**To:** Staiger, Kimberly[Staiger.Kimberly@epa.gov]; Zachos, George[Zachos.George@epa.gov]; Povetko, Oleg[Povetko.Oleg@epa.gov]; R2 RRC[R2_RRC@epa.gov]; Jimenez, Christopher[Jimenez.Christopher@epa.gov]; Daloia, James[daloia.james@epa.gov]
**Cc:** Lyndsey Nguyen (Nguyen.Lyndsey@epa.gov)[Nguyen.Lyndsey@epa.gov]
**From:** Daly, Eric
**Sent:** Tue 7/5/2016 2:13:09 PM
**Subject:** Update: Niagara Falls International Railway Station slag staging area- Niagara Falls, NY

## New article on Niagara Falls International Railway Station slag staging area- Niagara Falls, NY

Niagara Falls Reporter June 30, 2016

**From:** Daly, Eric
**Sent:** Friday, July 01, 2016 6:06 PM
**To:** Staiger, Kimberly <Staiger.Kimberly@epa.gov>; Zachos, George <Zachos.George@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>; R2 RRC <R2_RRC@epa.gov>; Jimenez, Christopher <Jimenez.Christopher@epa.gov>; Daloia, James <daloia.james@epa.gov>
**Cc:** Lyndsey Nguyen (Nguyen.Lyndsey@epa.gov) <Nguyen.Lyndsey@epa.gov>
**Subject:** Update: Niagara Falls International Railway Station slag staging area- Niagara Falls, NY

## Update on NYS DEC Public Affairs Contact: Sean Maher, 518-402 8000.

**From:** Daly, Eric
**Sent:** Friday, July 01, 2016 1:53 PM
**To:** Staiger, Kimberly <Staiger.Kimberly@epa.gov>; Zachos, George <Zachos.George@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>; R2 RRC <R2_RRC@epa.gov>; Jimenez, Christopher <Jimenez.Christopher@epa.gov>; Daloia, James <daloia.james@epa.gov>
**Cc:** Lyndsey Nguyen (Nguyen.Lyndsey@epa.gov) <Nguyen.Lyndsey@epa.gov>
**Subject:** Niagara Falls International Railway Station slag staging area- Niagara Falls, NY

## Good Morning:

Below are notes I put together from my emails and conversations with my NYS DEC contacts. Please let me know if you require any other information. Thanks

Niagara Falls International Railway Station slag staging area.

•□□□□□□ According to NYS DEC, the material is the “property” of the City of Niagara Falls with support from a construction company (Scrufari Construction), an architectural and engineering company (Wendel Companies) and an environmental consultant (Great Lakes Environmental).

•□□□□□□ Recent Buffalo News Article regarding the new Niagara Falls International Railway Station: Buffalo News Article

•□□□□□□ NYS DEC Regional Staff were peripherally involved.

•□□□□□□ This work has been conducted over the past 2 years or more. There were small pockets of phosphorous slag within the footprint of the building and nearby roads involved in the construction of the Niagara Falls International Railway Station project. The rail stations is scheduled to officially open sometime in July 2016.

•□□□□□□ The pile has been amassed over the past 2+ years as the project has progressed. It has been the understanding of the NYS DEC that due to the minimal amount of total material anticipated, they decided to wait until all areas were excavated and the project was complete to dispose of this material. The issue encountered was not all of the phosphorous slag

encountered in the area was near-surface. Additional material was discovered beyond what could be determined by surface scans. It was more efficient to amass the materials and contract shipment when the project was complete.

•□□□□□□ NYS DEC was informed by Wendel and Great Lakes early this week that they anticipate shipment of all materials within the next two weeks. NYS DEC has requested documentation and notifications of progress.

•□□□□□□ NYS DEC indicated that the slag material is commingled with soils and not pure piles of slag.

•□□□□□□ Recently, Great Lakes inquired about segregation of the slag from the commingled soils. They decided this was not cost-effective, so they will be removing all materials. Confirmatory surveys of the area will be conducted after the shipment.

•□□□□□□ As opposed to the reporter claims, NYS DEC have never encountered gamma readings of the slag greater than five to ten times background readings.

•□□□□□□ For news and media questions, please contact the NYS DEC Bureau of Public Outreach at 518-402-8044 or public@dec.ny.gov.

•□□□□□□ For public citizens, they can contact Jim Harrington at 518 -402-9624 or Jim.Harrington@dec.ny.gov

**From:** Daly, Eric
**Sent:** Wednesday, June 29, 2016 4:55 PM
**To:** Staiger, Kimberly <Staiger.Kimberly@epa.gov>; Zachos, George <Zachos.George@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>; R2 RRC <R2_RRC@epa.gov>; Jimenez, Christopher <Jimenez.Christopher@epa.gov>; Daloia, James <daloia.james@epa.gov>
**Cc:** Lyndsey Nguyen (Nguyen.Lyndsey@epa.gov) <Nguyen.Lyndsey@epa.gov>
**Subject:** Potential Radiological pile in Niagara Falls, NY

I heard back from Tim Rice (NYS DEC). He stated that

"NYS DEC has been dealing with this site with NYS DOH and have answered questions from the NRC. This is TENORM slag from work at the international Rail station in Niagara Falls. This is a state issue not federal. The work at the rail station was done by an approved contractor. It poses minimal public health risk (think Niagara Falls Blvd).
Be aware that the person who took it upon himself to survey the site was trespassing, mischaracterized the waste, and did not contact any regulators or the city before releasing his article.
The fence was repaired as a part of normal site maintenance even before the report came out. The waste is actually close to being shipped out for disposal. DOH agrees with this assessment."

This is all the information I have so far.

**From:** Daly, Eric
**Sent:** Wednesday, June 29, 2016 4:13 PM
**To:** Staiger, Kimberly <Staiger.Kimberly@epa.gov>; Zachos, George <Zachos.George@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>; R2 RRC <R2_RRC@epa.gov>; Jimenez, Christopher

<Jimenez.Christopher@epa.gov>; Daloia, James
<daloia.james@epa.gov>
**Cc:** Lyndsey Nguyen (Nguyen.Lyndsey@epa.gov)
<Nguyen.Lyndsey@epa.gov>
**Subject:** Potential Radiological pile in Niagara Falls, NY
**Importance:** High

Good Afternoon:

The Office of the Regional Public Liaison contacted our staff (Kim S. and George Z) regarding the June 27th web inquiry below. The news article referenced is attached along with property information. I was contacted by both Oleg Povetko and Kim Staiger regarding the property. This afternoon, Lyndsey Nguyen (ERT Health Physicist) and I visited the location where the apparent staging of radioactive material was reported (515 North Avenue, Niagara Falls). Photos are attached. The fencing around the piles is temporary. There are radioactive warning signs within the area of the piles. The perimeter of the fence was intact as opposed to the photo in the article (Which is dated less than a week ago). So either the photo is dated or the fence was mended after the article was released.

I sent this information to our Niagara County contacts as well as NYS DOH and NYS DEC. I also requested information from our fence contractor here at the NFB Site in order to obtain ownership identity.

*Submitted on 06/27/2016 12:08PM*
*Submitted values are:*

*Name (Optional): Judith Deull*
*Organization (Optional):*
*E-Mail or Mailing Address (Optional): janndeull@gmail.com*

*Phone (Optional):*
*Comments: "Niagara Falls Reporter" reports radioactive material in city of Niagara Falls. VERY HAZARDOUS, COVERED IN "TATTERED PLASTIC. THIS A*
*SERIOUS HEALTH RISK TO THE RESIDENTS OF NIAGARA FALLS!! PLEASE HELP*
*IMMEDIATELY! Thank you.*

Regards,

Eric

"We must, indeed, all hang together, or assuredly we shall all hang separately", Benjamin Franklin

Eric M. Daly
On-Scene Coordinator/Radiological Response Specialist
US Environmental Protection Agency- Region II

ERRD/RPB/PPS
2890 Woodbridge Avenue
Edison, NJ 08837
daly.eric@epa.gov
732-321-4350