



CITY OF TONAWANDA, NEW YORK

OFFICE OF THE MAYOR

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[REDACTED]
Mayor

[REDACTED]
Interim Administrative Assistant

[REDACTED]
Executive Secretary

October 28, 2008

[REDACTED]
District Commander
Department of the Army
Buffalo District, Corps of Engineers
FUSRAP Team
1776 Niagara Street
Buffalo, New York 14207-3199

**Re: FUSRAP Seaway Landfill, River Road, Town of Tonawanda
Comments on Proposed Corps Remediation Plan.**

Dear Lt. [REDACTED]:

As Mayor of the City of Tonawanda, New York (city), a municipality of 16,000 residents immediately adjacent to the Town of Tonawanda and the Seaway Landfill, this will provide city comment on the Corps proposed remediation plan for Seaway. This will also serve as the city's strong concurrence with the position being advocated by Town of Tonawanda Supervisor Tony Caruana; namely that Corps Alternative 2, removal and excavation be adopted and executed, as opposed to the Preferred Alternative 6 containment and capping option, both contained in the Corps Proposed Plan.

In this matter, the federal government's primary concern, duty and obligation should be protecting the public from the serious hazardous condition created by that same government. Clearly, those responsibilities are best achieved by removing the radioactive material from the Seaway Landfill. Removal, rather than containment, Alternative 2 rather than Alternative 6, is without question, from a common sense perspective, the approach that better protects public health and safety. Due to public health concerns and the FUSRAP related material, the federal government has a responsibility to do more than simply meet minimum CERCLA threshold criteria. CERCLA balancing criteria should also be a vital component included in the Corps decision-making process.

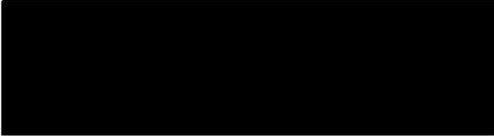
Compromising and qualifying public safety considerations with financial ones, is bad public policy, and simply the wrong thing to do. Even if one were to use cost considerations as a basis of preferring Alternative 6 relative to Alternative 2, any cost/benefit analysis would be flawed if future, potential impact costs were not calculated or estimated in the analysis. Absent those calculations, the costs used to justify Alternative 6 would be seriously understated and artificially low. Unless Alternative 6 fully and prudently factors in the potential for future, increased medical and environmental costs that could occur, and lost economic development opportunities, and as measured against Alternative 2, the fundamental basis for selecting Alternative 6 is fatally flawed.

SEA_0027

For these and many more reasons, I strongly urge the Corps formally adopt and execute Alternative 2, fully excavate, remove and dispose the radioactive material from the Seaway Landfill as the recommended course of action. A public put in harms way deserves nothing less.

Thank you for your consideration and your efforts in addressing this very important public policy issue and for providing additional time for public comment.

Sincerely,



Mayor

cc: Hon Carleton R. Zeisz, Common Council President
City of Tonawanda Common Council Members
Hon Anthony F. Caruana, Supervisor, Town of Tonawanda
Hon. Charles Schumer, US Senate
Hon. Hilary Clinton, US Senate
Hon. Louise M. Salughter, US House of Rep.
Hon. Antione Thompson, NYS Senate
Hon. Robin Schimminger, NYS Assembly
Hon. Michele Iannello, EC Legislature
file



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