



Mr. Tod Davidson
Account Executive
Modern Landfill Inc.
Model City, NY 14107

Attached please find waste characterization forms for asbestos containing material (ACM) removed from portions of the former Lake Ontario Ordnance Works (LOOW) by Modern Environmental. Following decommissioning, the former LOOW was used by the AEC as a storage facility, later designated the Niagara Falls Storage Site (NFSS). Due to storage activities, portions of the property may have been contaminated by radiation. The Department of Energy conducted a remedial investigation of the area in which properties adjacent to the NFSS were given "Vicinity Property" designations. The property from which this ACM was removed was designated Vicinity Property H and Vicinity Property T during the investigation (see attached page I-3 of the Certification Docket for the Remedial Action at the Niagara Falls Storage Site...). During the remedial investigation, it was concluded that Vicinity Property H did not require a remedial action (RA) (see attached page II-73 of the Certification Docket for the Remedial Action at the Niagara Falls Storage Site...). Vicinity Property T did require a remedial action. The remedial action was performed and Vicinity Property T was certified as being decontaminated for radiological waste. This certification was placed into the Federal Register (see attached pages II-97 and II-98 of the Certification Docket).

Additional investigations were performed in the same area of the ACM removal for characterization of possible impacts from the TNT and Air Force Plant. During these investigations, surface soil samples were collected from the area designated Area 7 (see Figure designated "Area 7"). A concrete pad within Area 7 is the area from which the friable ACM was removed. The results of the surface soil sampling, as well as a site sketch is attached for review.

In addition, it should be noted that a representative of the generator, the U.S. Army Corps of Engineers, has signed the NYSDEC Application for Treatment or Disposal of an Industrial Waste Stream. However, page 3 of the Waste Characterization Packet has not been signed to date. A signature for this page will be forthcoming.

If you have any questions, please do not hesitate to call Mike Bull of Modern Environmental, or Jeff Smith/Sandra Staigerwald of EA Engineering.

Sincerely,

A handwritten signature in black ink that reads 'Sandra M. Staigerwald'. The signature is written in a cursive, flowing style.

Sandra M. Staigerwald

Cc: Jeff Smith
Gordy Porter
Mike Bull
George Knight

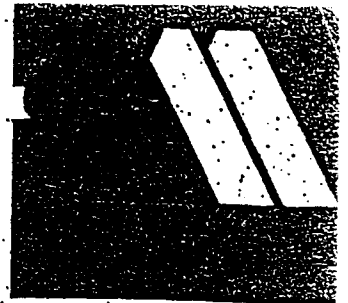
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MODERN LANDFILL INC

GENERATOR WASTE CHARACTERIZATION REPORT



To The Waste Generator:

This package contains the forms required to gain approval for disposal of acceptable waste at Modern Landfill, Inc.: If you should require assistance completing this form, please contact this office.

1. Fully complete this Generator Waste Characterization Form and sign the certifications.
2. Return completed form along with the proper analytical data to this office. Please note: All analysis must be completed by a NYS Certified Laboratory, and contain all QA/QC and information along with the chain of custody. As of June 15, 1993, Matrix Spike information is no longer necessary to obtain an approval.
3. Modern Landfill must be in receipt of the Hauler's Certificate of Insurance and copy of approved Part 364 prior to waste shipment.
4. Out of State Generators using the NYS Hazardous Waste Manifest must have the manifest approved by this office prior to shipment.
5. A copy of the 47-19-7 Application will be forwarded to you upon approval of the waste by Modern Landfill. The application number provided on the approved 47-19-7 form is necessary to schedule at Modern Landfill.
6. Faxed copies of applications will not be accepted. Original Signatures only!!
7. Annual updates are required for on-going waste streams only and should include this form and analysis. One time only approvals, generic or 47-19-7 applications, are not required to be updated. The paperwork should be submitted 30 days prior to the expiration of the approval (one year from date approved) to insure no lapse in approval occurs. To further assist you, we have enclosed a copy of the 47-19-7 application which requires updating.

Scheduling: To schedule an approved waste into the landfill, please contact the Landfill Scalehouse at (716) 754-8226. Please provide the approval number located in the upper right hand corner of the approved 47-19-7 application when scheduling.

If you are not an existing customer or need assistance with transportation, please contact our Sales Department prior to scheduling.

PO BOX 209, MODEL CITY, NY 14107-0209
TELEPHONE: (716) 754-8226 FAX: (716) 754-2355
WATTS LINE: (800) 662-0012

MODERN CORPORATIONS ■ 4746 Model City Road, P.O. Box 209, Model City, N.Y. 14107-0209
■ (716) 754-8226 ■ 1-800-662-0012 ■ FAX: (716) 754-8964

PHYSICAL CHARACTERISTICS OF WASTE

The waste is at least 20% solid and contains no free liquid	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
The Flashpoint of the waste is >140 F	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
The pH level of the waste is between 2.0 and 12.5	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the waste reactive (Cyanide/Sulfide)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the waste free of PCBs?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Color: <u>Gray</u>	Odor: <input type="checkbox"/> Strong <input type="checkbox"/> Mild <input checked="" type="checkbox"/> None

TCLP TESTING AND CERTIFICATION

METALS

See attached

CONSTITUENT	NON-HAZARDOUS		PRESENT	NOT PRESENT
	LIMIT (mg/l)			
ARSENIC	5.0			
BARIUM	100.0			
CADMIUM	1.0			
CHROMIUM	5.0			
LEAD	5.0			
MERCURY	0.2			
SELENIUM	1.0			
SILVER	5.0			

HERBICIDES/PESTICIDES See attached

CONSTITUENT	NON-HAZARDOUS		PRESENT	NOT PRESENT
	LIMIT (mg/l)			
2,4-D	10.0			
2,4,5-TP (SILVED)	1.0			
ENDRIN	0.02			
LINDANE	0.4			
METHOXYCHLOR	10.0			
TOXAPHENE	0.5			
CHLORDANE	0.03			
HEPTACHLOR	0.008			

ACID EXTRACTABLES

See attached

CONSTITUENT	NON-HAZARDOUS		PRESENT	NOT PRESENT
	LIMIT (mg/l)			
O-CREOSOL	200.0			
M-CREOSOL	200.0			
P-CREOSOL	200.0			
PENTACHLOROPHENOL	100.0			
2,4,5-TRICHLOROPHENOL	400.0			
2,4,6-TRICHLOROPHENOL	2.0			

BASE NEUTRALS EXTRACTABLES See attached

CONSTITUENT	NON-HAZARDOUS		PRESENT	NOT PRESENT
	LIMIT (mg/l)			
1,4-DICHLOROBENZENE	7.5			
2,4-DINITROTOLUENE	0.13			
HEXACHLOROBENZENE	0.13			
HEXACHLOROBUTADIENE	0.5			
HEXACHLOROETHANE	3			
NITROBENZENE	2			
PYRIDINE	5			

VOLATILE ORGANICS

See attached

CONSTITUENT	NON-HAZARDOUS		PRESENT	NOT PRESENT
	LIMIT (mg/l)			
1,1-DICHLOROETHYLENE	0.7			
METHYL ETHYL KETONE	200.0			
TETRACHLOROETHYLENE	0.7			
VINYL CHLORIDE	0.2			
BENZENE	0.5			
CARBON TETRACHLORIDE	0.5			
CHLOROBENZENE	100.0			
CHLOROFORM	0.0			
TRICHLOROETHYLENE	0.5			
1,2-DICHLOROETHANE	0.5			

CERTIFICATION

I CERTIFY THAT ALL INFORMATION CONTAINED WITHIN THIS GENERATOR WASTE CHARACTERIZATION REPORT, INCLUDING ALL ATTACHED INFORMATION, IS COMPLETE AND ACTUAL AND IS AN ACCURATE REPRESENTATION OF KNOWN OR SUSPECTED HAZARDS DESCRIBED HEREIN.

SIGNATURE:

Raymond L. Pilon

PRINTED NAME:

Raymond L. Pilon

TITLE:

Project Manager

COMPANY:

U.S. Army Corp of Engineers

DATE:

7/11/2000

GENERATOR WASTE CHARACTERIZATION REPORT

INSTRUCTIONS: The following form is required for disposal of nonhazardous industrial/commercial wastes at Modern Landfill. Please complete all sections of this report. Send completed report along with the analytical, chain of custody and the Application for Disposal of an Industrial Waste Stream (47-19-7) to this office. A separate form is required for each waste stream.

GENERATOR INFORMATION:

Generator Name: U. S. Army Corps of Engineers

Generating Facility Address: 1550 Balmer Rd., Youngstown, NY

Technical Contact: Bill Kowalewski Phone: (716) 879-4419

Alternate Contact: Ray Pilon Phone: (716) 879-4146

INVOICING INFORMATION:

Contracting Firm: Modern Environmental Service

Contact: P. Michael Bull Phone: (716) 693-8076

Do you have an existing account with Modern Landfill? Yes No

Billing Address: 747 Erie Avenue, North Tonawanda, NY 14120

TRANSPORTER INFORMATION:

Hauler Name: Modern Disposal Service, Inc. NYSDEC Permit No. 9A-073

Contact Person: Tod Davidson Phone: (716) 754-8226

Is Modern Landfill currently on your Transporter Permit: Yes No

If no, please enclose a Part C Application to cover this waste stream.

WASTE INFORMATION:

Common name of waste: Non-Friable Asbestos, Transite - C & D
Friable Asbestos, Pipe Lagging - Bagged

Description of process generating this waste: Building Materials, Demo Clean-up at ^{Former} ~~Former~~ LOOW

Is this waste hazardous under US EPA Guidelines & 6NYCRR Part 371 (d)? Yes No

Indicate the category which best describes this waste stream:

- Industrial Waste
- Household Waste
- Commercial Solid Waste
- Construction & Demolition Debris
- Other (Please Specify) Asbestos

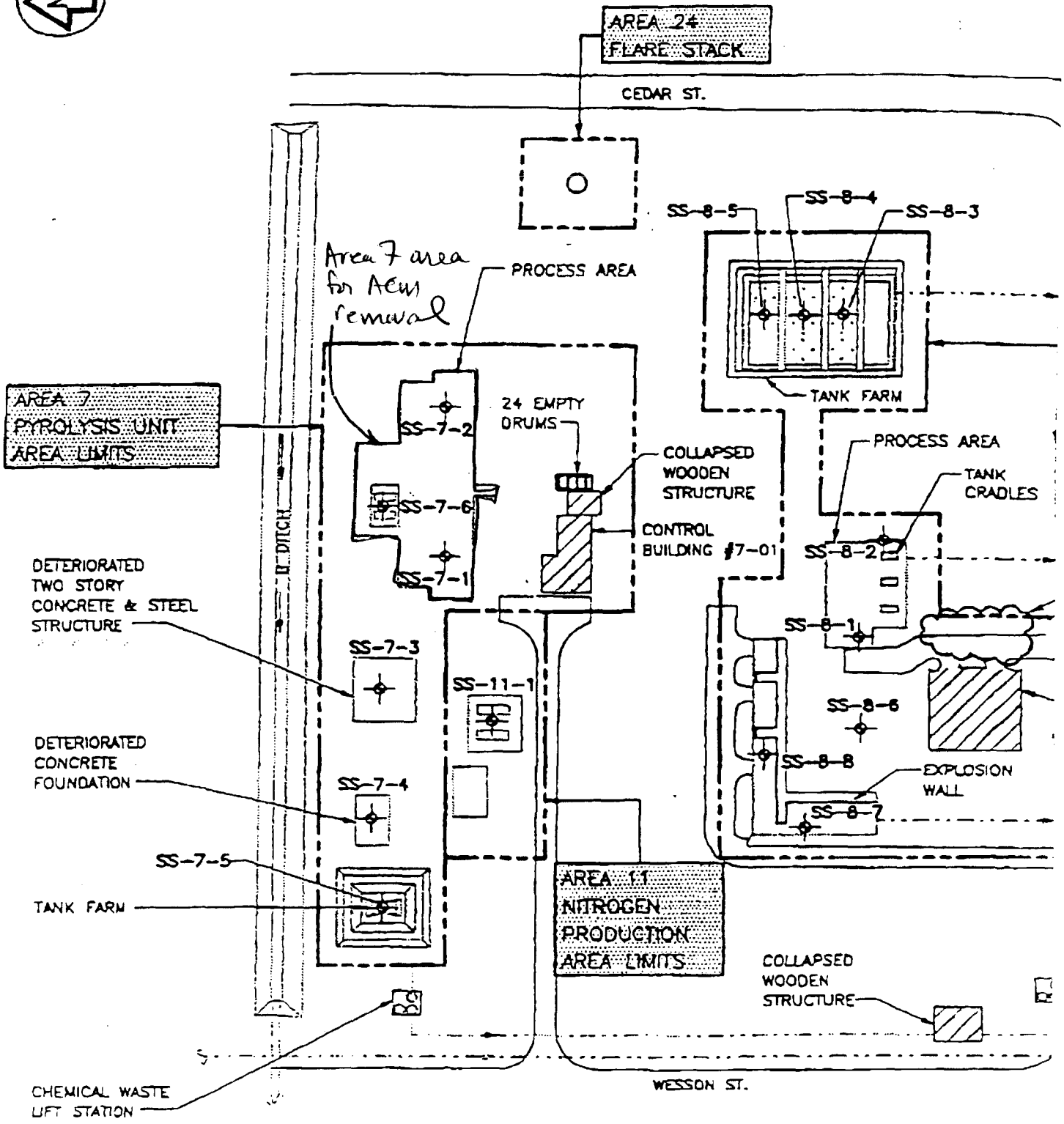
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 DIVISION OF SOLID AND HAZARDOUS WASTE • BUREAU OF HAZARDOUS WASTE OPERATIONS
 50 WOLF ROAD, ALBANY, NEW YORK 12233-4017

110.429 P. 4 FOR STATE USE ONLY		
SITE NO.	APPLICATION NO.	DATE RECEIVED
DEPARTMENT ACTION <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		DATE

APPLICATION FOR TREATMENT OR DISPOSAL OF AN INDUSTRIAL WASTE STREAM

SEE APPLICATION INSTRUCTIONS ON REVERSE SIDE

1. NAME OF PROJECT/FACILITY MODERN LANDFILL INC		2. COUNTY NIAGARA		3. SITE NUMBER 32N30	
4. NAME OF OWNER MODERN LANDFILL INC		5. ADDRESS (Street, City, State, Zip Code) 4746 MODEL CITY RD, MODEL CITY, NY		6. TELEPHONE NO. (716)754-8226	
7. NAME OF OPERATOR RICHARD WASHUTA		8. ADDRESS (Street, City, State, Zip Code) PLETCHER & HAROLD RD, MODEL CITY, NY		9. TELEPHONE NO. (716)754-8226	
10. METHOD OF TREATMENT OR DISPOSAL SANITARY LANDFILL - D90				14107	
11. COMPANY GENERATING WASTE U. S. Army Corps of Engineers			12. ADDRESS OF FACILITY GENERATING WASTE (Street, City, State, Zip Code) 1550 Balmer Rd., Youngstown, NY		
13. REPRESENTATIVE OF WASTE GENERATOR Bill Kowalewski		14. MAILING ADDRESS OF REPRESENTATIVE		15. TELEPHONE NO. 716-879-4419	
16. DESCRIPTION OF PROCESS PRODUCING WASTE Clean-up of Demolition Site.					
17. EXPECTED ANNUAL WASTE PRODUCTION 50 Tons/Year 1X Gallons/Year			18. WASTE HAULED IN <input type="checkbox"/> Drums <input type="checkbox"/> Bulk Tank <input checked="" type="checkbox"/> Roll-off Container <input type="checkbox"/> Other		
19. WASTE COMPOSITION 19a. Average Percent Solids 100%		19b. Physical State <input type="checkbox"/> Liquid <input type="checkbox"/> Slurry <input type="checkbox"/> Sludge <input checked="" type="checkbox"/> Solid <input type="checkbox"/> Contained Gas		19c. pH Range 2.0 to 12.5	
19d. COMPONENTS			CONCENTRATION (Dry Weight)		UNIT (Check one)
			Upper	Lower	Typical
1) Non-Friable Asbestos Transite					50%
2) Friable Asbestos					50%
3) _____					
4) _____					
20. IS AN ANALYSIS OF WASTE ATTACHED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		21. WAS AN EP TOXICITY TEST CONDUCTED ON THE WASTE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", attach results.		22. MATERIAL IS: <input type="checkbox"/> Hazardous <input checked="" type="checkbox"/> Non-Hazardous	
23. DETAIL ALL HAZARD AND NUISANCE PROBLEMS ASSOCIATED WITH THE WASTES. List necessary safety, handling, treatment, and disposal precautions.					
24. WHERE WAS MATERIAL DISPOSED OF PREVIOUSLY? N/A					
25. NAME OF WASTE TRANSPORTER		26. ADDRESS (Street, City, State, Zip Code)		27. NYSDEC PERMIT No.	28. TELEPHONE NO.
29. CERTIFICATION I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.					
a. SIGNATURE AND TITLE OF REPRESENTATIVE OF WASTE GENERATOR X <i>[Signature]</i> Project Manager				DATE 6/30/2000	
b. SIGNATURE AND TITLE OF REPRESENTATIVE OF TREATMENT OR DISPOSAL FACILITY X				DATE	



AREA 7

PHASE I ANALYTICAL RESULTS
PROCESS AREA 7

Parameter	SS-7-1 (ug/kg)	SS-7-2 (ug/kg)	SS-7-3 (ug/kg)	SS-7-4 (ug/kg)	SS-7-5 (ug/kg)	SS-7-6 (ug/kg)
VOLATILES						
Tetrachloroethene	0.6J	-	-	-	-	-
Acetone	-	8.0BJN	-	22BJ	10BJN	-
Trichloroethene	-	2.0J	0.7J	0.6J	-	-
Benzene	-	-	0.6J	-	-	-
2-Hexanone	-	-	-	9.0J	-	-
Methyl ethyl ketone	-	-	-	11J	-	-
4-Methyl 2-Pentanone	-	-	-	8.0J	-	-
1,1,2,2-Trichloroethane	-	-	-	2.0J	-	-
Toulene	-	-	-	-	-	-
Total Volatiles	0.6	2	1.3	52.6	-	-
Volatile TICs	-	-	-	-	-	-
SEMI-VOLATILES						
Di-n-butyl phthalate	360BJN	360BJN	330BJN	420BJN	430BJN	430BJN
Bis(2-ethylhexyl)phthalate	120J	160J	85J	45J	1200	380J
Phenanthrene	-	34J	-	-	120J	51J
Benzoic Acid	-	-	17J	-	-	-
Fluoranthene	-	-	-	-	140J	-
Benzo(b)fluoranthene	-	-	-	-	81J	-
Pyrene	-	-	-	-	-	-
Total Semi-Volatiles	120	194	102	45	1,541	431
Semi-Volatile TICs	21,980	18,740	10,440	20,860	22,420	78,140
PESTICIDES/PCBS						
Acochlor 1254	-	-	-	-	-	-
METALS						
Arsenic	5.0J	1.8J	4.9J	4.6J	5.1J	5.2J
Barium	114	85	96	101	93	96
Cadmium	0.62U	0.53U	0.5U	0.52U	0.53U	11
Chromium	31	18	21	16	16	17
Copper	33J	28J	36J	26J	30J	33
Lead	18	19	9.3	11	15	4.8U
Mercury	0.1U	0.1U	0.093U	0.1U	0.1U	0.1
Nickel	27	30	28	25	27	27
Selenium	0.56UR	0.55UR	0.52UR	0.57UR	0.54UR	0.59UR
Silver	1.2U	2.2	1.0U	1.0U	1.1U	4.0J
Zinc	46	73	52	44	64	51J
Lithium	20J	17J	21J	18J	15J	23
Boron	62U	53U	50U	52U	54U	23

Notes:

- B Indicates compound detected in blank.
- E Indicates compound concentration exceeds calibration range of analytical instrument.
- J Indicates an estimated concentration of the detected compound or an estimated concentration of the compound below the CRQL or CRDL.
- N Indicates a negated compound concentration.
- R Indicates a rejected compound concentration.
- NR Indicates analyses not run or required.
- U Indicates compound not detected at given detection limit.

Figure 1-3 in Work Plan for ACM Removal illustrates sample location points for Process Area 7 samples

CERTIFICATION DOCKET FOR THE REMEDIAL ACTION
PERFORMED AT THE NIAGARA FALLS STORAGE SITE
VICINITY PROPERTIES IN LEWISTON, NEW YORK,
FROM 1983 THROUGH 1986


JULY 1992

Prepared for

United States Department of Energy
Oak Ridge Field Office
Under Contract No. DE-AC05-91OR21949

By

Bechtel National, Inc.
Oak Ridge, Tennessee
Bechtel Job No. 14501

 Oak Ridge
Associated Universities Post Office Box 117
Oak Ridge, Tennessee 37831-0117
March 10, 1989

11-00000
11-00000
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Mr. James J. Fiore, Director
Division of Facility and Site
Decommissioning Projects
Office of Nuclear Energy
U.S. Department of Energy
Washington, DC 20545

Subject: VERIFICATION LETTER FOR NIAGARA FALLS STORAGE SITE VICINITY
PROPERTIES - 1985/1986 REMEDIAL ACTIONS

Dear Mr. Fiore:

Oak Ridge Associated Universities (ORAU) has performed independent verification activities on vicinity properties at the Niagara Falls Storage Site (NFSS), which were remediated during the 1985 and 1986 construction seasons. These activities have included document reviews, confirmatory sample analyses, and independent site surveys. Based on our findings, it is ORAU's opinion that remedial actions have been effective in meeting the established DOE radiological guidelines at the following NFSS vicinity properties.

- | | |
|-------------|--------------------------|
| Property B | Property P |
| Property C' | Property T |
| Property D | Property W |
| Property E' | Pletcher Road |
| Property F | Anomalies AA, BB, and CC |
| Property G | |

Additional vicinity properties at NFSS were verified earlier, and a verification letter for those activities were provided on October 21, 1986. The only remediated vicinity property for which a verification statement cannot be issued at this time is N/N' North. A verification letter for that property will be provided following resolution of several minor issues. Reports, describing the verification activities and findings, are being prepared.

If I can be of further assistance, please contact me at FTS 626-3305.

Sincerely,



James D. Berger, Manager
Radiological Site Assessment Program

JDB:jls

- cc: A. Wallo, DOE/NE
P. Gross, DOE/ORO/TSD
B. Atkin, DOE/ORO/TSD
G. Hovey, BNI

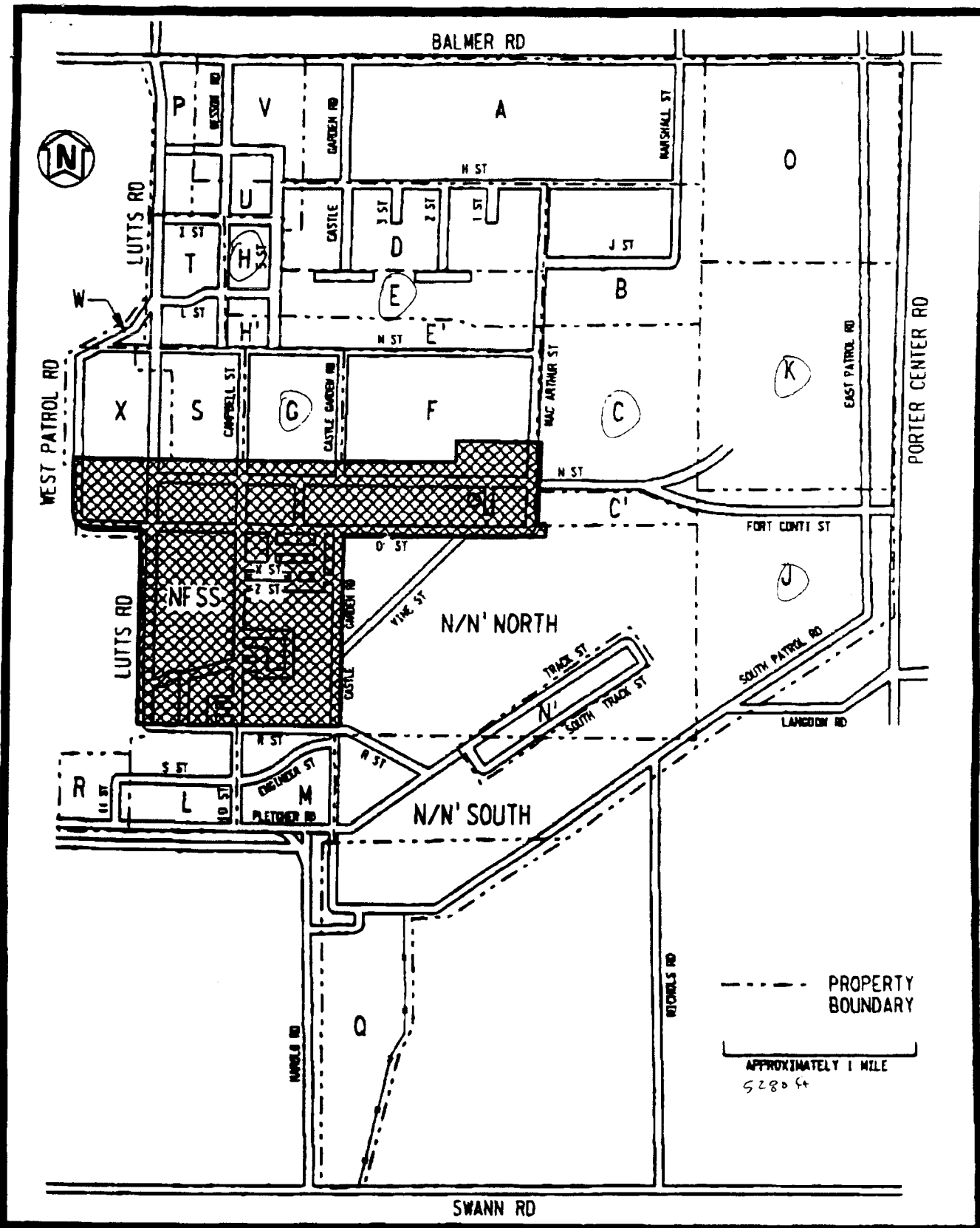


FIGURE 1-2 NIAGARA FALLS STORAGE SITE AND VICINITY PROPERTIES, LEWISTON, NEW YORK

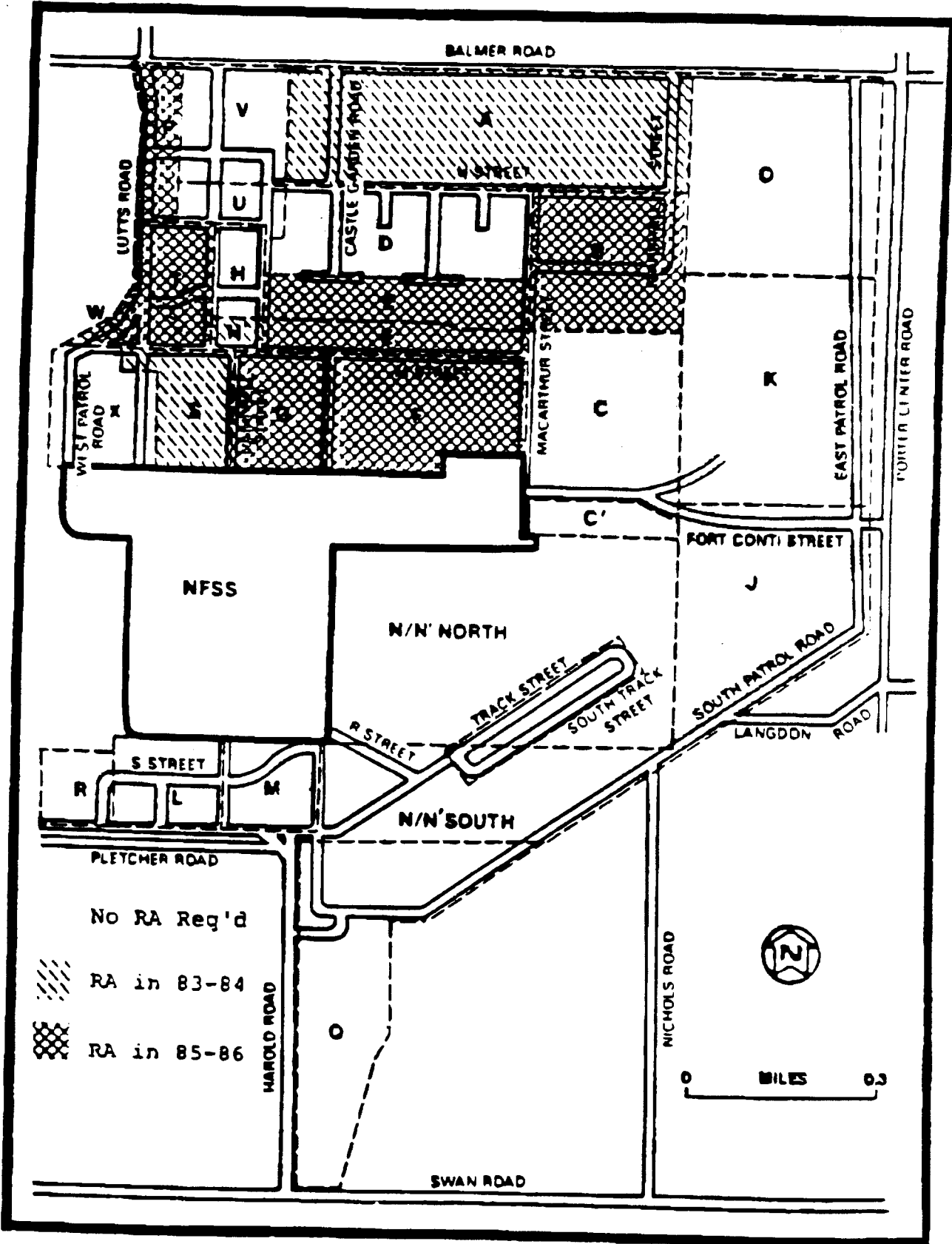


FIGURE 1 LETTER-DESIGNATED VICINITY PROPERTIES

Notice of Certification: Niagara Falls Site Vicinity Properties and With the Former Manhattan District (MED) Atomic Energy Commission (AEC) Operations

Former Sites Restoration Division DOE Field Office, Oak Ridge, has certified the radiological data obtained from the remedial action at the sites listed below. Based on this certification DOE is certifying that the sites listed below are in compliance with DOE decontamination and standards. This certification provides assurance that release of the properties will result in radiological exposure above the guidelines established to protect members of the general public or the environment. Accordingly, the properties are released from JSRAP.

A—as described in the deed, 588, pages 513 and 516 and liber page 752.

B—as described in the deed, 588, page 516, and liber 1599, page 13.

C—as described in the deed, 583, page 342.

D—as described in the deed, 599, page 513, liber 1588, page 1503, page 752, and liber page 33.

F—as described in the deed, 588, pages 513 and 516.

H—as described in the deed, 728, page 33.

L—as described in the deed, 153, page 292.

M—as described in the deed, 153, page 292.

N/N' North—as described in the deed, liber 1883, page 342.

N/N' South—as described in the deed, liber 2153, page 292.

P—as described in the deed, 588, page 519.

Q—as described in the deed, 169, page 74.

R—no deed reference.

S—as described in the deed, 568, page 762, and liber 1728, page 33.

T—as described in the deed, 588, page 519, liber 1503, page 1503 and liber 1728, page 33.

U—as described in the deed, 588, page 519, liber 1503, page 1503 and liber 1728, page 33.

V—as described in the deed, 588, page 513, 516 and 519, liber page 752.

W—as described in the deed, 728, page 33, and liber 1567, page 62.

X—as described in the deed, 728, page 33, and liber 1567, page 62.

Properties located along the Central Drainage Ditch owned by the Somerset Group, Inc. (as described in the deed, liber 1503, page 752, New York Army National Guard (no deed reference), Mr. Roderick T. Tower (as described in the deed, liber 1387, page 409), Mr. George J. Wolf (as described in the deed, liber 1964, page 243), Mr. Richard Kahl and Robert Hille (as described in the deed, liber 1513, page 773), Town of Porter (no deed reference), and Niagara Falls County (no deed reference).

Areas along Pletcher Road extending from the intersection of Campbell Street and Pletcher Road to Creek Road, owned by the Town of Lewiston (no deed reference).

Areas located at the junction of Highways 18 and 104, referred to as Anomaly AA, owned by the people of the State of New York (no deed reference).

Areas located near the junction of Highway 31 and Military Road, referred to as Anomaly BB, owned by Angelo F. and Joseph S. Lauduca (as described in the deed, liber 2175, page 100).

Areas located near the junction of Buffalo Avenue and Hyde Park Boulevard, referred to as Anomaly CC, owned by the City of Niagara Falls (no deed reference).

Dated: October 17, 1991.

Paul Grimm,

Acting Director, Office of Environmental Restoration and Waste Management.

[JFR Doc. 91-25761 Filed 10-24-91; 8:45 am]

BILLING CODE 9450-01-M

Federal Energy Regulatory Commission

[Docket Nos. QF91-187-001, et al.]

Seneca Power Partners, L.P., et al.; Electric rate, Small power production, and Interlocking Directorate filings

Take notice that the following filings have been made with the Commission:

1. Seneca Power Partners, L.P.

[Docket No. QF91-187-001]

October 17, 1991.

On October 7, 1991, Seneca Power Partners, L.P. tendered for filing an amendment to its filing in this docket.

The amendment provides additional information pertaining primarily to technical data and the ownership structure of the cogeneration facility.

Comment date: November 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

2. Central Vermont Public Service Corporation

[Docket No. ER92-69-000]

October 18, 1991.

Take notice that Central Vermont Public Service Corporation (CVPS) on October 7, 1991, tendered for filing as an initial rate schedule a contract under which CVPS has agreed to sell 2,000 KW System Capacity and Energy associated therewith to the Village of Ludlow Electric Department.

CVPS requests the Commission to waive its notice of filing requirements to permit the rate schedule to become effective as of October 31, 1987.

Comment date: November 1, 1991, in accordance with Standard Paragraph E at the end of this notice.

Central Power and Light Co. West Texas Utilities Co.

[Docket No. ER92-87-000]

October 18, 1991.

Take notice that on October 7, 1991, West Texas Utilities Company (WTU) and Central Power and Light Company (CPL) tendered for filing the transmission service agreements listed below:

WTU Agreements

1. Agreement for Planned Capacity Transmission Wheeling Service for the Texasgulf Transaction between TU Electric, WTU and Texasgulf, Inc.

2. Agreement for As Available Transmission Wheeling Service for the Texasgulf Transaction, between TU Electric, WTU and Texasgulf, Inc.

3. Agreement for Planned Capacity Transmission Wheeling Service for the Cogenron Transaction between TU Electric, WTU and Cogenron, Inc.

4. Agreement for As Available Transmission Wheeling Service for the Cogenron Transaction, between TU Electric, WTU and Cogenron, Inc.

5. Agreement for As Available Transmission Wheeling Service for the Cogen Lyondell Transaction between TU Electric and WTU

6. Agreement for AS Available Transmission Wheeling Service for the Dow Chemical Transaction between TU Electric and WTU

7. Letter Agreement for Transmission Wheeling Service for the AES-Deepwater Transaction between TU Electric and WTU

CPL Agreements

1. Agreement for Planned Capacity Transmission Wheeling Service for the Texasgulf Transaction between TU Electric, CPL and Texasgulf, Inc.

matters which are informative to the public consistent with the policy of title 5 U.S.C. 552b will be available to the public within 14 days of the meeting.

The full Council will meet in open session on Friday, November 8, 1991 from 9 a.m. to approximately 4 p.m. for an informational business meeting. This portion of the meeting is open to the public and will include a staff report, presentation from Dr. John Tippeconnic, Director, Office of Indian Education, staff report from the Bureau of Indian Affairs Higher Education Office, Alan Lovesee, House Education and Labor Committee, and Donna Leno, Indian Health Service.

Records shall be kept of all Council proceedings open to the public and shall be available for public inspection at the office of the National Advisory Council on Indian Education located at 330 C Street SW., room 4072, Washington, DC 20202-7556.

John T. MacDonald,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 91-25576 Filed 10-24-91; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Certification of the Radiological Condition of Certain Niagara Falls Storage Site Vicinity Properties in Lewiston, NY Following Cleanup Activities From 1983 Through 1986

AGENCY: Office of Environmental Restoration and Waste Management, Department of Energy.

ACTION: Notice of certification.

SUMMARY: The Department of Energy has completed radiological surveys and taken remedial action to decontaminate certain properties in Lewiston, Niagara Falls, and Porter, New York. These properties, located near or adjacent to the Department's Niagara Falls Storage Site, were found to contain quantities of radioactive material from early Manhattan Engineer District/Atomic Energy Commission activities. The Department has certified that these properties are in compliance with DOE decontamination criteria and standards and that future use of the properties will result in no radiological exposure above current applicable radiological guidelines established to protect members of the general public or site occupants.

FOR FURTHER INFORMATION CONTACT: James J. Fiore, Director, Division of Eastern Area Programs, Office of Environmental Restoration and Waste Management (EM-42), U.S. Department

of Energy, Washington, DC 20585, 301-353-8141.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE), Office of Environmental Restoration and Waste Management, Division of Eastern Area Programs, implemented two remedial action projects, one on the Niagara Falls Storage Site (NFSS) and the other on properties in its vicinity in the Lewiston, New York, area referred to herein as "the NFSS vicinity properties." The NFSS on-site remedial action was managed by DOE's Surplus Facilities Management Program (SFMP). The off-site work associated with remediation of NFSS vicinity properties is being administered by DOE's Formerly Utilized Sites Remedial Action Program (FUSRAP) under the direction of the Office of Environmental Restoration and Waste Management, Division of Eastern Area Programs, Off-Site Branch. The objective of SFMP is to manage and plan the ultimate disposition of surplus DOE-owned facilities and to ensure that properties contaminated as a result of activities of either DOE or DOE's statutory predecessors can be certified to be in compliance with DOE decontamination criteria and standards. The SFMP assigned the NFSS project to the Former Sites Restoration Division of the DOE Field office, Oak Ridge (OR) which is also the DOE lead field office for FUSRAP.

Both NFSS and NFSS vicinity properties were part of the U.S. Army's original 3,035-ha (7,500-acre) Lake Ontario Ordnance Works (LOOW), which was constructed and used for TNT production early in World War II. The site never went into TNT production and was subsequently reassigned to the Army Corps of Engineers—Manhattan Engineer District (MED). From 1944 to 1947, the MED used by LOOW to store uranium ore processing residues from a ceramics plant. By 1948, 2,428 ha (6,000 acres) of the LOOW had been transferred or sold by the War Assets Administration. Ownership of the remaining 607 ha (1,500 acres) was given to the newly formed Atomic Energy Commission (AEC). AEC continued to use the 607-ha (1,500-acre) LOOW site to store additional residues. In addition to the storage of uranium ore processing residues, LOOW was also used for interim storage of uranium metal billets (rods) and as a disposal site for radioactive wastes. On-site storage operations had ceased by 1953, and an on-site steam plant was modified to separate nonradioactive isotopes of boron. The plant was in operation between 1953 and 1959 and again

between 1965 and 1971. During the first period, a major cleanup of the site included consolidating and removing surface debris and shipping most of these wastes to Oak Ridge, Tennessee. Radioactively contaminated soils and residues were left at the site. From 1955 to 1975, more than 526 ha (1,300 acres) of the LOOW were transferred or sold to private concerns, leaving 77 ha (191 acres) at the current NFSS.

As a result of these operations, some portions of the former LOOW—other than the present NFSS—were also contaminated. In addition, some of the radioactive materials stored at NFSS over the years were subject to water and wind erosion or otherwise migrated off-site onto other properties. DOE refers to all of the above contaminated properties as "the NFSS vicinity properties." DOE surveyed the NFSS vicinity properties for remedial action under FUSRAP and developed a remedial action plan to remove contamination from the NFSS vicinity properties.

From 1983 to 1986, the NFSS vicinity properties listed below were decontaminated. The contaminated materials were disposed of at a waste containment facility located on NFSS. Post-remedial action surveys have demonstrated—and DOE has certified—that the listed properties are in compliance with DOE decontamination criteria and standards and that future use of the properties will result in no radiological exposure above current applicable radiological guidelines established to protect members of the general public or site occupants. These findings are supported by the DOE Certification Docket for the Remedial Action Performed at Niagara Falls Storage Site Vicinity Properties in Lewiston, New York, from 1983 through 1986. Accordingly, these properties are released from FUSRAP.

The certification docket will be available for review between 9:00 a.m. and 4:00 p.m., Monday through Friday (except for Federal holidays) in the Department of Energy Public Reading Room located in room 1E-190 of the Forrestal Building, 1000 Independence Avenue SW., Washington, DC. Copies of the certification docket will also be available in OR's Public Document Room in Oak Ridge, Tennessee, and at the Lewiston Public Library, 505 Center Street, Lewiston, New York, 14092.

The Department of Energy, through OR's Former Sites Restoration Division, has issued the following statement: