



**US Army Corps
of Engineers**
Buffalo District

Record of Decision Issued for Mudflats Operable Unit of Tonawanda Landfill

The US Army Corps of Engineers (the Corps) signed the Record of Decision for the Mudflats Operable Unit of the Tonawanda Landfill Vicinity Property, located in Tonawanda, NY, on September 30, 2008.

The Corps, as lead agency under the Formerly Utilized Sites Remedial Action Program (FUSRAP), has determined that no action is warranted because the human health risks, for all media, from radium, uranium and thorium present in the Mudflats Operable Unit, are within the risk limits established in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) for both the current and reasonable future site uses. The Corps has identified the reasonable future site use for the Mudflats Operable Unit as commercial/industrial.

Comments received on the Tonawanda Landfill Vicinity Property Proposed Plan that pertained to the Mudflats Operable Unit were considered in this decision, and specific responses are included as an Appendix of the Record of Decision. The Landfill Operable Unit of the Tonawanda Landfill Vicinity Property will be addressed separately.

The Record of Decision is available for review in the Tonawanda Landfill Vicinity Property Administrative Record File in the Tonawanda Public Library, 333 Main Street, Tonawanda, NY 14150. The administrative record is also available for review by appointment in the Buffalo District Office located at 1776 Niagara Street in Buffalo, NY.

Copies are available by written request or on the Tonawanda Landfill Public Website at: <http://www.lrb.usace.army.mil/fusrap/landfill>.

FUSRAP follows the phased process required in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

For further information on the Mudflats Operable Unit of the Tonawanda Landfill Vicinity Property, please call (800) 833-6390 or email fusrap@usace.army.mil.

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of the City of Buffalo, New York, being duly sworn, deposes and says that he/she is Principal Clerk of THE BUFFALO NEWS, DIV. OF BERKSHIRE HATHAWAY, INC., Publisher of the BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 time, the insertion being on the 5th day of, November 20

[REDACTED]

Date Ad Ran: 11/5/08

Sworn to before me this 12th day of, November, 2008.

[REDACTED]

Notary Public, Erie County, New York

RENEE SPATES
NOTARY PUBLIC, STATE OF NEW YORK
NO. 63,6734
CERTIFICD IN ERIE COUNTY
MY COMMISSION EXPIRES 06/07/20 11