per week were generated; some of this quantity was disposed in the non-combustible fill area (SEAD-8). The incinerator operated from 1974 to 1979, when a fire destroyed the facility.

Summary of Discussions: Limited. This unit is a part of the Ash Landfill Operable unit currently being addressed in a RI/FS.

Consensus: All parties in agreement prior to meetings

Classification: NYSDEC-AOC, Army-Concur, EPA-Differed to earlier meeting.

SEAD-16: Abandoned Deactivation Furnace.

Background: Small arms and possibly bulk munitions were destroyed by incineration. No air pollution or dust control devices were installed. The pipes located above the building may have conveyed propellants. Propellants may have been also been stored in the building.

Summary of Discussions: Limited. This SWMU is currently being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/January 1992). This workplan is under review by USEPA.

Consensus: All parties in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-17: Building 367-Existing Deactivation Furnace

Background: The deactivation furnace incinerates small arms ammunition, and is regulated as a hazardous waste incinerator. The munitions are processed in a rotary kiln, and the air which is discharged from the kiln is further processed in an afterburner and filtered to meet air discharge limitations. The furnace has been inactive since 1989; the permitting process and a trial burn test are to be completed prior to operation.

Summary of Discussions: Limited. This SWMU is currently being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/January 1992). This workplan is currently under EPA review.

Consensus: All parties in agreement prior to meetings

Classifications: NYSDEC-AOC, Army-Concur

SEAD-18&19: Classified Document Incinerators.

Background: Classified documents have been incinerated in these to incinerators since 1956. One incinerator was replaced at the same location in 1983. These are operated under state air permits. Infectious wastes were incinerated occasionally in SEAD-18 prior to the state regulation of infectious wastes.

Summary of Discussions: The nature of past document burning in these incinerators, including types of paper burned, volumes, and incinerator specifications were discussed.

Consensus: The Army is not required to provide any additional information in support of these units' classification.

Classification: NYSDEC-No Action, Army-Concur

SEAD-20&21: Sewage Treatment Plants No. 4, 715

Background: No.4 is a 250,000 gallon per day plant, which includes a wetlands where tertiary treatment is accomplished. No. 715 is a 750,000 gallon per day plant.

Summary of Discussions: The Army asserted that reevaluating Sewage treatment plants that are regulated and in compliance with the NYSDEC SPDES program is unwarranted. The NYSDEC acknowledged and reviewed the SPDES permit effluent limitations provided in the SCR.

Consensus: The Army is not required to provide any additional information in support of this units classification.

Classification: NYSDEC-NO ACTION, ARMY-Concur.

SEAD-22: Sewage Treatment Plant No. 314

Background: This is an abandoned sewage treatment plant. The building is currently used as a lift station which pumps sewage to sewage treatment plant No. 4.

Summary of Discussions/Consensus/Classification: Same as SEAD-20,21.

SEAD-23: Open Burning Grounds.

Background: The open burning grounds consists of nine burning pads on approximately 30 acres. The burning pads have been used from the late 1950's until 1987, when the burning tray was constructed.

Summary of Discussions: Limited. This SWMU has graduated to the operable unit stage, and is currently being addressed in by a RI/FS.

Consensus: All parties in were in agreement prior to the 21-22 Sept 92 meetings.

Classification: NYSDEC-AOC, Army-Concur.

SEAD-24: Abandoned Powder Burning Pit.

Background: This powder burning area was operated during the 1940's and 1950's. It is a U-shaped 4-foot high berm approximately 150 feet across and 325 feet long. Presumably, this may have been used for burning explosives from the washout plant, due to the probable dates of operation.

Summary of Discussions: Limited. This SWMU is currently being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/January 1992). This workplan is under EPA review.

Consensus: All parties were in agreement prior to the 21-22 SEPT 92 meetings.

Classifications: NYSDEC-AOC, Army-Concur

SEAD-25: Fire Training and Demonstration Pad.

Background: The pad was previously used for fire control training, but it is now used once or twice a year for fire fighting demonstrations.

Summary of Discussions: Limited. This unit is currently being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN January 1992). This workplan is currently under EPA review.

Consensus: All parties were in agreement prior to the 21-22 Sept 92 meeting.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-26: Fire Training Pit.

Background: The fire training pit is approximately 75 feet in diameter and approximately 3 feet deep. A bentonite liner was installed in 1982 or 1983. The fire training area is approximately 6 acres.

Summary of Discussions: Limited. This unit will currently be addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/ 1992). This workplan is currently under EPA review.

Consensus: All parties were in agreement prior to the 21-22 Sept 92 meeting.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-27: Steam Cleaning Waste Tank.

Background: This is an open top, concrete tank with a grate over the top. Steam cleaning of industrial plant equipment occurred over the tank, where the wastewater drained into the tank. The tank is currently undergoing clean closure as a hazardous waste tank.

Summary of Discussions: SEAD agreed to provide the NYSDEC with sampling and analysis results when generated. If significant soil or groundwater contamination is encountered, cleanup of this site will be deferred to the CERCLA/IAG cleanup process.

Consensus: The Army will include results in the revised SCR. SEAD-27 will continue to be addressed under supervision of NYSDEC RCRA authorities. SEAD will strive to complete the closure process in time to avoid SCR finalization delays.

Classification: NYSDEC-Reserved, ARMY-Concur

SEAD-28: Building 360- Underground Waste Oil Tanks.

Background: Two fiberglass, 2,130-gallon underground waste oil tanks are located near building 360. These tanks are used for storage of waste oil prior to burning for energy recovery as a used oil fuel in Seneca's utility boilers.

Summary of Discussions: The type of fuel stored in, tank type (fiberglass or steel), and fuel capacity of this tank were reviewed.

Consensus: Seneca will submit to the NYSDEC tank tightness results dated 1988. If the tightness results indicate that the tank has not leaked, NYSDEC will consider SEAD-28 a no action SWMU.

Classification: NYSDEC-Reserved, Army-Concur

SEAD-29: Building 732-Underground Waste Oil Tank.

Background: This is a 550 gallon fiberglass waste oil which is managed in the same manner as SEAD-28.

Summary of Discussion: The type of fuel stored in, tank type (fiberglass or steel), and fuel capacity of this tank were reviewed.

Consensus: Seneca will schedule this 1982 fiberglass tank for tightness testing in the near future. The results of this test will be included in the revised SCR and will subsequently determine SEAD-29's classification.

Classification: NYSDEC-AOC, ARMY- concur.

SEAD-30: Building 118- Underground Waste Oil Tank.

Background: This is a 550 gallon steel waste oil tank.

Summary of Discussions: The type of fuel stored in, tank type (fiberglass or steel), and fuel capacity of this tank were reviewed. This tank is scheduled for removal in the near future by the SEAD in house tank removal team. This tank is known to have taken on water, and leakage is expected to have occurred. SEAD explained that the removal will be undertaken in unison with NYSDEC region 8 regulatory authorities.

Consensus: Analytical results generated post removal will dictate this units classification. The results will be forwarded to NYSDEC Federal Facilities.

Classification: NYSDEC-Reserved.

SEAD-31: Building 117- Underground Waste Oil Tank.

Background: This is a 2,130 gallon fiberglass waste oil tank which is managed like the above.

Summary of Discussions: The type of fuel stored in, tank type (fiberglass or steel), and fuel capacity of this tank were reviewed.

Consensus: Seneca will submit to the NYSDEC tank tightness results dated 1988. If the tightness results indicate that the tank has not leaked, NYSDEC will consider SEAD-28 a no action SWMU.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-32: Building 718- Underground Waste Oil Tanks(2).

Background: These tanks are of 40,000 and 20,000 gallon capacity, and the waste oil from the accumulation waste oil tanks (SEAD 28-31) is mixed with the virgin oil (no. 6) in these tanks.

Summary of Discussions: The type of fuel stored in, tank type (fiberglass or steel), and fuel capacity of this tank were reviewed. The oil is burned in boilers to generate steam used for heating buildings. The Army stated that tightness testing of tanks containing number 6 fuel oil is technologically infeasible and not required under 6 NYCRR Part 613.5 and 40 CFR Part 266.

Consensus: Limited sampling will consist of installing four 1.5 inch ground water monitoring wells and collecting and analyzing groundwater samples.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-33: Building 121- Underground Waste Oil Tank.

Background: This is a 30,000 gallon steel tank which contains no. 6 virgin oil. Waste oil was mixed in this tank, similar to the tanks at building 718 (SEAD-32).

Summary of Discussions: Same as for building 718 (SEAD-32).

Consensus: Limited sampling will consist of installing four 1.5 inch ground water monitoring wells and collecting and analyzing groundwater samples.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-34: Building 319- Underground Waste Oil Tanks.

Background: Same as SEAD 32, 33.

Summary of Discussions: Same as SEAD 32,33.

Consensus: Limited sampling will consist of installing four 1.5 inch ground water monitoring wells and collecting analyzing groundwater samples.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-35: Building 718-Waste Oil-Burning Boilers.

Background: The three boilers in this boiler house each have a capacity of 10 MBtu/hr. These are Solid Waste Management Units by definition, since they burn fuel which has waste oil mixed in it.

Summary of Discussions: SCR photographs of the building 718 Waste oil burning boilers were inspected. Design features including capacity ratings and boiler combustion rates were reviewed.

Consensus: No additional information, sampling or documentation is required.

Classification: NYSDEC- No Action, Army- concur.

SEAD-36: Building 121-Waste Oil-Burning Boilers.

Background: There are two boilers in this building which were used in the same manner as building 718 (SEAD-35). The capacity of these boilers is 6.6 Mbtu/hr.

Summary of Discussions: SCR photographs of the building 121 Waste oil burning boilers were inspected. Design features including capacity ratings and boiler combustion rates were reviewed.

Consensus: No additional information, sampling or documentation is required.

Classification: NYSDEC- No Action, Army- concur.

SEAD-37: Building 319-Waste Oil-Burning Boilers.

Background: Same as buildings 718, 121. The capacity of the two boilers in building 319 are 12.0 and 16.1 Mbtu/hr.

Summary of Discussions: SCR photographs of the building 319 Waste oil burning boilers were inspected. Design features including capacity ratings and boiler combustion rates were reviewed.

Consensus: No additional information, sampling or documentation is required.

Classification: NYSDEC- No Action, Army- concur.

SEAD-38: Building 2079-Boiler Plant Blowdown Leach Pit.

Background: Boiler blowdown which probably contained tannins, caustic soda, and sodium phosphate was discharged to leach pits.

Summary of Discussions: Current and historical operating practices were reviewed.

Consensus: A limited sampling effort is warranted. This SWMU will be classified based on these sampling results.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-39: Building 121-Boiler Plant Blowdown Leach Pit.

Background: Same as SEAD-38 for boiler blowdown leach pits.

Summary of Discussions: Current and historical operating practices were reviewed.

Consensus: A limited sampling effort is warranted. This SWMU will be classified based on these sampling results.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-40: Building 319-Boiler Plant Blowdown Leach Pit.

Background: Same as SEADs 38, 39 .

Summary of Discussions: Current and historical operating practices were reviewed.

Consensus: A limited sampling effort is warranted. This SWMU will be classified based on these sampling results.

Classification : NYSDEC-Reserved, Army-Concur.

SEAD-41: Building 718- Boiler Plant Blowdown Leach Pit.

Background: Same as SEADs 38,39,40.

Summary of Discussions: Current and historical operating practices were reviewed.

Consensus: A limited sampling effort is warranted. This SWMU will be classified based on these sampling results.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-42: Building 106-Preventive Medicine Laboratory.

Background: The 1980 USATHAMA report indicated that clinical laboratory work and potable water analyses were performed in the laboratory. Personnel that were interviewed stated that they were unaware of this laboratory, and that potable water analyses were shipped to Fort Drum for analysis.

Summary of Discussions: Operating practices at the SEAD preventative Medicine laboratory were reviewed. The volume and nature of infectious waste generated was discussed, as well as disposal practices consistent with applicable regulations. SEAD restated that no materials containing radioactive isotope are utilized, generated, or disposed of the clinical laboratory.

Consensus: The Army is not required to provide any additional information, conduct any sampling, or provide further documentation.

Classification: NYSDEC- No Action, Army-Concur.

SEAD-43: Old Missile Propellant Test Laboratory.

Background: This test facility reportedly had operated in the 1960's. Building 606 is presently used for herbicide and pesticide storage.

Summary of Discussions: Limited. This unit will be addressed in Future CERCLA Site Investigations. The fact that SEAD-43, SEAD-56 and SEAD-69 are located in the same geographical area was discussed.

Consensus: Uncertainties associated with former operations at this site warrants investigation. SEAD -43, 56, and 69 should remain classified as individual units for purposes of the SCR. The Area will be addressed cumulatively as an AOC for purposes of the Army's planned CERCLA site investigation workplan.

Classification: NYSDEC-AOC, Army-Concur.

SEAD-44: Quality Assurance Test Laboratory.

Background: This area was reportedly used for quality assurance testing of tear gas grenades, firing devices, and pyrotechnics.

Summary of Discussions: Limited. The Army is currently making plans to conduct CERCLA site investigations at this site.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-45: Demolition Area.

Background: This area is used for the open detonation of explosives. This facility is regulated as a hazardous waste treatment unit.

Summary of Discussions: Limited. This unit is being addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units (MAIN/January 1992).

Consensus: All parties in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-46: Small Arms Range.

Background: The range was used for testing fire tracers, anti-tank rockets, etc. which were fired into a earthen berm.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation. Both locations of SEAD -48 were visited by the NYSDEC and USEPA representatives named in the list of attenders. The Circular Berm location is not described in the SCR (ERCE April 12 1991), since the berm was recently discovered by Depot officials.

Consensus: All parties were in agreement regarding this units classification prior to meetings. The Army agreed to investigate the Area for unexploded ordinance (rockets) and associated contamination, not spent small arms casings and bullets

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-47: Building 321 and 806-Radiation Calibration Source Storage.

Background: Radiation calibration sources are stored on these buildings. These buildings were identified in the 1980 USATHAMA report as "known or suspected waste materials".

Summary of Discussions: The nature of radiation calibration material storage at SEAD-47 was detailed. The range of radioactivity associated with the calibration sources is in the range of micrograms of solid material. Marsden Chen, NYSDEC, reported that he currently as a similar calibration device on his Desk at work.

Consensus: The extremely low level materials pose no human health or environmental risk at buildings 321 and 806.

Classifications: NYSDEC-no -action, Army-Concur.

SEAD-48: Pitchblende Storage Igloos.

Background: For a brief period in the 1940's, the eleven munition igloos were used for storage of approximately 2,000 barrels of pitchblende ore. Later on, the pitchblende ore was removed and conventional munition was stored in the igloos until approximately 1979. The igloos were empty until they were cleaned up in 1986.

Summary of discussions: NYSDEC requested a review of data generated for the closeout report for the previous cleanup. This Data will be reevaluated by NYSDEC. A NYSDEC radiation expert may conduct a limited radiological scan of SEAD-48. NYSDEC Federal Facilities branch will consult NYSDEC radiological authorities regarding SEAD-48.

Consensus: SEAD will submit to NYSDEC the close out report for the previously conducted cleanup of the E-800 row. The Army has not been recommended to conduct any additional sampling at this time. NYSDEC will contact SEAD regarding its interpretation of the close out report data. All follow up actions conducted by the Army and NYSDEC will be done in a manor consistent with the schedule for SCR finalization.

Classifications: NYSDEC-Reserved, SEAD-Concur.

SEAD-49: Columbite Ore Storage.

Background: Columbite ore, a mixture of the oxides of iron, manganese, niobium, and tantalum, has been stored in three warehouses since 1954. Columbite ore is naturally radioactive, since naturally occurring radioactive elements are found in this ore; radon may also be emitted.

Summary of Discussions: Limited sampling of the columbite ore storage facility was discussed, including naturally occurring interferences to radiological surveys (i.e. radon gas)

Consensus: The Army will conduct limited sampling at building 356. The results of the limited sampling effort will be used in determining this units final classification.

Classifications: NYSDEC-Reserved, Army-Concur.

SEAD-50: Tank Farm.

Background: Approximately 60 aboveground storage tanks, of which four currently exist, were used for storage of ores, which included antimony, rutile, asbestos, and silicon carbide. The existing tanks store antimony, and asbestos.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation. SEAD-50 will be combined with SEAD-54 as a single AOC in future site Investigation Workplans. The two units will remain as separate SWMU's in the SCR.

Consensus: All parties were in agreement regarding this units classification prior to meetings.

Classifications: NYSDEC: AOC , Army-Concur.

SEAD-51: Herbicide Usage-Perimeter of High Security Area.

Background: The perimeter of the exclusion area in the northern part of the depot has been treated in the past with a variety of herbicides.

Summary of Discussions: The NYSDEC will consult with relevant NYSDEC FIFRA regulatory authorities. The Army will supply the NYSDEC with three reports that pertain to pesticide use around the high security area. SEAD agreed to supply NYSDEC with a material safety data sheet for Boracil. SEAD's use of integrated pest management, and the SEAD pest management plan was noted.

Consensus: The NYSDEC and NYSDOH recommended that at a minimum, limited sampling be performed at this site, in conjunction with consultation by NYSDEC federal Facilities with NYSDEC FIFRA authorities and review of further documentation supplied by the Army. Future use of this site was mentioned in relation to possible contamination.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-52: Ammunition Breakdown Area.

Background: These buildings are used for the breakdown of ammunition. The materials handled here are not considered wastes. If the materials become obsolete, they are taken to the demolition grounds.

Summary of Discussions: SEAD provided an overview of the munitions breakdown and maintenance operations at SEAD-52, which included a site visit of building 612 and adjacent storage buildings.

Consensus: Although building 612 does not warrant further investigation, limited sampling of soil adjacent to storage buildings 608, 610 , and 611 should be conducted.

Classification: NYSDEC-Reserved, Army-Concur.

SEAD-53: Munitions Storage Igloos

Background: The igloos are used for storage of munitions supplies.

Summary of Discussions: The Army asserted that munitions storage igloos are used for product storage and by definition should not be considered solid waste management units. The Army and EPA policy regarding the issue of when, a munitions becomes a waste, was briefly discussed. Typical munitions storage igloo design specifications were reviewed. Potential release (i.e munitions spillage) and migration scenarios were hypothesized. The Army emphasized that any release, migration, and exposure scenario is difficult to comprehend, especially in light of the igloos thick cement design.

Consensus: The NYSDEC maintains that a release from a storage igloo must not be completely ruled out, and prefers to keep the issue of future investigation of SEAD munitions igloos open. NYSDEC requested that the storage igloos be a low priority for further investigation. NYSDEC agreed to allow a no action classification in the SCR, provided the Army qualify this classification by stating the issue of investigation storage igloos may be revisited should further information regarding a release become available.

Classification: NYSDEC-No Action (but qualified), Army (concur).

SEAD-55: Tannin Storage.

Background: Tannin Is stored in a warehouse as a bagged powder. Tannin is a dry form of tannic acid, used in tanning leather, a food additive, and other use.

Summary of Discussion: The tannin storage site was visited by the list of meeting attenders. Tannin, is nether a listed hazardous waste or substance.

Consensus: The Army is not required to required to provide any additional information in support of this units classification.

Classification: NYSDEC: No Action, Army-Concur.

SEAD-56: Herbicide and Pesticide Storage-Building 606.

Background: Building 606 is currently used for storage of herbicides and pesticides.

Summary of Discussions: The Army and the NYSDEC agreed that SEAD-43, SEAD-56 and SEAD-69 will be addressed as a single area of concern in a future CERCLA site investigation workplan.

Consensus: SEAD-43, 56, and 69 will remain classified as individual units for purposes of the SCR. The Area will be addressed cumulatively as an AOC for purposes of the future CERCLA site investigation workplan.

Classification: NYSDEC-AOC, Army-Concur.

SEAD-57: Explosive Ordnance Disposal Area.

Background: This area is used for training the depot's EOD unit. In the past, the area was used for disposal of recovered items.

Summary of Discussions:
Limited. This unit will currently be addressed under the Workplan for CERCLA Investigation of Eleven Solid Waste Management Units January/1992.

Consensus: All parties in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-58: Debris Area Near Booster Station 2131.

Background: This site was discovered from the helicopter in February, 1990. The debris area reportedly contains cans which contain DDT.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-59: Fill Area West of Building 135.

Background: This area was potentially used for the disposal of construction debris.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-60: Oil Discharge Adjacent to Buildings 609

Background: Oil apparently was discharged from a pipe which came from within the building.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-61: Building 718 - Underground Waste Oil Tank

Background: A 10,000 gallon, underground waste oil tank is used for the storage of waste oil prior to burning in the boilers.

Summary of Discussions: Limited. This is a double wall fiberglass tank installed in 1989

Consensus: All parties were in agreement prior to meeting.

Classifications: NYSDEC -No Action, Army-Concur.

SEAD-62: Nicotine Sulfate Disposal Area Near Buildings 606/612.

Background: Some drums of this were reportedly buried in this area.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDEC-AOC, Army-Concur.

SEAD-63: Miscellaneous Components Burial Site.

Background: Inert materials, i.e. classified parts, were buried in pits.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-64: Garbage Disposal Areas.

Background: Four locations on the depot were reportedly used for garbage disposal during periods when the municipal incinerator was inoperable.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-65: Acid Storage Areas.

Background: It was reported that acid was stored in two areas located south of the truck entrance gate on route 96A.

Summary of Discussions: This site was visited by the list of attenders. Sulfuric Acid was believed stored at this site.

Consensus: The Army is not to required to provide any additional information in support of this units classification.

Classification: NYSDEC-No Action, Army-Concur.

SEAD-66: Pesticide Storage Near Buildings 5 and 6

Background: It was reported that pesticides were stored outside near these buildings.

Summary of Discussions: This site was visited by the list of attenders.

Consensus: NYSDEC recommended limited sampling at this site.

Classification: NYSDEC-Reserved, Army-concur.

SEAD-67: Dump Site East of Sewage Treatment Plant No. 4.

Background: It was reported that an area near this facility was used for dumping. Piles, covered with vegetation, were observed in this area.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-68: Building S-335 - Old Pest Control Shop

Background: It was reported that a pest control shop was once located in this building.

Summary of Discussions: Limited. This unit is scheduled to be addressed under a future Workplan for conducting a CERCLA Site Investigation.

Consensus: All parties were in agreement prior to meetings.

Classifications: NYSDC-AOC, Army-Concur.

SEAD-69: Building 606 - Disposal Area.

Background: SEAD personnel reported that debris was dumped in an area located southeast of this building.

Summary of Discussions: The Army and the NYSDEC agreed that SEAD-43, SEAD-56 and SEAD-69 will be addressed as a single area of concern in a future CERCLA site investigation workplan.

Consensus: SEAD-43, 56, and 69 will remain classified as individual units for purposes of the SCR. The Area will be addressed cumulatively as an AOC for purposes of the future CERCLA site investigation workplan.

Classification: NYSDEC-AOC, Army-Concur.

SEAD-70: Building 2110 Fill Area.

Background: A landfill area was found near this building after the draft SWMU Classification Study was prepared.

Summary of discussions: Limited. The Army feels this site should be investigated further because of past waste disposal uncertainties.

Consensus: Further Investigation is required.

Classifications: NYSDEC-AOC, Army-concur.

SEAD-71: Alleged Paint Disposal Area.

Background: Paints and solvents were reportedly buried in a location near building 127, according to a retired depot employee.

Summary of Discussions: Limited. The Army feels this site should be investigated further because of past waste disposal uncertainties. This unit was recently listed based on a report of an retiring employee.

Consensus: Further investigations are required.

Classification: NYSDEC-AOC, Army-AOC.

SEAD-72: Mixed Waste Storage Facility Building 803.

Background: This building is used to store mixed waste prior to disposal off-site. The mixed waste includes swipes which have radioactive contamination and hazardous solvent contamination.

Summary of Discussions: Historical use, regulation, compliance information, and building designs and specifications for this facility were scrutinized.

Consensus: NYSDEC Federal Facilities will consult with applicable NYSDEC RCRA compliance authorities. The Army is not required to supply any additional information at this time. Upon consulting RCRA authorities, NYSDEC Federal Facilities will inform SEAD of its recommended classification for SEAD-72. This task will be performed expeditiously, so that the SCR can be updated accordingly.

Classification: NYSDEC-Reserved, Army-Concur, USEPA-(not present).

VI
PROPOSED REVISIONS TO THE DRAFT TRC
CHARTER

REVISIONS SHOWN

TECHNICAL REVIEW COMMITTEE CHARTER

for

SENECA ARMY DEPOT

ROMULUS N.Y.

I. Agencies Forming the Technical Review Committee (TRC) -

~~**Delete:** This Technical Review Committee (TRC) is being entered into by the following parties: The U.S. Army (to include Seneca Army Depot (SEAD), Huntsville Division of the U.S. Army Corps of Engineers (HUNTV-USACE), and U.S. Army Depot Systems Command (DESCOM)), Region II of the United States Environmental Protection Agency (USEPA), New York State Department of Health (NYSDOH), Seneca County Department of Health (SCDOH), New York State Department of Environmental Conservation (NYSDEC), and the local authorities and community members as hereinafter described.~~

ADD: This Technical Review Committee (TRC) Charter is being entered into by the U.S. Army, the New York State Department of Environmental Conservation (NYSDEC), the U.S. Environmental Protection Agency (USEPA) and local authorities.

II. Basis and Authority for the Technical Review Committee (TRC) Charter -

The basis and authority for this Charter is the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), particularly Sections 120(a), 120(f) and 121(f); 10 U.S.C 2705, enacted by Section 211 of SARA; Army Regulation 200-1, Section 9-10.

III. Purpose -

DELETE: (1) The primary purpose of the TRC is to establish a body which will facilitate communication and coordination among members. The TRC is intended to provide a forum of cooperation between the Army, concerned local officials and citizens, and the regulatory agencies in order to provide a meaningful opportunity for members of the TRC to become informed and to express their opinion about the technical aspects of the Remedial Investigation/Feasibility Study (RI/FS) or Remedial Design/Remedial Action (RD/RA) process at any site at Seneca Army Depot.

ADD: (1) The primary purpose of the TRC is to establish a body which will facilitate communication and coordination among members. The TRC is intended to provide a forum for cooperation between the U.S. Army, concerned local officials and citizens, and the regulatory agencies in order to provide a meaningful opportunity for members of the TRC to become informed and to express their opinion about the technical aspects of the Remedial Investigation/Feasibility Study (RI/FS) or Remedial Design/Remedial Action (RD/RA) process at any site at Seneca Army Depot (SEAD).

(2) A purpose of the TRC shall be to coordinate technical review procedures and schedules to be followed by the Army during the Installation Restoration Program (IRP) for Seneca Army Depot.

ADD NEW: (3) This TRC shall in no way affect the U.S. Army's obligation to develop a federal facilities Interagency Agreement (IAG) for SEAD.

(4) The Charter does not create obligations which are legally binding on the NYSDEC, USEPA, Army, NYS Department of Health, Seneca County Department of Health, local authorities, or the signatories herein listed, including any citizen participants. The goal of the Charter is to provide guidance and structure to meetings of the TRC, and to maximize efficient use of time during the meetings. This will enhance coordination among TRC members which will result in the best possible solutions regarding the restoration of Hazardous Waste Sites at Seneca Army Depot.

ADD NEW: (5) Nothing in this charter impairs, alters, limits or in any way affects NYSDEC's, U.S. Army's or the USEPA's statutory or common law rights, including, but not limited to, the right under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and NYS Environmental Conservation Law. No statements made in this charter shall be deemed a statement, admission or position adopted by the NYSDEC, U.S. Army or the USEPA.

ADD NEW: (6) In the event the State of New York enters into an IAG pursuant to CERCLA 120(e)(2) with reference to this site, the provisions of the IAG will govern if a conflict arises between the provisions and the terms of this Charter.

IV. Structure -

(1) ~~TRC Members:~~

~~The Chairman of the TRC will be the Commander of Seneca Army Depot, Colonel James B. Cross. The TRC Executive Secretary position will be held by Mr. Gary W. Kittell, Director of Engineering and Housing, SEAD. The remainder of the TRC will consist of Mr. Kamal Gupta, Remedial Project Manager for NYSDEC; Ms. Carla Struble, Remedial Project Manager for the USEPA; Mr. Randall Battaglia, Army Remedial Project Manager; Mr. Charles Carroll, representing SCDOH; Mr. Kimm Mann, representing the NYSDOH; Mr. John Biernacki, representing DESCOM; Mr. Stephen Absolon, Seneca Army Depot; Mr. James Miller, Seneca Army Depot; Mr. Jeremiah Whitaker, Seneca Army Depot; Mr. Allen Nivison, Town Supervisor, representing the Township of Romulus, N.Y.; Mr. Kenneth Strafford, Town Supervisor, representing the Township of Variick, N.Y.; and Mr. Robert Favraeu, Town Supervisor, representing the township of Ovid, N.Y. The TRC will also consist of concerned citizens residing in the townships of Romulus, Ovid, and Variick, that are to be determined at a later date.~~

ADD: (1) Appendix 2.0 of this Charter presents a listing of TRC members as of July 8, 1992. Absences of any of the members listed in Appendix 2.0 from the TRC due to illness, job transfer or unavailability, may be filled by a duly designated representative.

(2) Working Sessions of the TRC:

~~Delete: (a) Meetings of the TRC will be divided into two types, working sessions of the involved Army and Regulatory Agency representatives, and Public Information meetings.~~

Replace with: In accordance with AR-200-1, section 9-10(b), meetings of the TRC will consist of working meetings and public information meetings. Working sessions will consist of the U.S. Army and regulatory agency conducting discussion of operational progress, recommended Applicable Relevant and Appropriate Requirements (ARAR's), problems, and scheduling. At working sessions, the TRC members, who are community representatives, are full participants in the discussions. Working meetings will be held at Seneca Army Depot on a quarterly basis during normal business hours.

(b) Working sessions will serve to facilitate and enhance the Army's decision making process regarding all phases of the IRP process leading to the implementation of remedial responses at SEAD. While concurrence and consensus on various issues will be reached at working sessions, which will ultimately provide direction to the IRP program at the Depot, final decisions will not be made by either the Army, NYSDEC or USEPA remedial Project Managers during TRC meetings. Recommendations of committee members are not binding on SEAD or the Army.

~~DELETE: (e) Working sessions of the TRC are not open to the general public and or news media.~~

ADD: (c) Working sessions of the TRC are open to the general public and/or news media. Sufficient notice will be posted in print media and by mail, and by broadcast media if community interest is substantial.

(3) Public Information Meetings:

~~DELETE: (a) At certain milestones in the IRP process, as indicated in the soon to be finalized Community Relations Plan (CRP) for Seneca Army Depot, the TRC will hold public meetings to report progress and to provide a forum for public comments and questions. These public meetings, involving the TRC, are intended to satisfy the public meeting requirements of the Superfund Amendment and Reauthorization Act (SARA) § 113 and § 117 (a)(2), the National Contingency Plan (NCP) at 40 Code of Federal Regulations (CFR) § 300.430, The Draft Inter Agency Agreement for Seneca Army Depot § 31.1, and Community Relations in Superfund, a Handbook OSWER/540/G-88/002.~~

ADD: At certain milestones in the IRP process, as indicated in the soon to be finalized Community Relations Plan (CRP) for SEAD, public meetings will be held to discuss project activities. The Depot will organize these public meetings and TRC members will be expected to attend. The TRC members will constitute the panel of experts at these public meetings.

(b) Public Information Meetings will be held in the evening, during dates convenient to the general public. Advance notification of the public meeting will be provided by SEAD in a major local newspaper of general circulation.

V. General Responsibilities of Committee Members -

~~DELETE: (1) The following members shall each be entitled to one vote with respect to the inclusion of new members and the scheduling of meetings: The Army's Remedial Project Manager, the NYSDEC Remedial Project Manager, and the USEPA Remedial Project Manager.~~

ADD: (1) Each TRC member will be entitled to one vote with respect to the inclusion of new members, the scheduling of meetings, and on any other issues before the committee.

(2) When requested by any TRC member, more frequent meetings or an alternate location may be called by the Chair upon a simple majority vote by present voting members. The normal meeting place for working sessions of the TRC will be at Seneca Army Depot, Building 101, Romulus, N.Y.

~~DELETE: Public sessions of the TRC will be held off post at a location to be determined at a future date.~~

(3) In the event that any member cannot be in attendance for a scheduled meeting of the TRC, the Chair should be contacted two (2) days in advance of the scheduled meeting. A substitute for the absentee committee member may be appointed by the non-attending member.

~~DELETE: Notice of the substitution should be provided to the Chairmen two (2) days in advance of any meeting of the TRC.~~

~~DELETE: (4) Individual committee members, or their designated representatives, are responsible for ensuring that their inputs reflect the position of their respective parent organization.~~

~~DELETE: (5) TRC members wishing to comment on and make recommendations about proposed IRP actions to be taken at Seneca Army Depot must submit their comments and recommendations, in writing, to the Chair no later than thirty (30) calendar days after the action is first proposed or identified at a TRC meeting. Requests for extension of this deadline must be submitted, in writing, to the Chair, no later than five (5) working calendar days prior to the expiration of the original deadline. Upon a showing of good cause, the Chair may grant an extension, not in excess of fifteen (15) calendar days, to run consecutive with the original deadline. Submission of matters after the applicable deadline will be considered untimely and such comments and recommendations will not be viewed nor responded to by Seneca Army Depot.~~

ADD NEW: (4) TRC members wishing to comment on and make recommendations about proposed IRP actions to be taken at SEAD must submit their comments and recommendations, in writing, to the Chair.

(5) Members will serve without compensation. All expenses incident to travel and review inputs will be born by the respective members organization.

~~DELETE: (6) For working sessions of the TRC, members intent on bringing guests (contractors, additional technical representatives of the TRC members agencies, or any other employee of the members agency or group) must notify the Chair two weeks in advance of any scheduled TRC meeting. Attendance by members representing any new group or agency not described in Section IV (1) of this Charter shall be an agenda at a working session of the TRC for discussion.~~

Replace with: (6) For working sessions of the TRC, members intent on bringing guests (contractors, additional technical representatives of the TRC members agencies, or any other employee of the members agency or group) should notify the Chair in advance of any scheduled TRC meeting to insure necessary physical accommodations. Attendance by members representing any new group or agency not described in Section IV (1) of this Charter shall be an agenda at a working session of the TRC for discussion.

ADD NEW PROVISION: (7) If an imminent health hazard is discovered by any member during the effort covered by the Charter, immediate action will be taken to notify all TRC members in addition to the required notification by the installation to regulatory agencies and appropriate local health officials. Additionally, the installation may take appropriate emergency response measures.

VI. Specific Committee Member Responsibilities -

(1) Responsibilities of the U.S. Army:

(a) The Chair shall convene each meeting and preside over the orderly administration of TRC business

(b) The Chair is responsible for notifying each member, in writing, of the date, time, location and agenda of all TRC meetings.

(c) The Chair is responsible for collecting a written list of attenders at each meeting and assuring the written list of attenders is incorporated into the minutes.

(d) The Chair is responsible for assuring that the minutes for each TRC meeting are recorded and copies are provided to each committee member within fifteen (15) days of the date of any such meeting. The Chair is also responsible for assuring the minutes are promptly incorporated into the Information Repository or appropriate Administrative Record files.

(e) The Chair is responsible for maintaining a mailing list for organizations that wish to receive meeting minutes, the upcoming agenda, and other TRC notices. Mailings should be sent in a timely manner.

(f) In the event that the Chair is unable to attend a TRC meeting, the Executive Secretary shall serve as Acting Chair.

ADD NEW: (g) The TRC member representing the Huntsville Division of the U.S. Army Corps of Engineers (CEHND) is responsible for, when necessary, supplying appropriate visual aids and other materials associated with conducting presentations relating to past and future IRP projects, issues and progress at SEAD. CEHND will deliver presentations, as appropriate, provided ample notification of the need for a presentation is provided by the Chair.

(2) Responsibilities of the USEPA Representatives:

(a) The USEPA shall notify the Chair two (2) weeks in advance of a scheduled meeting of the TRC if USEPA consultants will be attending the TRC meetings.

(b) The USEPA representatives should use the TRC as a forum for proposing any Federal standard, requirement, criteria, or limitation that is legally applicable or relevant and appropriate under the circumstances of the release or threatened release of any hazardous substance, pollutant or contaminate which will remain or be treated on site.

ADD NEW: (c) The USEPA's participation in this TRC shall be in addition to and not in lieu of the relationship and obligation established by any IAG developed pursuant to section 120 of CERCLA, 42 U.S.C., Section 9620 for SEAD.

(3) *Responsibilities of the NYSDEC Representatives:*

(a) The NYSDEC shall notify the Chair two (2) weeks in advance of a scheduled meeting of the TRC if NYSDEC consultants will be attending the TRC meetings.

(b) The NYSDEC representatives should use the TRC as a forum for proposing any State standard, requirement, criteria, or limitation that is legally applicable or relevant and appropriate under the circumstances of the release or threatened release of any hazardous substance, pollutant or contaminate which will remain or be treated on site.

ADD NEW: (c) The NYSDEC's participation in this TRC shall be in addition to and not in lieu of the relationship and obligation established by any IAG developed pursuant to section 120 of CERCLA, 42 U.S.C., Section 9620 for SEAD.

(4) *Responsibility of Town Officials:*

(a) TRC members that are official town representatives have the responsibility of keeping Town Councilmen, relevant Town Boards and town organizations up to date regarding environmental restoration activities at Seneca Army Depot.

(b) TRC members who are local government officials have the responsibility to participate in the planning and selection of Army response actions by reviewing and, where warranted, commenting on various Installation Restoration program actions.

~~DELETE: (5) *Responsibilities of the Huntsville Division:*~~

~~The TRC member representing the Huntsville Division of the United States Army Corps of Engineers is responsible for, when necessary, supplying appropriate visual aids and other materials associated with conducting presentations relating to past and future IRP projects, issues and progress at Seneca Army Depot. The Huntsville Division will deliver presentations as appropriate, provided ample notification of the need for a presentation is provided by the Chair.~~

~~DELETE: VI. *Revision of the Charter*~~

~~This charter may be amended from time to time as requested by the Commander of Seneca Army Depot, or by mutual consensus of the TRC members. Such amendments shall be in writing.~~

ADD: VII. *Revision and Termination of the Charter* -

(1) This charter may be amended from time to time as requested by the Commander of Seneca Army Depot, or by mutual consensus of the TRC members. Such amendments shall be in writing.

(2) The provisions of this Charter shall be satisfied and considered complete when all members agree so in writing.

VIII. Effective Date -

The effective date of this Charter shall be the signature of the Commanding Officer of Seneca Army Depot.

IX. Proposed Signatories to the Implementation of the TRC Charter -

All members entering into this Charter recognize that mutual consensus and cooperation will result in the best possible solutions to potential and actual environmental problems and protect the health and welfare of the local citizenry and the environment.

DELETE:

~~Allen Nivison _____ DATE
Town of Romulus Supervisor
TRC Member~~

~~Kenneth Strafford _____ DATE
Township of Varick Supervisor _____ TRC
Member~~

~~Robert Favraeu _____ DATE
Ovid Town Supervisor
TRC Member~~

~~(Citizen) _____ DATE
Town of Romulus
TRC Member~~

~~(Citizen) _____ DATE
Town of Ovid
TRC Member~~

~~(Citizen)~~ DATE
~~Town of Varick~~
~~TRC Member~~

~~Karen Wilson~~ DATE
~~USATHAMA Project Manager for SEAD~~
~~TRC Member~~

~~John Biernaeki~~ DATE
~~DESCOM Environmental Engineer~~
~~TRC Member~~

~~Kimm Manne~~ DATE
~~New York State Dept. of Health~~
~~TRC Member~~

~~Charles Carroll~~ DATE
~~Director of Environmental Health~~
~~Seneca County Department of Health~~
~~TRC Member~~

~~Kevin Healy~~ DATE
~~Project Manager - Executing Agency~~
~~Huntsville Division - USACE~~
~~TRC Member~~

Jeremiah Whitaker _____ DATE
SEAD Public Affairs Officer
TRC Member

James Miller _____ DATE
Army Alternate Project Manager
TRC Member

Randall Battaglia _____ DATE
Army Project Manager
TRC Member

Kamal Gupta _____ DATE
Project Manager
NYSDEC
TRC Member

Carla Struble _____ DATE
Project Manager
USEPA Region II
TRC Member

Stephen M. Absolom _____ DATE
Chief, Engineering/Environmental
Management Division, SEAD
TRC Member

Gary W. Kittell _____ DATE
SEAD
Director of Engineering & Housing
TRC Executive Secretary

~~James B. Cross~~
~~Colonel, U.S. Army~~
~~Commanding Officer~~

~~DATE~~

REPLACE WITH THE FOLLOWING SIGNATORIES:

Allen Nivison
Town of Romulus Supervisor

DATE

Kenneth Strafford
Township of Varick Supervisor

DATE

Robert Favraeu
Ovid Town Supervisor

DATE

Michael J. O'Toole
Director, Division of Hazardous Waste Remediation
New York State Department of Environmental Conservation

DATE

TBD
U.S. Environmental Protection Agency, Region II

DATE

James B. Cross
Colonel, U.S. Army
Commanding Officer

DATE

ADD:
APPENDIX 1.0
ARMY REGULATION 200-1
Section 9-10

ADD:

Appendix 2.0 - TRC Members as of July 8, 1992

MEMBER	MEMBERS AGENCY or GROUP
Colonel James B. Cross, Chairman	U.S. Army - Seneca Army Depot
Gary W. Kittell, Executive Secretary	U.S. Army - Seneca Army Depot
Stephen M. Absalom	U.S. Army - Seneca Army Depot
Jeremiah Whitaker	U.S. Army - Seneca Army Depot
Randall Battaglia	U.S. Army - Seneca Army Depot
James Miller	U.S. Army - Seneca Army Depot
Kevin Healy	U.S. Army Corps of Engineers - Huntsville Division
Dr. Kathleen Bucchi	U.S. Army Toxic and Hazardous Materials Agency
John Biernacki	U.S. Army - Depot Systems Command
Kim Manne	New York State Department of Health
Brian Dombrowski	Seneca County Department of Health
Carla Struble	U.S. Environmental Protection Agency, Region II
Kamal Gupta	New York State Department of Environmental Conservation
Allen Nivison	Township of Romulus, N.Y.
Kenneth Strafford	Township of Varick, N.Y.
Robert Favraeu	Township of Ovid, N.Y.
James Terryberry	Township of Romulus, N.Y.
William Cool	Township of Varick, N.Y.

VII
REVISED DRAFT TRC CHARTER

**NOTE: THIS CHARTER IS A DRAFT DOCUMENT AND IS SUBJECT TO FURTHER
REVIEW, REVISION AND CHANGE!!**

DRAFT-FINAL TECHNICAL REVIEW COMMITTEE CHARTER

for

SENECA ARMY DEPOT

ROMULUS N.Y.

OCTOBER 10, 1992

TECHNICAL REVIEW COMMITTEE CHARTER

for

SENECA ARMY DEPOT

ROMULUS N.Y.

I. Agencies Forming the Technical Review Committee (TRC) -

This Technical Review Committee (TRC) Charter is being entered into by the U.S. Army, the New York State Department of Environmental Conservation (NYSDEC), the U.S. Environmental Protection Agency (USEPA) and the local authorities.

II. Basis and Authority for the TRC Charter -

The basis and authority for this Charter is the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), particularly Sections 120(a), 120(f) and 121(f); 10 U.S.C 2705, enacted by Section 211 of SARA; Army Regulation 200-1, Section 9-10.

III. Purpose -

(1) The primary purpose of the TRC is to establish a body which will facilitate communication and coordination among members. The TRC is intended to provide a forum for cooperation between the U.S. Army, concerned local officials and citizens, and the regulatory agencies in order to provide a meaningful opportunity for members of the TRC to become informed and to express their opinion about the technical aspects of the Remedial Investigation/Feasibility Study (RI/FS) or Remedial Design/Remedial Action (RD/RA) process at any site at Seneca Army Depot (SEAD).

(2) A purpose of the TRC shall be to coordinate technical review procedures and schedules to be followed by the Army during the Installation Restoration Program (IRP) for SEAD.

(3) This TRC shall in no way affect the U.S. Army's obligation to develop a federal facilities Interagency Agreement (IAG) for SEAD.

(4) The Charter does not create obligations which are legally binding on the NYSDEC, USEPA, U.S. Army, NYS Department of Health, Seneca County Department of Health, local authorities, or the signatories herein listed, including any citizen participants. The goal of the charter is to provide guidance and structure to meetings of the TRC, and to maximize efficient use of time during the meetings. This will enhance coordination among TRC members which will result in the best possible solutions regarding the Restoration of Hazardous Waste Sites at Seneca Army Depot.

(5) Nothing in this charter impairs, alters, limits or in any way affects NYSDEC's, U.S. Army's or the USEPA's statutory or common law rights, including, but not limited to, the right under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and NYS Environmental Conservation Law. No statements made in this charter shall be deemed a statement, admission or position adopted by the NYSDEC, U.S. Army or the USEPA.

(6) In the event the State of New York enters into an IAG pursuant to CERCLA 120(e)(2) with reference to this site, the provisions of the IAG will govern if a conflict arises between the provisions and the terms of this charter.

IV. Structure -

(1) Appendix 2.0 of this Charter presents a listing of TRC members as of July 8, 1992. Absences of any of the members listed in Appendix 2.0 from the TRC due to illness, job transfer or unavailability, may be filled by a duly designated representative.

(2) Working Sessions of the TRC:

(a) In accordance with AR 200-1, section 9-10(b), meetings of the TRC will consist of working meetings and public information meetings. Working sessions will consist of the U.S. Army and regulatory agency conducting discussion of operational progress, recommended Applicable Relevant and Appropriate Requirements (ARAR's), problems, and scheduling. At working sessions, the TRC members, who are community representatives, are full participants in the discussions. Working meetings will be held at Seneca Army Depot on a quarterly basis during normal business hours.

(b) Working sessions will serve to facilitate and enhance the Army's decision making process regarding all phases of the IRP process leading to the implementation of remedial responses at SEAD. While concurrence and consensus on various issues will be reached at working sessions, which will ultimately provide direction to the IRP program at the Depot, final decisions will not be made by either the Army, NYSDEC or USEPA remedial Project Managers during TRC meetings. Recommendations of committee members are not binding on SEAD or the Army.

(c) Working sessions of the TRC are open to the general public and/or news media. Sufficient notice will be posted in print media and by mail, and also by broadcast media if community interest is substantial.

(3) Public Information Meetings:

(a) At certain milestones in the IRP process, as indicated in the soon to be finalized Community Relations Plan (CRP) for SEAD, public meetings will be held to discuss project activities. The Depot will organize these public meetings and TRC members will be expected to attend. The TRC members will constitute the panel of experts at these public meetings.

(b) Public Information Meetings will be held in the evening, during dates convenient to the general public. Advance notification of the public meeting will be provided by SEAD in a major local newspaper of general circulation.

V. General Responsibilities of Committee Members -

(1) Each TRC member will be entitled to one vote with respect to the inclusion of new members, the scheduling of meetings, and on any other issues before the committee.

(2) When requested by any TRC member, more frequent meetings or an alternate location may be called by the Chair upon a simple majority vote by present voting members. The normal meeting place for working sessions of the TRC will be at Seneca Army Depot, Building 101, Romulus, N.Y.

(3) In the event that any member cannot be in attendance for a scheduled meeting of the TRC, the Chair should be contacted two (2) days in advance of the scheduled meeting. A substitute for the absentee committee member may be appointed by the non-attending member.

(4) TRC members wishing to comment on and make recommendations about proposed IRP actions to be taken at SEAD must submit their comments and recommendations, in writing, to the Chair.

(5) Members will serve without compensation. All expenses incident to travel and review inputs will be born by the respective members organization.

(6) For working sessions of the TRC, members intent on bringing guests (contractors, additional technical representatives of the TRC members agencies, or any other employee of the members agency or group) should notify the Chair in advance of any scheduled TRC meeting, to insure necessary physical accommodations. Attendance by members representing any new group or agency not described in Section IV (1) of this Charter shall be an agenda at a working session of the TRC for discussion.

(7) If an imminent health hazard is discovered by any member during the effort covered by the Charter, immediate action will be taken to notify all TRC members in addition to the required notification by the installation to regulatory agencies and appropriate local health officials. Additionally, the installation may take appropriate emergency response measures.

VI. Specific Committee Member Responsibilities -

(1) *Responsibilities of the U.S. Army:*

(a) The Chair shall convene each meeting and preside over the orderly administration of TRC business.

(b) The Chair is responsible for notifying each member, in writing, of the date, time, location and agenda of all TRC meetings.

(c) The Chair is responsible for collecting a written list of attenders at each meeting and assuring the written list of attenders is incorporated into the minutes.

(d) The Chair is responsible for assuring that the minutes for each TRC meeting are recorded and copies are provided to each committee member within fifteen (15) days of the date of any such meeting. The Chair is also responsible for assuring the minutes are promptly incorporated into the Information Repository or appropriate Administrative Record files.

(e) The Chair is responsible for maintaining a mailing list for organizations that wish to receive meeting minutes, the upcoming agenda, and other TRC notices. Mailings should be sent in a timely manner.

(f) In the event that the Chair is unable to attend a TRC meeting, the Executive Secretary shall serve as Acting Chair.

(g) The TRC member representing the Huntsville Division of the U.S. Army Corps of Engineers (CEHND) is responsible for, when necessary, supplying appropriate visual aids and other materials associated with conducting presentations relating to past and future IRP projects, issues and progress at SEAD. CEHND will deliver presentations as appropriate, provided ample notification of the need for a presentation is provided by the Chair.

(2) Responsibilities of the USEPA Representatives:

(a) The USEPA shall notify the Chair two (2) weeks in advance of a scheduled meeting of the TRC if USEPA consultants will be attending the TRC meetings.

(b) The USEPA representatives should use the TRC as a forum for proposing any Federal standard, requirement, criteria, or limitation that is legally applicable or relevant and appropriate under the circumstances of the release or threatened release of any hazardous substance, pollutant or contaminate which will remain or be treated on site.

(c) The USEPA's participation in this TRC shall be in addition to and not in lieu of the relationship and obligation established by any IAG developed pursuant to section 120 of CERCLA, 42 U.S.C., Section 9620 for SEAD.

(3) Responsibilities of the NYSDEC Representatives:

(a) The NYSDEC shall notify the Chair two (2) weeks in advance of a scheduled meeting of the TRC if NYSDEC consultants will be attending the TRC meetings.

(b) The NYSDEC representatives should use the TRC as a forum for proposing any State standard, requirement, criteria, or limitation that is legally applicable or relevant and appropriate under the circumstances of the release or threatened release of any hazardous substance, pollutant or contaminate which will remain or be treated on site.

(c) The NYSDEC's participation on this TRC shall be in addition to and not in lieu of the relationship and obligation established by any IAG developed pursuant to section 120 of CERCLA, 42 U.S.C. Section 9620 for SEAD.

(4) Responsibility of Town Officials:

(a) TRC members that are official town representatives have the responsibility of keeping Town Councilmen, relevant Town Boards and town organizations up to date regarding environmental restoration activities at Seneca Army Depot.

(b) TRC members who are local government officials have the responsibility to participate in the planning and selection of Army response actions by reviewing and, where warranted, commenting on various Installation Restoration program actions.

VII. Revision and Termination of the Charter -

(1) This charter may be amended from time to time as requested by the Commander of Seneca Army Depot, or by mutual consensus of the TRC members. Such amendments shall be in writing.

(2) The provisions of this Charter shall be satisfied and considered complete when all members agree so in writing.

VIII. Effective Date -

The effective date of this charter shall be the signature of the Commanding Officer of Seneca Army Depot.

IX. Proposed Signatories to the Implementation of the TRC Charter -

All members entering into this Charter recognize that mutual consensus and cooperation will result in the best possible solutions to potential and actual environmental problems and protect the health and welfare of the local citizenry and the environment.

Allen Nivison
Town of Romulus Supervisor

DATE

Kenneth Strafford
Township of Varick Supervisor

DATE

Robert Favraeu
Ovid Town Supervisor

DATE

Michael J. O'Toole
Director, Division of Hazardous Waste Remediation
New York State Department of Environmental Conservation

DATE

TBD
U.S. Environmental Protection Agency, Region II

DATE

James B. Cross
Colonel, U.S. Army
Commanding Officer

DATE

APPENDIX 1.0
ARMY REGULATION 200-1 SECTION 9-10

9-10. Technical review committees

a. Per 10 USC 2705(c), a TRC will be established whenever possible and practical to review and comment on the Army's actions with respect to releases or threatened releases of hazardous substances at installations. For the TRC, the rules governing Federal advisory committees do not apply.

b. The IC will be responsible for establishing and designating a chairperson for the TRC as part of any ongoing IRP cleanup program at and related to the installation, if the installation is included or proposed for inclusion on the NPL, or if a high level of community interest has been expressed about the cleanup, or if the ACE has so requested. For a FUDS cleanup, the same criteria apply in deciding whether a TRC should be established; if the decision is affirmative, CEMP will appoint a representative to convene and chair the TRC. The chairperson of the TRC will be an employee of the Army. For related IRP and FUDS activities, see paragraph 9-5c.

c. Meetings of the TRC serve as—

(1) *Working sessions of the involved Army and regulatory agency representatives for discussing operational progress, recommended ARARs, problems, and scheduling.* If policy questions arise, they should be forwarded through command channels to HQDA (ENVR-E) WASH DC 20310-2600.

(a) Membership generally consists of representatives from the Army; i.e., the installation (or CEMP representative, if the cleanup is a FUDS project, and USATHAMA and the supporting JSACE FOA, if the cleanup is an IRP project); the MACOM; the Army contractors for the cleanup; the EPA regional office; the State, regional, and local regulatory agencies; local governments of all potentially affected communities; and concerned neighborhood groups.

(b) A charter may be adopted, although none is required. Decisions on matters of technical management are made by consensus of the representatives of the Army and the regulatory agencies. At working sessions, the community representatives are full participants in the discussions. These meetings, which are open to the public, may be held monthly (or as often as needed) during business hours. Each agenda must provide a comment period for any visitors who wish to speak.

(2) *Public information meetings.* Quarterly, or at milestones in the IRP or FUDS schedule, the TRC will hold a public meeting to report progress and to provide a forum for comments and questions. This meeting should be held in the evening, and the date, time, and location should be convenient for general public attendance.

d. The following provisions for all working sessions and public meetings of the TRC should be made—

(1) Minutes should be kept of each meeting and should be prepared in written form within 1 week after the date of the meeting. A court reporter is not required.

(2) A public file of TRC documents, including minutes of all meetings, should be maintained in an information repository at a public library or other easily accessible location.

(3) A mailing list should be maintained for individuals and organizations that wish to receive meeting minutes, the upcoming agenda, and other TRC notices. Mailings should be sent in a timely manner.

(4) A telephone number for information should be made known to the public.

(5) Sufficient notice, at least 21 days, should be posted in the print media and by mail, and also by broadcast media if community interest is substantial. The notice should state where to obtain a work product that is available for review and the minutes of previous TRC meetings. The notice should also list the telephone number to call for additional information.

Appendix 2.0 - TRC Members as of July 8, 1992

MEMBER	MEMBERS AGENCY or GROUP
Colonel James B. Cross, Chairman	U.S. Army - Seneca Army Depot
Gary W. Kittell, Executive Secretary	U.S. Army - Seneca Army Depot
Stephen M. Absolon	U.S. Army - Seneca Army Depot
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John Biernacki	U.S. Army - Depot Systems Command
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