



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
Commissioner

Dennis P. Whalen  
Executive Deputy Commissioner

August 19, 2004

Richard Sturges, District Manager  
CWM Chemical Services, LLC  
1550 Balmer Road  
P.O. Box 200  
Model City, New York 14107

Dear Mr. Sturges:

This is in response to your letter dated July 23, 2004, which amends your December 23, 2003, request to rescind and vacate two Department orders from 1972 and 1974 that relate to CWM's property.

As discussed previously, the Department needs to have a full understanding of previous and current site activities before a determination on the Orders can be made. Based on the documentation provided by CWM to date, as well as our review of available data, we are unable to substantiate DOE's conclusion that the affected properties can be released for unrestricted use. Therefore the Department can not amend the Orders at this time.

Since there is a potential for residual soil contamination and potential groundwater contamination, the Department must evaluate current site conditions before we can approve earth moving activities. Therefore the Department requests that CWM submit a plan for monitoring groundwater for radioactive contaminants for developed areas and a plan for air monitoring for currently active areas. Once an initial evaluation has been completed, the Department will consider individual projects as previously discussed as they relate to the provisions of the Orders.

If you have any questions, please contact our office at (518) 402-7550.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen M. Gavitt', written in a cursive style.

Stephen M. Gavitt  
Assistant Director  
Bureau of Environmental Radiation Protection

cc: R. Tramontano  
S. Page  
S. Hammond  
G. Mikol  
P. Kline ✓