

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials, Region 9

270 Michigan Avenue, Buffalo, New York, 14203-2999

Phone: (716) 851-7220 FAX: (716) 851-7226



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R. Wilson, CC

July 31, 1998

[REDACTED], P.E., DEE
Senior Associate
Malcolm Pirnie, Inc.
40 Centre Drive
P. O. Box 1938
Buffalo, New York 14219-0138

Dear [REDACTED]:

Town of Tonawanda Landfill, #15S29
Soils From I-290 Reconstruction Project

This is in response to your letter dated July 24, 1998 which requests the Department's approval for the Town of Tonawanda to accept clean excess soil generated during the I-290 reconstruction project, for use at the Town's landfill. The Town proposes to use the soil as subgrade material in the USDOE and Americium-241 disposal areas in order to achieve the required additional cover thickness. The soil may also be stockpiled for future use as either clean fill or barrier protection layer material. It has been estimated that approximately 50,000 cubic yards of soil will be available this year, with an additional 100,000 cubic yards anticipated during the 1999 construction season.

The Department has reviewed this request and has determined that the proposed use of the soil material falls under the scope of the predetermined beneficial use determination for uncontaminated soil (360-1.15(b)(7)). As such, the proposed use of the soil as outlined in your letter is acceptable to the Department.

Please note that the Department makes no determination as to the nature of the soil material, i.e. clean versus contaminated. This is the sole responsibility of the Town of Tonawanda. Also, the use of any of this soil as a component of the landfill final cover system, such as barrier protection layer material, will naturally be subject to the soil meeting all of the Quality Control/Quality Assurance testing requirements to be specified in the final closure plan documents.

8/7/98

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July 30, 1998

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Finally, while the Department does not have any objections to placing the soil material in the areas of the landfill identified as containing USDOE wastes, you are advised to seek the opinion of the US Army Corps of Engineers in this matter.

Should you have any questions in this matter, please call me at 851-7220.

Sincerely,

██████████

██████████, P.E.
Environmental Engineer II

cc: ██████████ Regional Solid Materials Engineer
██████████, Engineering Geologist II
██████████, Bureau Of Pesticides & Radiation/Albany
██████████, US Army Corps of Engineers
██████████, Town of Tonawanda
██████████, Town of Tonawanda