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# **SDMS US EPA REGION V -1**

**SOME IMAGES WITHIN THIS  
DOCUMENT MAY BE ILLEGIBLE  
DUE TO BAD SOURCE  
DOCUMENTS.**



**AMERICAN FRIENDS SERVICE COMMITTEE**  
NORTHEAST OHIO OFFICE



Humanity House  
513 West Exchange St.  
Akron, Ohio 44302  
330-253-7151 or 330-253-7204  
Fax 330-996-4664

0000023

9. April. 1999

Denise Gawlinski  
Office of Public Affairs  
EPA, Region 5  
sent via FAX 312-353-1155

Post-It™ Fax Note	7671	Date	# of pages ▶ 19
To	From		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax #		


Dear Ms. Gawlinski,

This is to request that this letter and the accompanying 18 pages be entered into the Administrative Record concerning the proposed changes to the Industrial Excess Landfill (IEL) ROD.

The material represents most of what was received yesterday by Brad Davis, a reporter from the Canton Repository, to his FOIA request to the Department of the Army seeking information on radioactive materials dumped at the IEL.

Mr. Davis' request was virtually identical to a request I had made several months ago. Davis received a direct response from the Army. My request, however, was forwarded to Mr. Timothy Thurlow at Region 5. The explanations I received for the routing of my request did not evidently apply to Mr. Davis' request.

Sincerely,

  
Gregory D. Coleridge  
Director

24/05/99

14:18

002

DEPARTMENT OF HEALTH  
COMMUNITY SERVICES  
3600 EAST AVENUE  
CANTON, OHIO 44705-1001

OFFICIAL BUSINESS

M. Brad Davis, Secretary  
The Repository  
500 Market Street  
Canton, OH 44705-1001

U.S. OFFICIAL MAIL

PERMIT FOR PRIVATE USE 3000

PERMETER 7250703

U.S. POSTAGE

0.99

APR 06 99 OH

04 09 99 14:14

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REF ID:  
ATTENTION:

**DEPARTMENT OF THE ARMY**  
 U.S. ARMY ENGINEER DIVISION, GREAT LAKES AND OHIO RIVER  
 CORPS OF ENGINEERS  
 P.O. BOX 1159  
 CINCINNATI, OHIO 45201-1159

30 March 1999

FOIA 99-8

Information Management Directorate

Mr. Brad Davis, Staff Writer  
 The Repository  
 500 Market Avenue, South  
 Canton, Ohio 44703-2193

Dear Mr. Davis:

This letter is in response to your **Freedom of Information Act** request dated January 27, 1999. This request was originally sent to Rose Marie Christensen, Chief, Freedom of Information Act and Privacy Act Office, U.S. Department of the Army and was subsequently sent to this office for action. Your request asks for any and all documents, dated 1965 to present, relating to the transport, deposit, presence, or impact of radioactive materials dumped in the landfill in Uniontown, Ohio known as either the Kittinger, Budoff, or Industrial Excess Landfill. Copies of all documents meeting this criteria and held by this office are provided as enclosure.

Sincerely,

Paul F. May  
 Acting Director, Information Management

04 03 99 14:15

024



DEPARTMENT OF THE ARMY  
 U. S. ARMY ENGINEER DISTRICT, LOUISVILLE  
 CORPS OF ENGINEERS  
 P. O. BOX 59  
 LOUISVILLE, KENTUCKY 40201-0059

CELRL-DE (415)

12 May 1997

MEMORANDUM THRU U. S. Army Corps of Engineers, Ohio River Division, <sup>1933</sup> <sub>10/17</sub>  
 ATTN: Patty Bertsch, P.O. Box 1159, Cincinnati, OH 45201-1159

FOR HQ, U.S. Army Corp of Engineers, ATTN: Jim Gibson, 20 Massachusetts Avenue, N.W.,  
 Washington, DC 20314

SUBJECT: Uniontown Industrial Excess Landfill

1 An article appeared in the Sun Journal on April 10, 1997, citing an unnamed source from the Pentagon. The article alleged that the Department of Army (DA) had been involved in the dumping of radioactive materials into the Industrial Excess Landfill located in Uniontown, Ohio. HQUSACE, under the authority of the Defense Environmental Restoration Program (DERP) for Formerly Used Defense Sites (FUDS), requested that the Louisville District (LRL) investigate this allegation.

2 Pursuant to this request, LRL contacted the United States Environmental Protection Agency (USEPA) to discuss the allegation. Generally, USEPA personnel working on the clean-up of the landfill, confirmed that it is a Superfund site. Several private companies, who have been identified as Potentially Responsible Parties (PRPs), are currently working with USEPA in connection with the clean-up. There is no evidence of any DA involvement with this landfill.

3 Specifically, regarding any radioactive contamination, USEPA personnel stated that extensive testing of the landfill area discovered no such contamination above background levels. Furthermore, the EPA representative stated there is no evidence of any DA involvement with radioactive material at this site. The current activity, involving private PRPs, is the result of other types of contamination.

4 Based on the above, LRL, in consultation with the USEPA, agree that no further investigation by DA is necessary. Further expenditure of resources in connection with the allegations in the Sun Journal are of no added value. Note that LRL has been advised by USEPA that Ohio EPA concurs that there is no DA involvement in connection with this landfill.

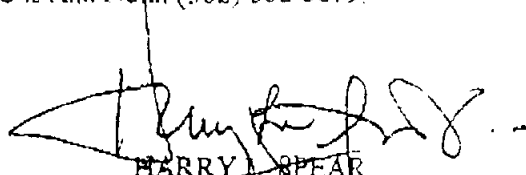
04/08/99 14:15

005

CELRL-DE (4:5)

SUBJECT: Uniontown Industrial Excess Landfill

5. The Programs and Project Management Division (PPMD) POC is Kevin Jasper (502) 625-7015. Office of Council (OC) POC is Ann Nunn (502) 582-5679.



HARRY L. SPEAR  
Colonel, Corps of Engineers  
Commander and District Engineer

04 08-93 14:15

006

From: Kevin L Jasper  
To: Patty Bertsch  
Date: 7/10/97 5:09pm  
Subject: Re[2]: Freedom of Information Act Request

----- Forwarded with Changes -----  
From: Kevin L Jasper at CEORL-CCMAIL  
Date: 7/10/97 12:56PM  
To: Rob G Fuller  
To: Susan M Toutant  
cc: Gary L Chisholm  
Subject: Re[2]: Freedom of Information Act Request  
-----

Patty and Jim,  
  
Wanted to keep you informed on this one.  
  
Kevin Jasper

Forward Header  
-----  
Subject: Re[2]: Freedom of Information Act Request  
Author: Kevin L Jasper at CEORL-CCMAIL  
Date: 7/10/97 12:56 PM

Rob,  
  
This site is/has been a Congressional interest for EPA. Senator John Glenn and Congressman Tom Sawyer have been involved to get more sampling for radioactive materials conducted at the site by EPA. The Concerned Citizens Group is a very active group in Ohio. This site is already in the courts with identified PRPs. Past studies do not support or identify DOD involvement.  
  
I have provided my thin file to OC. COL Spear signed off (w/our initials) on a memo to HQ that Ann Nunn and I prepared. This memo documented phone calls with EPA indicating DA was not involved in this landfill and there is no evidence of radioactive waste at this site. Since that memo I was copied furnished a memo prepared by OEPA to a related concerned Citizens Group that stated the same. In that memo EPA requested that the group please provide them with any information they have concerning DOD involvement. Appears this FOIA is the groups attempt to find {more??} evidence.

Bottom line is the citizens are looking to confirm their position that

04-03-95 14:17

007

radioactive waste from DOD was dumped in this landfill. The EPA has no evidence of this nor does LRL, that I am aware of. Time will tell what the Concerned Citizens Group has. IF documentation is provided to support the suspected DOD involvement, LRL will be responsible for preparing a FUDS inventory project report(INPR). Following the INPR this PRP project would be referred to Omaha District. At this point there is no value added in LRL doing any further investigations based on EPA input.

KJ

Reply Separator

Subject: Re: Freedom of Information Act Request  
 Author: Susan M Toutant at CEORL-CCMAIL  
 Date: 7/10/97 10:23 AM

We have been involved through Kevin Jasper. We will deal directly with OC.

Susan

Reply Separator

Subject: Freedom of Information Act Request  
 Author: Rob G Fuller at CEORL-CCMAIL  
 Date: 7/9/97 10:27 AM

→ We have received a FOIA Request from the American Friends Service Committee in Akron, Ohio. They have requested copies of all documentation from 1968 to the present which addresses the deposit, presence and/or impact of radioactive materials at the Industrial Excess Landfill site in Uniontown, Ohio.

Please ask your folks for any information that they might have on the Industrial Excess Landfill site. We are not certain which District has responsibility for this location and we are checking with both Huntington and Pittsburgh. There is a short suspense so if you could report any information that you may have not later than Friday, July 11th, it would be greatly appreciated.

Send your reply to Kim Barnes, of my staff. Her extension is 6355.

/s/



04/08/99 14:17

028

**From:** James Gibson  
**To:** CEORD.ORDO(Patty Bertsch),CEORD.X400(CEORL-DL-B\_Ke...  
**Date:** 4/29/97 9:54am  
**Subject:** Uniontown, OH

Patty/Kevin:

Please verify. It is my understanding that we have no knowledge that the subject site ever belonged to DoD or AMC.

From: Kevin L Jasper  
To: CEORD.ORDO(Patty Bertsch)  
Date: 4/27/97 4:50pm  
Subject: Re: Uniontown, Ohio

----- Forwarded with Changes -----  
From: Kevin L Jasper at CEORL-CCMAIL  
Date: 4/27/97 5:39PM  
To: James R Gibson HQ at X400  
Subject: Re: Uniontown, Ohio  
-----

Patty,

I got your message regarding Uniontown, This is my response back to Jim. I did not realize he BCC you his message to Tom Walsh also. I plan to proceed with the memorandum, unless someone tells me otherwise. Memorandum will be routed through OC, DL, DDE, to DE through ORD to USACE.

KJ

Forward Header

Subject: Re: Uniontown, Ohio  
Author: Kevin L Jasper at CEORL-CCMAIL  
Date: 4/27/97 5:39 PM

Jim,

I have prepared a memormadum to this effect for the DEs(COL Spear) signature. The memorandum is to go thorough ORD and to HQUSACE(yourself) Shoulds we proceed to carry it to his desk this am?(Monday) I'll be in Huntington transitioning files on Monday afternoon and Tuesday.

OC and I spoke to USEPA Friday about this subject. Nothing has changed since I last sent you the email regarding this site, other than I have been preparing the memorandum.

OEPA alerted me about a reporter that had called them asking about DOD investigating the site more. Should I direct this reporter to Candy Walters(HOUSACE PAO) or let LRL's PAO manage the inquiry? If an INPR were required we would need to know the "Concerned Citizen Group's pentagon source". Without the information source and based on EPAs comments, No we do not need to do waste resources to further investigate this site.

04/25/99 14:13

010

Kevin Jasper

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**Reply Separator**

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**Subject:** Uniontown, Ohio  
**Author:** James R Gibson HQ at X400  
**Date:** 4/25/97 8:05 PM

COE Status Report: Based on direction from CEMP-RF the Louisville District does not plan to prepare an INPR for the subject site. This determination has been made based on the following rationale:

*what?*

- (1) This site is currently in litigation and DoD has not been named as a PRP.
- (2) Per discussions with EPA, they feel DoD has not been involved at the site. This determination is based on EPA's investigations (\$1M) to date. No presence of radioactivity or DoD related contamination has been found by EPA for this site.
- (3) EPA plans to continue to sample at this site to deny/confirm the presence of radioactivity alleged by the concerned citizens group.

CC: CEORD.X400(CEORL-DL-B\_Susan\_Toutant,CEORL-OC\_Ann\_N...

04/08/99 14:15

011

**From:** James Gibson  
**To:** CEORD.X400(CEORL-DL-B\_Kevin\_Jasper)  
**Date:** 4/22/97 5:56am  
**Subject:** HQ Request for INPR at Uniontown OH -Reply

Kevin:

Please prepare a Memorandum for Record on this site. Keep a copy in your files and send me a copy ASAP. I will provide a copy to the pentagon. For the time being this is the only action I recommend, based on your E-mail message.

**CC:** CEORD.ORDO(Patty Bertsch)

04/08/99 14:19

012

From: Kevin L Jasper  
To: CEORD.X400(CEMP-RS\_James\_Gibson)  
Date: 4/21/97 2:56pm  
Subject: HQ Request for INPR at Uniontown OH

Jim,

LRLs team met today to discuss the preparation of the INPR for the landfill site in Uniontown. OC questioned why DOD was getting involved when this site is already in the courts trying to determine who is to do the clean up. I explained that the tasking to do an INPR came from HQ based on the newspaper article that was written and the inquiries that had come in from DA and EPA. OC spoke with an EPA contact who indicated the court proceedings are moving forward and to date nothing had been presented to suspect DOD liability in the site.

EPA has spent \$1M investigating this landfill. No sampling has indicated the presence of radioactivity. EPA indicated they had agreed to do some further sampling to confirm/deny the presence of radioactivity in an effort to meet the concerns of Concerned Citizens Group who are writing Senator Glenn and Congressman Sawyer. My OEPA contact for Ravenna says we DO NOT want to get into this dilemma with the Concerned Citizens Group.

Given that EPA does not feel DOD has been involved and based on the fact this site is far into the legal proceedings we must ask: Why is DOD spending scarce resources to do this INPR? To date DOD has not been brought into the claims process by B.F. Goodwrench, Good Year Tire and the other two firms. Seems doubtful these firms missed a PRP(DOD) in their investigations?

Based on the limited information LRL has gotten to date, the team does not feel that it would be in the best interest of this project to enter into a preliminary assessment(PA) of determining if this site is eligible under the FUDS Program. This PA/INPR could generate more questions than it does answers, with file cabinets full of information at EPA this will not be a low cost INPR, if we proceed.

Please give me a call to discuss our next move on this one.

Thanks  
Kevin Jasper  
502-625-7015

CC: CEORD.ORDO(Patty Bertsch),CEORD.X400(CEORL-RE-M\_Su...

04/08/99 14:20

013

**From:** Patty Bertsch  
**To:** X400.CEORL-DL-B\_Kevin\_Jasper  
**Date:** 4/17/97 1:34pm  
**Subject:** Radioactive Material @ Uniontown, Ohio -Forwarded

Please respond directly to JR and info me. Need schedule for preparing INPR (ex. date for site visit, time for record review, anticipated date INPR completed and sent to ORD, etc). Since you already have a meeting scheduled at Ravenna on May 5th, may want to consider combining trips to save money even though would delay getting started on INPR. Give JR a schedule and cost breakout for an "immediate" trip to Uniontown and for a May combined trip to Ravenna and Youngstown. Thanks.

**CC:** X400.CEMP-RS\_James\_Gibson

04/09/99 14:21

G14

**From:** James Gibson  
**To:** CEORD.ORDO(Patty Bertach)  
**Date:** 4/17/97 11:20am  
**Subject:** Radioactive Materiel @ Uniontown, Ohio

Patty:

We are getting a lot of traffic from the Pentagon and EPA concerning this site. We have gone on record that it was not in our inventory and we plan to visit the site to be able to make a determination of property eligibility. ASAP, can you provide a timetable for what actions we will take and when they are scheduled? THANKS

HPK-02727 P01 03.11 01 HPSC RE 0110

000 220 4004

1.10

04/05/99 14:21

015

**From:** Kevin L. Jasper  
**To:** CEORD.X400(CEMP-RS\_James\_Gibson)  
**Date:** 4/15/97 2:27pm  
**Subject:** Re: FUDS SITE? -Forwarded



04/08/99 14:22

016

**From:** James Gibson  
**To:** CEORD.ORDO(Patty Bertsch)  
**Date:** 4/15/97 7:32am  
**Subject:** FUDS SITE?

Patty:

I received a copy of a newspaper article from our PAO yesterday about an Industrial Excess Landfill (IEL) site in Unlontown, Ohio. The newspaper article alleges that the U.S. Army may have used this landfill to dispose of highly toxic and radioactive waste as part of the federal weapons disposal campaign. This issue surfaced in the midst of an ongoing battle between a civic-watchdog group called Concerned Citizens of Lake Township and the Ohio and USEPA agencies. This issue has been brought to the attention of Senator John Glenn and Congressman Tom Sawyer. Have you heard of this site or have any information that may be helpful to determine whether it is a potential FUDS?

PS: The copy of the news article I have is very poor and I don't think it will FAX well.

04/08/99 14:22

017

Date: 04/15/1997 02:06 pm (Tuesday)  
Subject: FW: Radioactive Materiel at Uniontown, Ohio--NEED HELPI  
-Reply

Jeff,

We (FUDS) are looking into this allegation and have not been able to identify any DoD activity as yet. Maybe a lot of activity over nothing -- will let you know what we find out. POC in FUDS is Jim Gibson, (202) 761-4709.

>>> Bemis, Jeff  
<bemis@Pentagon-ACSIM.Army.Mil> 04/14/97  
11:31am >>>

Tom:

The original email message (way down this line) asks for information on a disposal site in Uniontown, Ohio where it is alleged the U.S. dumped radioactive material in 1969-70. The FY96 Report to Congress does not list a FUDS in Uniontown, Ohio. Do you have any information on this? Please reply to me. I will forward the info to other parties. Thanks. Job

-----  
From: Bassler, Robert  
To: Bemis, Jeff; Marroquin, Raul; Carlisle, George; Ives, Bart; Julius, Tim; Kraft, Allen; Timm, Patrick A; Reed, Kieth W.  
Cc: Cain, Michael  
Subject: FW: Radioactive Materiel at Uniontown, Ohio--NEED HELPI  
Date: Friday, April 11, 1997 7:02PM

Can anyone help Nancy answer this one?

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From: NANCY POMERLEAU  
To: bassler; BOB LINGO; JANIS FINEGAN;  
bob.lubbert; KRISHNA GANTA; DON GOWER  
Subject: Re: Radioactive Materiel at Uniontown, Ohio--NEED HELPI  
Date: Friday, April 11, 1997 5:10PM

Jan.

04/08/99 14:23

013

I am asking Don Gower and Krishna Ganta to coordinate this for you. The Army Corps of Engineers handles formerly used defense sites (Bob Lubbert: please coordinate with Tom Wash). Don't know the AMC status of this. Will get back to you with some help. I am also forwarding this to the ODEP office for their coordination with us (LTC Bassler).

BOB LINGO  
04/11/97 03:10 PM

To: JANIS FINEGAN cc: JOE  
EDGELL/CC/HQAMC/AMC/US, JOHN  
MANFRE/SF/HQAMC/AMC/US, BOB  
FRANTZ/AM/HQAMC/AMC/US, STAN  
CITRON/CC/HQAMC/AMC/US, STAN  
LOWE/EN/HQAMC/AMC/US, NANCY  
POMERLEAU/EN/HQAMC/AMC/US, PEDRO  
CUNANAN

Subject: Re: Radioactive Material at Uniontown,  
Ohio (Document link not  
converted)

Boy, they just keep coming!

Sorry, this one even predates my HQ AMC experience (having come to this job in 1979!) However, I would think Ammo or your office should check with the IOC and TACOM-ARDEC. They might know something. Also, suggest checking with the Army Environmental Center, AEC. At one time, when they were USATHAMA, they did a study and records search of where contamination was buried on our plants; don't know if they also looked into off-site disposal. There was a big library at Edgewood area of all their record searches. Last thought is to check with the Corps of Engineers and the Formerly Utilized Defense Sites (FUDS) program; possibly they may have some information. AMCEN-A could give you a point of contact.

Sorry could not be of more assistance.