APPENDIX I: STAKEHOLDER CONCERNS

TELEPHONE OR VERBAL CONVERSATION RECORD

DATE 7/2/07-7/3/07

For use of this form, see AR340-15; the proponent agency is the Adjutant General's Office.

SUBJECT OF CONVERSATION
Former NOP OE RR-Inquiry Concerning NRD Reservoir

INCOMING CALL

PERSON CALLING	ADDRESS	PHONE NUMBER AND EXTENSION
Mr. Larry Angle		402-443-4675
PERSON CALLED Kathy Baker	OFFICE US Army Corps of Engineers-Kansas City District	PHONE NUMBER AND EXTENSION 816-389-3906

OUTGOING CALL

PERSON CALLING	ADDRESS	PHONE NUMBER AND EXTENSION
Kathy Baker	601 E. 12th St. Kansas City, MO 64106	816-389-3906
PERSON CALLED Mr. Larry Angle	OFFICE Lower Platte North NRD	PHONE NUMBER AND EXTENSION 402-443-4675

SUMMARY OF CONVERSATION:

Kathy Baker called Mr. Larry Angle on 7/2/07 at approximately 1015. Ms. Baker introduced herself and stated that she was assisting in conducting an Ordnance and Explosive Recurring Review at the Former Nebraska Ordnance Plant. Ms. Baker asked Mr. Angle if he would assist her by answering a couple of questions concerning the NRD Reservoir. Mr. Angle agreed to speak with Ms. Baker.

Ms. Baker asked, “Is the Reservoir open to public; is the Reservoir used by the public”. The public access is limited by the unavailability of public access roads. Mr. Angle also stated that he does not deal with that specific subject and the gentlemen in charge of access to the Reservoir were in the field. Mr. Angle stated he would confirm what he had stated with the other individuals and get back with Ms. Baker. On 7/3/07 Mr. Angle called Ms. Baker and stated that there is no public access to the NRD Reservoir. The property surrounding the Reservoir is privately owned.

Ms. Baker asked, “At the time the Reservoir was constructed were there any changes to the location or design specifications”. Mr. Angle stated that the Reservoir was not constructed at the originally planned location. On 7/3/07 Mr. Angle confirmed that the Reservoir was not built in its original location. Mr. Angle stated he spoke with the

general manager for the Reservoir and he stated that the USACE office in Chicago requested the Reservoir be moved upstream due to the presence of the landfill. Mr. Angle stated that the Reservoir was constructed upstream approximately 100 feet or so from it originally designed location.

Ms. Baker thanked Mr. Angle for his time and information. The call was ended.

TELEPHONE OR VERBAL CONVERSATION RECORD

DATE June 8, 2007

For use of this form, see AR340-15; the proponent agency is the Adjutant General's Office.

SUBJECT OF CONVERSATION
Former Nebraska Ordnance Plan OE Recurring Review
Mead, NE

INCOMING CALL

PERSON CALLING	ADDRESS	PHONE NUMBER AND EXTENSION
PERSON CALLED	OFFICE	PHONE NUMBER AND EXTENSION

OUTGOING CALL

PERSON CALLING	ADDRESS	PHONE NUMBER AND EXTENSION
Kathy Baker	601 E. 12th St. Kansas City, MO 64106	816-389-3906
PERSON CALLED Saunders County Sheriff Rhonda	OFFICE Records Department	PHONE NUMBER AND EXTENSION 402-443-1000

SUMMARY OF CONVERSATION:

Kathy Baker from the Kansas City District Corps of Engineers placed a call at 2:25 p.m on June 8, 2007 to the Saunders County Sheriff Records Department. The employee of the Sheriffs Record Department contacted was Rhonda (no last name provided). Ms. Baker stated that she was with the Kansas City District Corps of Engineers and was conducing a periodic review of the remedies in place and institutional controls in place at the Former Nebraska Ordnance Plant in Mead, NE. Ms. Baker stated as part of this review a call is placed to local authorities to determine if any reports of unexploded ordnance being found or contacted had been filed in the last five years. Rhonda stated that she could not remember any reports being filed. She did not complete a records search but stated that an incident like that would stand in out in her memory. Ms. Baker thanked Rhonda for her time and the call was ended.

OE Recurring Review Questionnaire
Former Nebraska Ordnance Plant (NOP)
Mead, Nebraska
25 January 2007

1. What are your concerns about ordnance at the NOP?

Our main concern is that a few areas are not cleared of ordinance.

2. Describe any changes in land use in the last 5 years at the NOP site.

The land is being used in mostly the same manner, for agricultural research purposes. We have added some irrigation capacity, wells, building structures, etc… No expansion or construction is planned at Site 5. UNL only allows its personnel to conduct mowing activities.

3. Describe any changes in land use in the last 5 years on property adjacent to the NOP site.

Not aware or in the know of what will happen on adjacent property.

4. Describe any known future changes to use of lands at or adjacent to the NOP site.

Researchers are requesting to do a bank stabilization study in the creek at Site 5. Mr. Duncan thinks this would be a good area, because the creek banks in the area could be improved through stabilization. Prior to these studies, UNL will engage COE to determine how to proceed.

5. Describe any changes in accessibility of the NOP site in the last 5 years.

We have attempted to restrict accessibility to the landfill and burning and proving grounds. At Site 5 access is restricted. Signs are used to restrict access and any new personnel are made aware of the history of OE at the site.

6. Describe any operations or activities in recent years that you feel may have been related to ordnance and explosives.

OE Recurring Review Questionnaire
Former Nebraska Ordnance Plant (NOP)
Mead, Nebraska
25 January 2007

As part of an agreement with EPA the University of Nebraska has conducted investigations of the former landfill area and the burning and proving grounds. This included monitoring well installation, geophysics, geoprobe sampling, soil sampling and the clearing of scrap metal from the working face of the landfill area. In order to accomplish this work we were required to hire UXO experts to oversee the activities. We requested help from the Army COE but were refused.

We will be excavating trenches in the landfill area in the spring of 2007 as per agreement with EPA. These activities will necessitate the use of UXO personnel for this operation. It is my understanding that the Army COE has refused to provide assistance for this action as well.

7. List specific ordnance related instances that you are aware of that have occurred in the last 5 years on your property or at the NOP.

None

8. Have you called local authorities, such as the Saunders County Sheriff, to report ordnance instances? If so, describe the circumstances and what specifically was found.

NO

Please return this form by February 23, 2007 or Call Kurt Baer to verbally discuss concerns and/or answers.

Kurt Baer (816)-389-3922

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

March 28, 2007

Lieutenant General Carl A. Strock
Commander and Chief of Engineers
U. S. Army Corps of Engineers
441 G. Street, NW
Washington, DC 20314

Re: Failure by Kansas City District to properly investigate disposal of mustard gas and nerve gas at the former Nebraska Ordnance Plant Superfund site, Mead, Nebraska and failure to take appropriate action

Dear General Strock:

This is to inform you about serious and potentially dangerous failures by the Kansas City District of the U. S. Army Crops of Engineers (USACE) related to information indicating that mustard gas and nerve gas were disposed at the former Nebraska Ordnance Plant (NOP) site near Mead, Nebraska – a site which is now on the U. S. Environmental Protection Agency's list of Superfund sites. This Superfund site contains surface water and groundwater covering at least 10 square miles contaminated by numerous volatile organic compounds, including large quantities of trichloroethylene, and explosives, including large quantities of RDX, in addition to numerous other toxic materials.

On May 27, 2004, I forwarded a summary of information to the Nebraska Department of Environmental Quality (DEQ) and the U. S. Environmental Protection Agency (EPA) Region VII that I had just received from an area resident. This area resident, a director on our local Natural Resources District board, recalled that during the 1950's and 1960's several 55-gallon barrels of nerve and mustard gas were buried by the Clear Creek Dam at the Mead Superfund site. According to public records, less than two hours after receipt, this information was, in turn, forwarded by e-mail by a DEQ representative to USACE Kansas City District personnel accompanied by a request to take appropriate action.

At a public meeting earlier this month, I was dismayed to learn that the Kansas City District had not carried out any follow-up inquiry or investigation whatsoever in response to the information I provided almost three years ago regarding burial of mustard gas and nerve gas at the site. At the meeting, District personnel rejected the credibility of the information provided by the local residents who had firsthand knowledge of the burial of these lethal materials. In addition, District representatives stated that actual geophysical investigation was too difficult in the area and that they had instead monitored groundwater in the vicinity "many, many, many years" for thiodiglycol, a chemical degradation product of mustard gas, and nothing ever showed up. In conclusion, USACE personnel dismissed the need for the District to conduct any further inquiry or evaluation regarding mustard gas or nerve gas at the site.

Prior to this recent meeting, I had thought it curious and somewhat troubling that after I had provided the information noted above in May 2004 **no one** from the Army or any of its contractors had **ever** followed up with me seeking more detailed information. After hearing the statements by the Kansas City District personnel at the meeting denigrating the validity of the information provided by other local residents – residents whose minds are very sharp and who have no reason to make up stories regarding burial of mustard gas and nerve gas, my concern increased by orders of magnitude.

Public records reveal the following information regarding burial of chemical warfare materiel (CWM) at the former NOP and the Kansas City District's inadequate evaluation of that information. It should be noted that none of the information cited below is inconsistent with the information provided to me by the NRD director and forwarded to the District in 2004.

1. There was an agreement between NOP and Offutt Air Force Base to dispose of items from Offutt. (Draft Ordnance and Explosives Recurring Review Report ("Recurring Review Report"), December 2002, prepared by the District, citing the Supplementary Archives Search Report ("SASR").)

2. In October 1960, cylinders leaking mustard gas were temporarily buried at Offutt, then later transported to a U. S. Army burial site in Nebraska. (Incident report and fax cover message from John A. Jurgiel, April 12, 1999.)

3. At least **three witnesses confirmed the burial of chemical warfare materiel** in the area of the landfill, currently designated as Site 8 **(on land now owned by the University of Nebraska)** at the Mead Superfund site. (Recurring Review Report.)

4. The SASR states that there is evidence that relatively small quantities of CWM were disposed of at the former NOP relative to Site 8-Landfill area. (Recurring Review Report.)

5. In February 1994, the former Civilian-in-Charge at NOP, Chick Hastert, who witnessed the burial of mustard gas, led a site visit during which he pointed out the location of the mustard gas burial. Participating in this site visit were two representatives of the USACE Kansas City District, a contractor for the Kansas City District, two Nebraska DEQ representatives, a representative of the University of Nebraska, and two adjacent landowners and their farm manager. The burial location is approximately 50 feet north of the University's licensed landfill fence and approximately 75 feet south of the bluff line. The Kansas City District's contractor prepared a report of this site visit (including two maps showing the mustard gas burial location). (*See* Attachment.) The District's February 1994 site visit report was omitted from the District's 2002 Recurring Review Report.

6. The USACE has not assessed ordnance-related risks of any type at the site, much less the acute risks associated with mustard gas.

7. According to the EPA, the fact that thiodiglycol has not been detected does not mean that CWM is not present. Rather, it may simply mean that the integrity of the CWM is still intact and has not **yet** leaked. The presence or absence of thiodiglycol should not be used to determine the

presence or absence of mustard gas, according to EPA. (Recurring Review Report, Appendix G.)

8. The District's groundwater monitoring reports for the site indicate that testing by the USACE for thiodiglycol (which EPA says is **not** a reliable indicator for mustard gas) was spotty and none of the testing was recent. The Corps has not sampled for thiodiglycol since 2000 in any of the five monitoring wells that are closest to the mustard gas burial site. Of these five wells, only one has been tested for thiodiglycol since 1996. This monitoring well has not been tested at all since 2000.

9. The District determined that although the former Civilian-in-Charge (Chick Hastert) was judged to be a credible interviewee, "the information provided by him is not judged to be indisputable evidence concerning the current presence of CWM at the former NOP." (Recurring Review Report, Appendix G.)

As a fundamental matter, the Army has the burden and responsibility under federal statutes (including CERCLA) to investigate adequately to ascertain which CWM are on site and to assure that any CWM present are removed safely. It is **not** the community's responsibility to prove that these materials are on site before the Army takes appropriate action.

In addition, the Army may not attempt to impose inappropriate legal standards, such as whether or not information constitutes "indisputable evidence", on the information volunteered by members of the community. The Army's current efforts to write off solid information offered by local residents with firsthand knowledge, using the claim that it is not "indisputable evidence", is completely indefensible. Furthermore, it is a slap in the face to local residents who have done their duty as citizens in reporting what they know.

It is particularly troubling that despite the explicit and unequivocal information from an eyewitness (Mr. Hastert) regarding CWM burial at the site and the documentation of his identification of the mustard gas burial site, the attached February 1994 site visit report (which includes two very clear maps showing the burial site) was not included in the District's 2002 Recurring Review Report. Its omission from the Recurring Review Report gives the impression that key information which the Army had was intentionally withheld from the report in an effort to support the Army's invalid conclusion that no investigation was warranted.

Furthermore, the actual groundwater monitoring reports show that the USACE's claim to have tested "for many, many, many years" to identify the presence of CWM on the site is misleading at best. It is unacceptable for the District (1) to use testing for thiodiglycol as an indicator for CWM – a practice repudiated by EPA, and (2) to distort the facts regarding how frequently and in how many wells the Corps actually tested, in an effort to justify its failure to take appropriate action.

It is very disappointing that, in response to patriotic citizens who are doing their best to secure and protect a safe home front for our brave troops to return to, the USACE is failing to carry out its responsibilities. I have, in support of and cooperation with many other members of the community, sacrificed countless hours with my family while I have instead pored over

documentation related to the Mead Superfund site as well as other research related to the hazards associated with the myriad of toxins present at the site. As have several other members of the community, I have attended and participated in numerous Restoration Advisory Board meetings, NRD meetings, and other meetings having any relation to Mead Superfund site issues. I have contributed considerable financial and sweat equity in helping to lead the efforts of the Water Quality Environmental Council, a local non-profit organization, in educating the community on key issues related to the Superfund site and MUD's Platte West well field, which is adjacent to the site.

On behalf of the community (including the local NRD director who passed along the information to me), I am deeply offended that the Army would cavalierly ignore information that corroborates documented information the Army already had and then disingenuously attempt to excuse its inaction. Please understand that I am unwilling to sit by while the Army continues to try to deny the hazards related to mustard gas and nerve gas in the midst of our community – hazards that have the potential to wreak havoc over eastern Nebraska and beyond.

I expect you to see to it that the Army finds adequate resources and then carries out a thorough investigation regarding mustard gas, nerve gas, and any other chemical warfare materiel at the Mead Superfund site posthaste. I expect that this investigation will use sufficiently sophisticated technology to carry out geophysical characterization below ground level. In sum, on behalf of the public, I expect the Army to move heaven and earth to remove all chemical warfare materiel from the site safely or demonstrate beyond any shadow of doubt through appropriate scientific methodologies that no such hazards are present on the site. Until either happens, the Army may not rest.

I look forward to your thorough and expeditious investigation into this critical matter. Please provide me a written response that speaks to each of the issues raised in this letter and sets out the measures taken to assure that this matter is resolved properly. Thank you.

Sincerely,

Lynda Wageman
1248 County Road 5
Ashland, NE 68003
Cell 402-639-2757

Attachment

pc Senator Chuck Hagel
Senator Ben Nelson
President J. B. Milliken, University of Nebraska
Senator Barbara Boxer
Senator Max Baucus
Senator James M. Inhofe

Senator John Warner
Congressman Nick J. Rahall, II
Congressman Don Young
Congresswoman Grace F. Napolitano
Congresswoman Cathy McMorris Rodgers
Congressman Henry A. Waxman
Congressman Tom Lantos
Congressman Tom Davis
Congressman Dan Burton

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

MAY 10 2007

Directorate of Military Programs

Ms. Lynda Wageman
1248 County Road 5
Ashland, Nebraska 68003

Dear Ms. Wageman:

This is in response to your letter of March 28, 2007, addressed to Lieutenant General Strock. In your letter, you expressed concern over the possible burial of Chemical Warfare Materiel (CWM) at the Former Nebraska Ordnance Plant (NOP) near Mead, Nebraska. The following information is provided in response to your concerns:

The United States Army Corps of Engineers (USACE) is committed to addressing the potential risks associated with military munitions, including chemical munitions and other materiel referred to as CWM, at Formerly Used Defense Sites. The USACE Military Munitions Response Program provides funding, processes, and oversight to deal with these risks.

Regarding the potential for CWM, specifically mustard agent, being buried at the Former NOP, the Army became aware of this issue in 1989, as reported in a 1991 *Preliminary Assessment of Ordnance Contamination.* Information was also reported in a 1993 *Supplementary Archives Search Report* and further investigated in a 1994 site visit that included interviews with former plant personnel. This information is similar to that which you provided to USACE through Nebraska Department of Environmental Quality in May 2004.

Mustard agent is the only CWM suspected to be buried at NOP. We are aware of no evidence to suggest any form of nerve agent was ever disposed of at the NOP. The suspected mustard was likely contained in a Chemical Agent Identification Set (CAIS), also known as war gas identification sets, an item used to train military personnel to safely identify, handle and decontaminate chemical agents. CAIS consisted of small quantities of various dilute chemical agents in glass vials and bottles that were packed in metal shipping containers or wooden boxes. Unlike most CAIS, two sets--CAIS K941, toxic gas set M-1; and CAIS K942, toxic gas set M-2/E11 contain small bottles of undiluted (neat) chemical agent (mustard). CAIS 941 contained 24 glass bottles, each with approximately 3.5 ounces of neat mustard, with CAIS 942 containing 28 glass bottles, each with approximately 3.8 ounces of undiluted mustard. CAIS were normally disposed of in their original metal or wooden storage and shipping containers--called PIGS--or loose. Normally, CAIS vials were broken before disposal and decontaminant was used to neutralize any chemical agent present.

Based on interviews with both Offutt Air Force Base and Former NOP personnel, the Army believes the most plausible series of events is described below:

- In 1960, a number of CAIS PIGS were discovered leaking at Offutt Air Force Base. Base Disaster Control personnel responded to the incident and verified the leaking substance was mustard agent. These containers were wrapped in plastic and placed in

sealed 55-gallon drums to prevent further leaking. The barrels may have been temporarily buried at Offutt before being transported for reburial to an unspecified site, possibly NOP. Base personnel, when interviewed and shown pictures, identified the containers as CAIS items.

• Also in 1960, former NOP employees were present when military personnel arrived at a disposal area adjacent to the landfill with drums purportedly containing the PIGS leaking mustard agent. The description of the drums appears to match that reported in the Offutt incident.

• In 1994, the Army conducted on-site interviews of NOP and the University of Nebraska (the current landowner) employees who witnessed the burial and identified a general area in the vicinity of the landfill where the burial may have occurred.

In 1994, the Army also took measures to further reduce potential for exposure to CWM, the CAIS, and military munitions by paying the University to install a barbed wire fence with warning signs around the landfill and potential disposal area. Additionally, from 1994 to 2000 the Army performed groundwater monitoring at the landfill for thiodiglycol, a mustard agent breakdown product.

In 1995, the USACE Military Munitions Center of Expertise conducted a site wide assessment of military munitions and CWM at the Former NOP, publishing an *Engineering Evaluation/Cost Analysis* in 1996. The report recommended "no further action" related to mustard agent at the landfill for the following reasons:

• The specific burial location is not known;

• Any potential burial location would now be at a depth of greater than 20 feet due to additional waste being put on top of the disposal area. If mustard agent were present in the landfill, exposure to humans under current or reasonable conditions in the future would be remote. Mustard agent has low volatility in the atmosphere and does not readily dissolve in water, so its chance of migration through groundwater or air from a buried location is very low;

• There was no mustard agent breakdown product thiodiglycol present in groundwater near the landfill;

• Intrusive investigations into landfills are normally inadvisable and not typically productive because other waste material is present.

In accordance with USACE Regulations, the Corps of Engineers conducted a Recurring Review in 2002 to assess the protectiveness of previous response actions at the NOP. This process reviewed project and site history and looked at any new information available, such as changes in land use, new physical conditions, or site access issues. The review included

interviews with community members, local leaders, and regulators to identify their concerns. The report concluded that previous response actions and other measures in place were still protective.

In addition to previous efforts at NOP, USACE intends to undertake the following actions regarding military munitions and CWM known or suspected to be present at the Former NOP:

- Initiate new groundwater sampling in the vicinity of the landfill to determine if mustard agent breakdown products including, but not limited to, thiodiglycol, may be present;

- Evaluate the feasibility of using non-intrusive detection methods to detect the presence of anomalies that could be attributed to a mustard agent burial site;

- Complete the ongoing 2007 Recurring Review process. As part of this process, USACE intends to re-interview community members or former NOP personnel who may have information concerning any CWM activities that may have occurred at NOP. Information you have which may help identify additional community members to be interviewed will be appreciated;

- Integrate all aspects of the MMRP into the ongoing NOP Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process to ensure any munitions response, to include CWM response, actions are addressed in a final Record of Decision. This will ensure that there will be coordination of future decisions regarding MMRP actions with both the U.S. Environmental Protection agency and the Nebraska Department of Environmental Conservation.

Thank you for your interest and I hope that the above response addresses your concerns. If you have any further questions or additional information you would like to provide to USACE, please contact Colonel Michael Rossi at (816) 389-3202.

Sincerely,

for Meredith W. B. Temple
Brigadier General, US Army
Director of Military Programs

Ashland, NE.
March 7, 2007

Dear Mary:

I am sending you what we have. Not much there has to be more in the paper, but we were unable to find it.

Victor would like to know if he could have a copy of the people you interviewed. Joe Vculek was one of them. (we know him).

I'm sorry the picture isn't the best.

Sincerely
Nadine Humlicek
1081 County Road 3
Ashland, NE. 68003
e-mail vh01700@alltel.net

Ed Kresak - deceased

James Anderson
701 - 5th
Yutan, NE. 68073
1-402-625-2761

Frances Karloff - deceased
LeRoy Nelson
Mead, NE.

Ervin Bull
508 Elizabeth Cr.
Yutan, NE. 68073
1-402-625-2644

Ron Romans
2134 County Road 7
Yutan, NE. 68073
1-402-625-2284

ar Creek Watershed to go under construction is known as 22-A and to 293 acre feet of water. At normal levels the lake will be about 100 ı left: Dick Clemens, project inspector, SCS, Wahoo; Ed Kresak, er Clear Creek board; Jim Anderson, Yutan, former Clear Creek ɣ, Lower Platte NRD executive officer; Francis Karloff, Yutan rd; Clarence Ecklund, former SWCD board and NRD board mem- ; Mead dairy farmer and Lower Platte NRD board, and former ıber. In the rear, Ron Romans, Yutan, NRD board member; and ıer Clear Creek board, and former NRD board member.

·eek Watershed ıike a History Book

A request was made to the Saunders SWCD to assist in control of flooding on Upper Clear Creek in October, 1960, and another request was made to control flooding on Lower Clear Creek in April, 1962. These two watersheds combined or merged into one larger watershed. The Clear Creek Watershed Conservancy District was formally organized in June of 1964.

The Clear Creek Watershed plan was accepted by the local sponsors in February 1969. The plan was then formally signed and forwarded to the U. S. Department of Agriculture for authorization in September 1969.

On July 1, 1972, the natural resources districts began operation and Clear Creek Watershed was now located within the Lower Platte North Natural Resources District.

In the latter part of 1972 and early in 1973 easements and right-of-ways were purchased in excess of $86,700 in regard to Site 22-A, which involves five landowners. Presently structure 22-A in Clear Creek is under construction and is expected to be finished sometime this fall. The contractor for this project is Lloyd E. Morehead of Plattsmouth for a bid of $144,906.42.

This structure will control drainage from over 11,000 acres of agriculture land adjoining Mead and Yutan. The structure itself will contain 125,000 cubic yards of fill and will retard under full flood conditions approximately 293 surface acres of water. The temporary pool will cover approximately 100 acres.

Mr. and Mrs. Lyle Peterson were baptismal sponsors for Heather Louise Gustafson at St. Mary's Church at Valparaiso Sunday. In honor of the occasion Mr. and Mrs. Peterson and family and Mrs. Martin Peterson were among dinner guests of Mr. and Mrs. James Gustafson and family following the baptism.

April 6, 2007

H. Garth Anderson, Project Manager
Kansas City District
U. S. Army Corps of Engineers
700 Federal Building
Kansas City, MO 64106-2896

Re: Comments re: Operable Unit 3 for the Corps' former Nebraska Ordnance Plant Superfund site, Mead, Nebraska

Dear Mr. Anderson:

These comments supplement the comments made and questions posed at the March 5, 2007 public meeting. In your response document, please accurately and completely reproduce each individual comment and question received by anyone, whether at the meeting, in writing, or otherwise, and provide completely responsive answers to each. Please do not summarize and/or lump together comments and/or questions. The Corps has demonstrated that it cannot be trusted not to mischaracterize, twist, and/or omit comments or questions it receives from the public.

1. The NRD reservoir should be drained to do full investigation of the entire area beneath the reservoir. As EPA noted in the 1990s, potential contamination beneath the reservoir is a concern. Indeed, information from local residents indicates that there is a great deal of junk under the reservoir. In addition, because partially expended bomblets were found on the shoreline in 1999, it is certainly possible that there are more ordnance, explosives, and other materials of concern farther into the reservoir. As-built maps on file at the Lower Platte North Natural Resources District indicate that the reservoir (Clear Creek Structure 22-A) is approximately 1,400 feet wide at its widest. Therefore, the lowering of the reservoir 25 feet in 1999 which revealed the bomblets is clearly not sufficient to assure that all materials of concern have been identified. In addition, merely testing sediment as the Corps claims to have done is obviously not an adequate substitute for full investigation of the materials under the reservoir.

2. The Corps' evaluation of the landfill area and other areas of the site regarding mustard gas and nerve gas burial is wholly inadequate. Local residents with firsthand knowledge have provided information that mustard gas was indeed buried at the site in the 1950s and/or 1960s. In addition, other local residents with firsthand knowledge have provided information that a yellow-greenish gas was emitted in the 1970s during a digging operation at the site. Public records document this information. However, regardless of existing documentation, the Corps should investigate in response to information provided by local residents. It is completely unacceptable for the Corps to fail to investigate these incidents thoroughly and to fail to assure that all risks are removed. As EPA has noted, it is inappropriate for the Corps to rely upon testing for thiodiglycol in monitoring wells as an indicator as to whether or not mustard gas is present at the site. Furthermore, it is unacceptable for the Corps to ignore and/or dismiss information as not being credible or reliable from local residents, who have done their duty to report what they know, particularly when the Corps has encouraged local residents to come forward with information. Moreover, it is the Corps' responsibility to prove through credible investigation and other supporting information that this site no longer has hazardous substances that pose a risk to health and the environment; it is **not** the local residents' responsibility to prove that risks exist.

3. The Feasibility Study for OU3 is inadequate. It doesn't address ordnance contamination and risks, much less the very significant risks associated with mustard and nerve gas.

4. The most current regulatory guidance regarding assessing risk should be used to evaluate all risks associated with the site.

Sincerely,

Melissa Konecky
RAB Community Co-Chair
P. O. Box 293
Mead, NE 68041
melissakonecky@yahoo.com

ec Scott Marquess, US EPA
Melissa Kemling, NDEQ

Ashland, Ne.
March 27, 2007

KANSAS CITY CORPS OF ENGINEERS
700 FEDERAL BUILDING
601 E. 12th St.
KANSAS CITY, MO 64106

Ordnance AND Explosives Recurring Review (NOP)

Mr. Garth Anderson:

I am enclosing the 3 papers to be an official part of the current review. Despite your efforts to smooth over the unknown and untested areas, there are facts which stand out. YOUR RESONSE ACTIONS have not minimized risks and are not protective of human health and the enviroment.

You have failed to fully investigate the lake area for explosives and mustard gas. In fact you only did one soil sample (PL-43) by the lake edge. You failed to sample under the lake bed despite being told the reason the dam was built, was because it was cheaper to build the dam then clean up the junk under the water. Each winter the lake freezes over allowing easy access to any area of the lake. Even after bomb parts showed up on the lake edge you deliberately avoided further investigation, and then you tell the public you are being protective of human health and the enviroment.

The SUMMARY REPORT of July, 15, 2004 on page 3 clearly shows mustard gas being buried there. This information has been available for 2½ yrs. and yet you have not looked at this. You continue to avoid even menting the word mustard gas. I n fact when I asked what was under the water, you never answered my question.

A thorough and complete investigation needs to be conducted before this review is even considered to be complete, with a public hearing on the results.

Sincerely,

Lorus Luetkenhaus

U.S. Environmental Protection Agency
Regional Oversight Contract

Contract No. 68-W-01-051
DCN: RR7-TLI-077R-01-MN-1173

SUMMARY REPORT

Former Nebraska Ordnance Plant
Saunders County, Nebraska

CERCLIS ID No.: NE6211890011

July 15, 2004

TechLaw
Quality & Integrity
6400 Glenwood, Suite 212, Overland Park, Kansas 66202

farther away from the proposed MUD well field and much less likely to create any problems than those already modeled. This area is approximately seven miles southwest from the proposed	
1314	NDEQ Landfill Permit
1319	Landfill Permit for ARDC LandFill
1321	Letter of Inspection - 3 Violations
1323	Landfill Location
1324	Letter of Intent to Close Landfill
1325 through 1328	Certificate of Closure
1329	Closure of Wildlife Area
1332	Fence Installation during Closure
1333	Additional Consideration for Closure by NDEQ
1334	Permeability Test Result
1337	Mustard Gas
1338	Mustard Gas located in North Landfill
1341	Evaluation of Chemical Waste Management
1342 through 1353	Mustard Gas Shells at Burning Area
1354	Twin City Testing Recommendation
1355 through 1358	Actual Waste Quantities
1359	Formaldehyde (40 gallons)
1360	UNL Correspondence Defining Pathological Material
1362	Tissue and Formaldehyde Vials
1363	Discontinuing Tissue Disposal
1365 through 1366	Waste Burial Estimates at Load Line 1
1368 through 1375	Isotope Names and Activity Numbers
1377	Radioactive Waste at Load Line 1
1376	Animal Carcasses containing Radionuclides
1379	Radioactive Trench Measurements
1380	Igloo 11-14 used at ARDC
1381	Igloo Information
1383	Igloo Information Including Storage Quantities
1385	Buried Radioactive Wastes and Load Line Sites

DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
700 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

REPLY TO
ATTENTION OF:

18 April 2007

Programs and Project Management
Environmental Programs Branch

Mr. Lorus Luetkenhaus
630 County Road D
Ashland, NE 68003

Dear Mr. Luetkenhaus,

This letter is in response to your 27 March 2007 correspondence on the Ordnance and Explosives (OE) Recurring Review at the former Nebraska Ordnance Plant near Mead, Nebraska. The Kansas City District Corps of Engineers appreciates the information provided in your correspondence and will address your concerns in the 2007 OE Recurring Review Report to be developed later this year.

If you have any questions, please contact me at 816-389-3255 or by email at H.Garth.Anderson@usace.army.mil.

Sincerely,

Garth Anderson
Project Manager