



DEPARTMENT OF THE ARMY

BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF

FEB 18 2010

Executive Office

SUBJECT: Seaway FUSRAP Site Record of Decision

Honorable [REDACTED]
New York State Senate
Walter J. Mahoney State Office Building
[REDACTED]
Buffalo, New York 14202

Dear Senator [REDACTED]

Thank you for your input regarding the Record of Decision (ROD) for the Seaway Formerly Utilized Sites Remedial Action Program (FUSRAP) Site, expressed in your letter dated 22 December 2009. The Corps of Engineers understands your concern over the selected remedy documented in the Record of Decision, Alternative 6: Containment with Limited Offsite Disposal.

As part of the remedy selection process, the Corps conducted a thorough evaluation of the nine remedy evaluation criteria specified in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Based on this evaluation, the Corps determined that Alternative 6: Containment with Limited Offsite Disposal, presented the best balance of the evaluation criteria, while being protective of human health and the environment and complying with all applicable or relevant and appropriate requirements. In particular, the selected remedy avoids the potential risk of exposure to site workers and the public to the FUSRAP materials and other hazardous materials that could occur with excavation within the landfill.

The Record of Decision commits the Federal Government to ensuring that the selected remedy remains protective of human health and the environment for the life of the remedy.

With regard to your specific question about the extent of removal of FUSRAP material from the Seaway Southside Area; as with the remainder of the site, all of the FUSRAP material in Seaway Southside that is within the landfill containment system will remain in place under the selected remedy. Only the FUSRAP material that is outside of

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the landfill containment system in Seaway Southside will be removed and sent offsite for disposal, as shown in Figure 4-4 of the Feasibility Study Addendum for the Seaway Site, which is attached.

Thank you again for your continued interest in the Seaway Site. Please feel free to call [REDACTED] the Seaway Site Project Manager, at [REDACTED] if you have any questions.

Sincerely,

A large black rectangular redaction box covering the signature of the sender.

Lieutenant Colonel, Corps of Engineers
District Commander

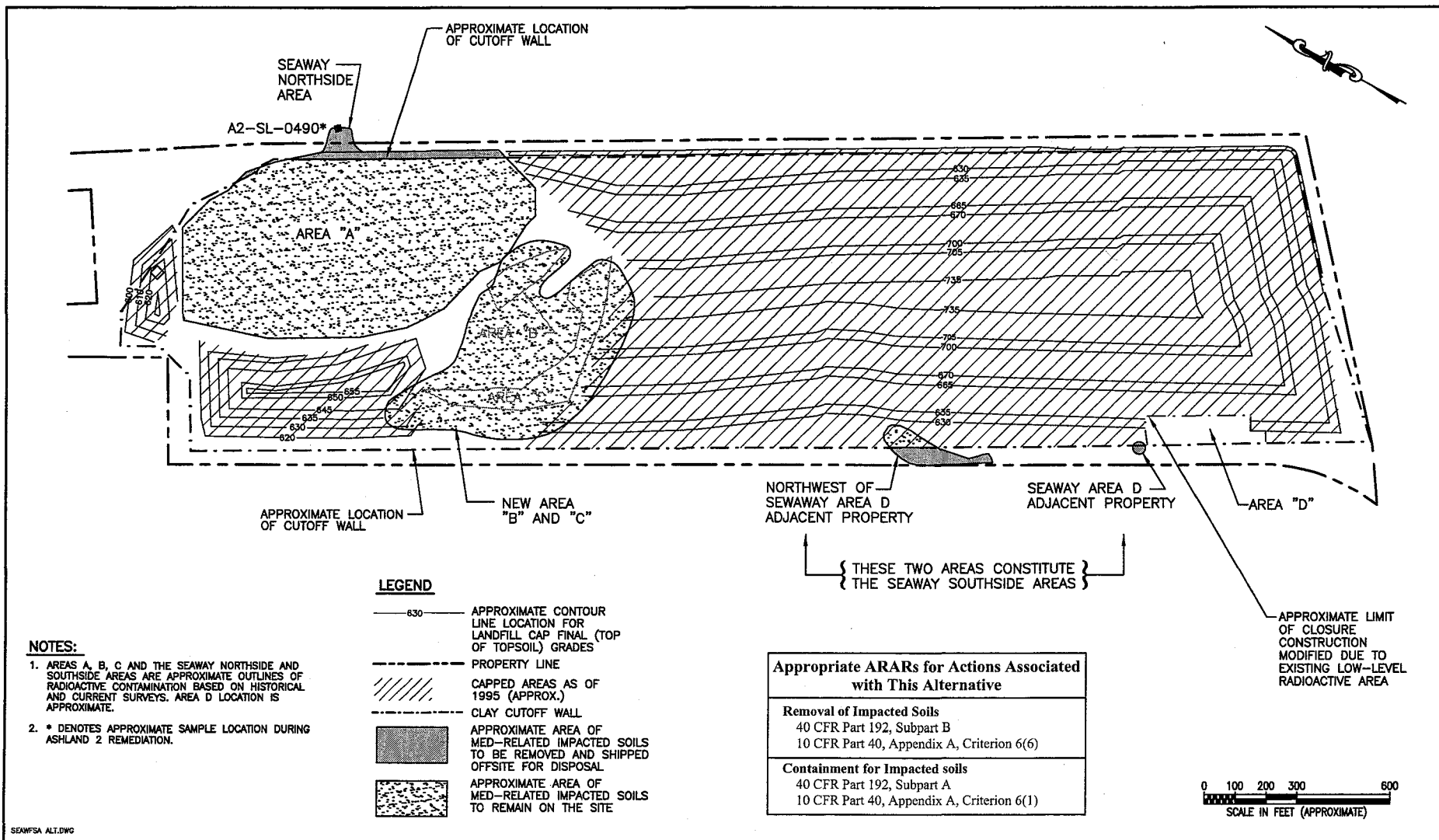


FIGURE 4-4
CONCEPTUALIZATION OF ALTERNATIVE 6: CONTAINMENT