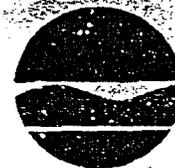


**New York State Department of Environmental Conservation**  
50 Wolf Road, Albany, New York 12233-7255  
518-457-2225 FAX 518-485-8390

117182



Acting Commissioner

Jun 7 3 41 PM '94

June 2, 1994

[REDACTED]  
Site Manager  
Former Sites Restoration Division  
U.S. Department of Energy  
Oak Ridge Field Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

Dear [REDACTED]

As a result of the closing of the Seaway/BFI Site in Tonawanda, New York, the issue of legal ownership of the 11(e)2 materials on this site has become important to address. In order for this Department to properly analyze the closure of this site, we need to know the Department of Energy position on the ownership of the 11(e)2 materials on this site, which has already been designated a FUSRAP site by your Department.

Therefore, please advise me, by letter if possible, at what point in your FUSRAP process the Department of Energy takes legal title and possession of the 11(e)2 materials on a site it has determined has MED wastes. Your prompt assistance in this matter is deeply appreciated, since it may affect the Seaway/BFI landfill closure.

Sincerely yours,

[REDACTED]  
Chief, Bureau of Radiation  
Division of Hazardous Substances  
Regulation

PJM/

cc: [REDACTED] DOE