



Military and Naval Affairs

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RAYMOND F. SHIELDS, JR.
Major General
The Adjutant General

March 2, 2021

Ms. Lauren Bizzaro
State Program Examiner
Office of the State Comptroller
110 State Street
Albany, NY 12236

Dear Ms. Bizzaro:

This letter is submitted in accordance with the Executive Law, section 170 (Audits of Agencies by the State Comptroller; Reports of Corrective Action). The Division of Military and Naval Affairs (DMNA) has reviewed all of its corrective actions taken to address the Office of the State Comptroller's (OSC) draft audit report, 2019-S-50, dated September 2020 regarding the DMNA's Lead Contamination of Armories, that recommended five (5) corrective actions. The status of each of DMNA's corrective actions is reported below.

OSC Recommendation - Update the non-military use agreements to disclose lead issues to armory occupants.

The DMNA Response: DMNA will update the non-military use agreements.

The DMNA Corrective Action: DMNA has updated the language for all new non-military use agreements (NMU) that includes lead dust disclosure when appropriate. DMNA's Director of Internal Audit (DIA) reviewed the NMU agreement template and concluded it met OSC's recommendation.

OSC Recommendation - Post signs warning of potential lead hazards in public areas.

The DMNA Response: DMNA will post signs of potential hazards in public facilities.

The DMNA Corrective Action: DMNA has posted signs warning of potential hazards in its public facilities, and has documented the postings with photos as evidence. DMNA's DIA has reviewed the warning signs and the photographic evidence, and concluded the warning signage met OSC's recommendation.

OSC Recommendation - Disclose lead contamination to co-tenants of the armory when testing results return over the ARNG (Army National Guard) threshold.

The DMNA Response: DMNA will disclose lead contamination to co-tenants in armories the hazards that are present.

The DMNA Corrective Action: DMNA will disclose to co-tenants when test results exceed the ARNG threshold. This includes posting signage at main entrances. DMNA's DIA has reviewed the warning signs and concluded they met OSC's recommendation.

OSC Recommendation - Obtain clarification from the ARNG regarding compliance requirements for non-military use areas of the armory buildings.

The DMNA Response: DMNA has requested clarification from the National Guard Bureau's Army National Guard Directorate (NGB-ARNG) on standards for allowing public access in federally supported armories.

The DMNA Corrective Action: DMNA has requested clarification, and has provided-suggested clarifying language to NGB-ARNG. To date, no response or published updated guidance has been received. Until the NGB-ARNG responds, this item will remain open. DMNA's DIA confirmed that the request for clarification was submitted.

OSC Recommendation - Ensure that new staff receive lead hazard awareness training upon hire and that this training is provided to all staff annually.

The DMNA Response: DMNA will conduct general awareness lead hazard training on an annual basis for all facility occupants.

The DMNA Corrective Action: Due to the priority of the COVID-19 response and the need to update the syllabus and materials for lead hazard awareness training, training has not been completed. There is a plan to update the training materials and to conduct the awareness program with expected completion by June 30, 2021. DMNA's DIA has reviewed the plan to update and conduct the training. DMNA's DIA will monitor progress of the training plan to include participation levels.

The point of contact in this matter is Patrick Center, Chief of Staff, State at (518) 786-6125 or patrick.j.center.nfg@mail.mil.

Sincerely,



Raymond F. Shields, Jr.
Major General, New York Army
National Guard
The Adjutant General

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President Pro Tem of the Senate
Minority Leader of the Senate
Speaker of the Assembly
Majority Leader of the Assembly

Minority Leader of the Assembly
Chair, Senate Finance Committee
Ranking Minority Member, Senate Finance Committee
Chair, Assembly Ways and Means Committee
Ranking Minority Member, Assembly Ways and Means Committee