

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Regional Director, Region 9
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October 16, 2015

Ms. Karen M. McCarthy
Erie County Legislature
Old Erie County Hall
92 Franklin Street
Buffalo, New York 14202

Dear Ms. McCarthy:

A Resolution to be Submitted
By Legislator Dixon

We have received the referenced resolution dated September 17, 2015 regarding the remediation of the former Bethlehem Steel Plant site in Lackawanna. The State Department of Environmental Conservation agrees that public input and transparency are important in cleanups affecting communities and we intend to ensure that this remediation proceeds with that in mind. The following is a summary of our outreach and engagement efforts related to activities at this site.

The cleanup of this approximately 1,000-acre site is split almost evenly between two Department programs, the Brownfield Cleanup Program (BCP) and the State Superfund/Resource Conservation and Recovery Program (SSF/RCRA). Under the BCP, the Department has made 13 fact sheets available since 2008 related to investigations, proposed remedies, interim remedial measures and certificates of completion on the BCP portion of this site. Currently, there are over 2,000 interested parties that receive electronic notifications of remedial activities in Erie County, including this site. Three of these fact sheets announced actions which involved 45-day public comment periods. Any comments submitted during these periods were evaluated and responded to.

Regarding the SSF/RCRA portion of the site, in 2015 the Department has held 2 meetings with just City of Lackawanna officials and an additional 4 meetings with City of Lackawanna and Erie County officials. The meetings with City and County officials are planned to continue on a monthly basis. Additionally in 2015, the Department notified the same list of over 2,000 interested parties of the availability of a fact sheet announcing the start of a 45-day public comment period related to a proposed remedial project on this portion of the property.

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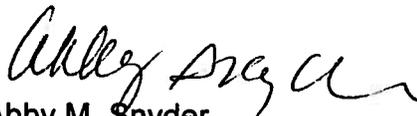
During this comment period, the Department held a public meeting on the proposed remedy where the details of the proposal were explained and oral comments were received. Once again, any written or oral comments were evaluated and responded to.

The Department is currently reviewing a draft Corrective Measures Study submitted by the property owner (Tecumseh Redevelopment) which contains their proposals for remedies on the SSF/RCRA portion of the site. Once the Department has tentatively selected appropriate remedies, a minimum 45 day public comment period will be announced via a fact sheet made available to the list of interested parties. There will be a public meeting during the comment period at which the remedies will be explained and comments will be taken. Public comments and stakeholder input will be considered prior to any final remedy selection.

The Department has also given presentations to City, County and County Legislative personnel related to the history of the site and the status of remedial efforts. In addition, the Department has participated in the Brownfield Opportunity Area process with the City. This program is administered by the Department of State with assistance from this Department. This process has entered a stage where there will be public engagement on the redevelopment of this site and others within the City. The Department will remain a participant in this process.

We agree that the City and its residents deserve to be engaged in the remediation and redevelopment of this property in a transparent and cooperative manner. We believe this has occurred and it remains our goal.

Sincerely,



Abby M. Snyder
Regional Director

AMS:jaf

cc: Ms. Lynn Dixon
ecc: Mr. Eugene Leff
Mr. Robert Schick
Mr. James Strickland
Mr. Chad Staniszewski
Mr. Stanley Radon
Mr. Maurice Moore