December 29, 2006

Brig. Gen. Bruce A. Berwick, Commander
U.S. Army Corps of Engineers
Great Lakes and Ohio River
P.O. Box 1159
Cincinnati, Ohio 45201-1159

Mark F. Bohne, Community Co-Chairman PBOW RAB
Plum Brook Ordnance Works Restoration Advisory Board
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Re: Plum Brook Ordnance Works

Dear Sir,

It has brought to my attention that, once again, it has been proposed (on paper) that project management for the Plum Brook Ordnance Works would be transferred to the Buffalo District on January 10, 2006. While it was "verbally" inferred that "everything would remain the same", the official, written directive is that Buffalo will assume the responsibility for the project and the continued remediation activities. Verbal commitments by government agencies are not guarantees that the status quo will be maintained. In bureaucracies written directives carry priority and no one should feel comfortable with informal verbal agreements. At our last RAB meeting there was a unanimous consensus in favor of leaving the present ACoE Project management team intact. If an "arrangement" is to be made to keep our team intact, then let it be made officially, in writing.

I am also quite surprised that this problem needs to be addressed less than six months since the last time we confronted this issue. In July 2006, my elected officials assured me in writing that the project will remain under the present management team assigned from the Huntington and Nashville Districts. Also, considering nature of the last communications between RAB members and your office regarding this matter, we are all surprised that we are the last to learn of this decision. I am personally disappointed by the lack of professionalism and disregard concerning our past requests and then proceeding with changes without having the courtesy of meeting with the RAB face-to-face about such matters.

Throughout this project the dedication of the assembled team has shown the local community that the Army Corps considers our environment as their own. Numerous times, in the past, I have personally voiced strong objections any time it has been suggested that another project team should assume responsibility for the project. This RAB has formed a unique level of trust that should not be tested. I am also alarmed that

the proposal to change the project management team would be presented to the RAB members with little time to react. We were informed at our quarterly RAB meeting on Thursday, December 21, 2006, that the paperwork authorizing the transfer was already approved by you and would be presented to Lieutenant General Temple for his final approval on January 10, 2007.

As in the past, the RAB is strongly opposed any formal or informal change in management for this project. For ten years the stakeholders have worked extremely well in partnership with the present Army Corps staff for the proper management of this project. The Huntington and Nashville team has formed a unique alliance with the community to properly remediate the Plum Brook Ordnance Works site. Our RAB is a model team that has worked tirelessly with the Corps to "make whole" the environment in Erie County through the remediation of Plum Brook. It makes little sense to disassemble our management group for any reason.

My request in this matter is the same. I urge you to keep the present management team in-place until this project is closed. Our RAB has committed their time and energies (at no cost to you or the taxpayers) and promised to remain throughout the course of this project, regardless of length of time it may take to complete. I would expect that our management team from the Huntington and Nashville Districts would remain in-place as well. The stable nature of our team has provided you with a "trouble-free" project relative to negative public opinion when considering the extent of the potential environmental impact on the site.

Information was also presented to the RAB that recent research into the deed language crafted when the property was transferred from the Department of Defense to NASA has placed our project in "administrative limbo." As explained to us, it has been implied that the legal offices of the Army Corps now feels that NASA assumed responsibility for the environmental contamination when the property was transferred. I also understand that there are some that would imply that the site should not be part of the FUDS program.

As you know, the Clean Air and Clean Water Acts clearly place the blame for environmental pollution on the polluter. "The polluter pays" for remediation when they can be identified and the resources are available. Certainly, we are discussing two federal agencies here. The Department of Defense was responsible for the site contamination before NASA was even an agency. What signal does this send to other polluters? Sell a polluted property and walk away without responsibility? That's not how the legislation was written. The Federal Government is still responsible, regardless of property "ownership."

As it stands, it makes no difference which federal agency pays, it's coming out of our taxes anyway. Transferring the project will significantly increase the costs to the taxpayer. NASA has few internal resources to manage such a project and frivolous delays would only confound existing research for the project and add to the costs. I

would urge the Army Corps to quit wasting time and money on legal semantics and concentrate on getting the property cleaned-up.

Finally, I would think that the assembled team from Huntington and Nashville would represent a valuable asset to the Army Corps of Engineers when it comes to ordnance site remediation. Their knowledge and expertise add substantially to the project. Their "cutting edge" proposals for remediation will have saved the taxpayers millions by the time this project is complete. They have already successfully completed remediation at Dolly Sods in West Virginia. It makes good business sense to leave the present team intact, and allow them to continue their work and research at Plum Brook. Matter-of-fact, their expertise should also be utilized at other sites where TNT or DNT manufacturing pollution is an issue. Learning curves are an expensive part of any project, why not reap the benefits of wisdom already experienced?

If needed, I would gladly come to Cincinnati to meet with you and discuss these issues face-to-face. In the past, I have invited you to attend one (or more) of our RAB work sessions. That invitation is still valid. I believe that once you see our group in action, you will see why I am so passionate about these issues.

I can be reached during the day at my office at 419-668-4474 Extension 2218 should you wish to contact me there. As always, my e-mail address is the most efficient way to contact me.

Thank you for taking your precious time to consider these matters. As always, I stand ready to serve in any way possible.

Best Regards,

Mark F. Bohne
Co-Chairman
Plum Brook Ordnance Works Restoration Advisory Board

cc: Plum Brook Ordnance Works RAB Members
Brigadier General Temple, Director of Military Programs, US ACoE
Lieutenant General Carl Strock, Commander, US ACoE
Governor-Elect Ted Strickland, Ohio
Senator George Voinovich, Ohio
Senator-Elect Sherrod Brown, Ohio
Representative Marcy Kaptur, Ohio