UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG - 8 2016

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

Dear Senator Schumer:

Thank you for your July 13, 2016 letter to Environmental Protection Agency (EPA) asking for an assessment of radioactive hot spots in Niagara County, New York. As you know, the EPA, through law and regulation, is required to protect human health and the environment by utilizing sound science and established policy.

As you state in your letter, the issue was first highlighted in a 1986 report by the U.S. Department of Energy which conducted a radiological survey of 100 gamma radiation anomalies in the Niagara Falls, New York area. That survey showed 38 of the anomalies were recommended for further characterization. The report goes on to state that remedial actions have been conducted on those 38 sites. The remaining 62 anomalies were associated with bedding beneath asphalt driveways and parking lots and were not associated with any known source. After this report was published, the New York State Department of Health determined that most of the sites on the list were deemed not to present any public health issues. At the time, according to the New York State Department of Health, residents were sent letters with fact sheets notifying them of the situation.

In 2013, the New York State Department of Health and the New York State Department of Environmental Conservation referred three of the sites to the EPA for further evaluation. These sites, according to New York State, posed the greatest risk to public health and the environment. The three sites were the Niagara Falls Boulevard site, the Holy Trinity Cemetery, and the Upper Mountain Road site.

The three sites were sampled by EPA is 2013 and 2014 for the presence of soil and air contamination. The EPA used the sample results to perform a Preliminary Assessment/Site Investigation on each of the sites. The EPA concluded that the sites did not meet the minimum criteria to be placed on the National Priorities List, also known as the federal Superfund list.

EPA's investigation of the Niagara Falls Boulevard site determined that material contaminated with radiation was located beneath the asphalt parking lot used by the bowling alley and a building supply center. EPA's Superfund Removal Program conducted additional sampling and analysis, and has begun the removal of contaminated material present at the site. The EPA will continue to evaluate the site to consider what additional actions may be necessary. Enclosed is a fact sheet that the EPA distributed to residents living near the site. It explains the work that is being undertaken at the site.

EPA's investigation of the Holy Trinity Cemetery determined that further assessment of the site is needed in order to determine the necessity of an action under the Superfund Removal Program. The Removal Program has installed fences along the perimeter of the areas of concern at the site and we are continuing to collect and analyze soil samples.

The EPA is also currently reviewing the data to determine if any cleanup work is necessary at a portion of the Upper Mountain Road site that includes part of a private driveway in the Town of Lewiston, New York. The EPA will inform the home owner of our findings after we have concluded our evaluation.

The EPA has been coordinating with New York State, Niagara County and local representatives throughout these activities and will continue to work with local stakeholders and officials regarding any additional sites that may warrant investigation.

If you have further questions, please contact me at (212) 637-5000 or Mike McGowan, Chief of the Intergovernmental and Community Affairs Branch, at (212) 637-4972 or mcgowan.michael@epa.gov.

Sincerely,

Judith A. Enck

Judith A. Enck
Regional Administrator

Enclosure

EPA to Begin Field Work
At the Niagara Falls Boulevard Site, Niagara Falls, New York

Community Update **May 2016**

EPA encourages public participation. If you have any questions or would like additional information regarding the site, please contact one of the following:

Michael Basile
EPA Community Involvement Coordinator
186 Exchange Street
Buffalo, NY 14204
716-551-4410
basile.michael@epa.gov

Or

Eric Daly
EPA On-Scene Coordinator
732-321-4350
daly.eric@epa.gov

UPDATE ON THE SITE

During the week of May 30th, the U.S. Environmental Protection Agency will begin field activities on two parcels of property at the Niagara Falls Boulevard site in Niagara Falls, New York. There are several parcels to the site, including a bowling alley and a building supply center. They are bordered to the north by a wooded area, to the east by a church, to the south by Niagara Falls Boulevard and a residential area, and to the west by a hotel and a residential area.

ASSESSMENT OF PROPERTIES

In 1978, the U.S. Department of Energy surveyed the Niagara Region by air for radiation and found some properties with low levels of radioactive materials. It is believed that in the early 1960's, a glass-like, granulated by-product called "slag" from former industrial facilities was used as fill material on both the bowling alley and building supply center properties prior to paving. The fill material contained "technologically enhanced naturally occurring radioactive materials", which are industrial by-products enriched with low levels of radioactive elements found in the environment.

In 2013, the New York State Department of Environmental Conservation and the New York State Department of Health conducted a survey of the bowling alley and building supply center properties. In July 2013, they referred the matter to EPA for further investigation.

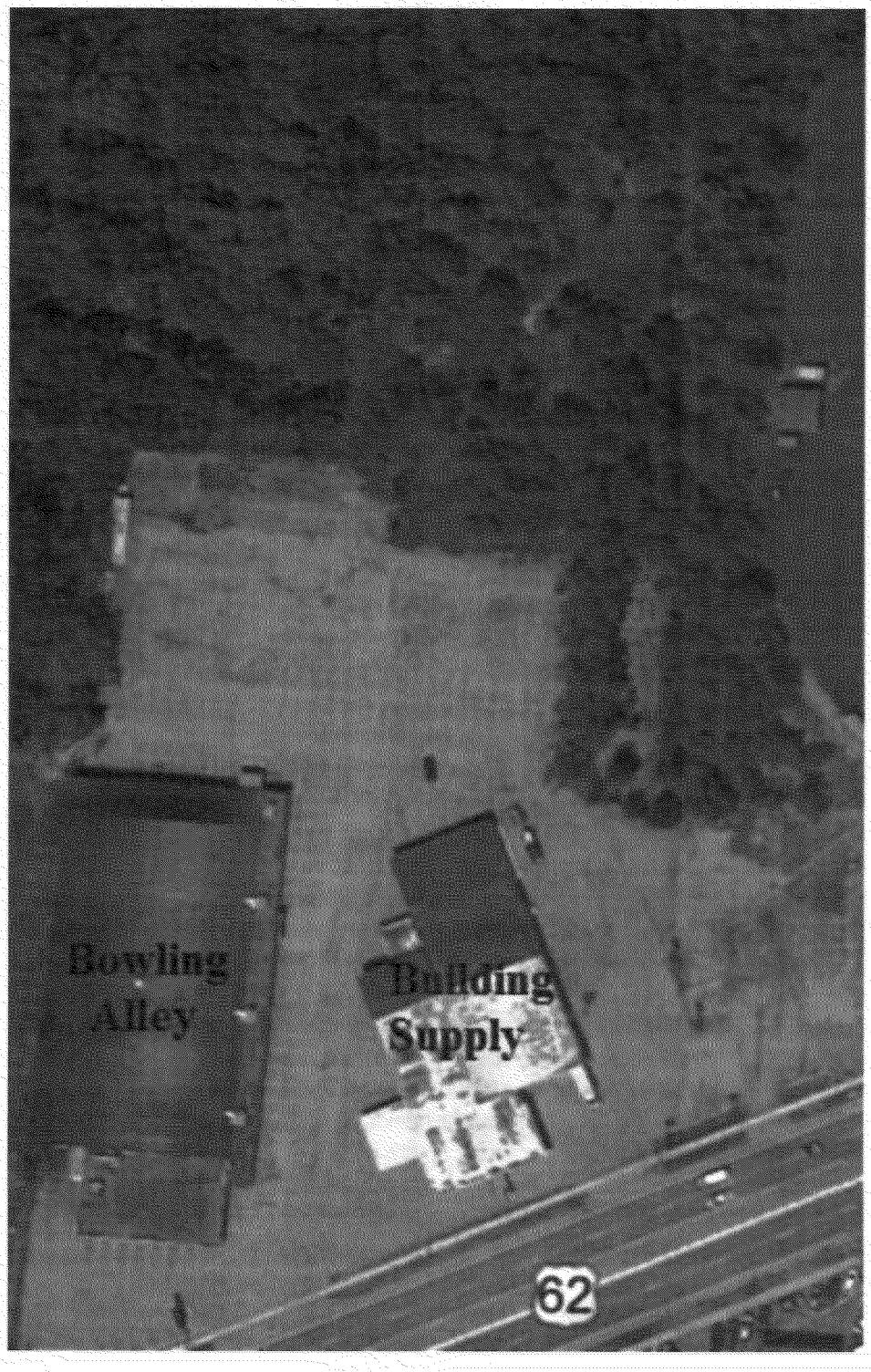
From December 2013 to May 2014, EPA conducted a series of tests at the two properties and concluded that the site did not meet the minimum criteria necessary to be placed on EPA's "National Priorities List", a list of hazardous waste sites in the U.S. which are eligible for long-term cleanup financed under the federal Superfund program. However, it was subsequently determined that material contaminated with radiation was located beneath the asphalt parking lot shared by the bowling alley and a building supply center. EPA determined that the Agency would further assess the site to determine if an action under EPA's short term, or "removal" program was warranted.

In the summer of 2015, EPA performed a gamma radiation survey of the properties and collected soil samples. EPA detected elevated gamma levels in several areas within unoccupied portions of the building supply center. These areas appear to be the portions of the building that were add-ons to the original structure and were constructed on top of the asphalt parking lot. Gamma radiation is high frequency electromagnetic radiation which is biologically hazardous. The occupied interior space of the bowling alley is not contaminated.

In March of 2016, EPA performed additional tests on soil to determine the exact location of radiological contamination under the building supply center.

PHASED APPROACH TO FIELD WORK

Based on survey and soil sampling results, EPA has determined that a short-term cleanup is necessary. The initial work will focus on clearing vegetation from the wooded lot behind the bowling alley and building supply center. This area will be assessed for elevated gamma radiation and used as work areas for the cleanup.

The second phase of work will be removal of material from the identified areas of the building supply center. Excavated material will be replaced with clean material and a new concrete floor will be installed. Later, the contaminated material beneath the asphalt parking lot outside of the buildings will be removed, replaced with clean fill and repaved.

EPA will continue to inform the public of all planned actions at the site.