

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials, Region 9

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

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August 4, 2000

██████████ P.E.
EnSol, Inc., Environmental Solutions
452 Third Street
Niagara Falls, New York 14301

Dear ██████████:

Town of Tonawanda Landfill, # 15S29
Alternate Grading Materials

This is in response to your letter dated July 21, 2000 in which you requested the Department's approval to use the following wastes as Alternate Grading Materials (AGM) at the Town of Tonawanda landfill:

1. NOCO Soil - Approximately 12,000 tons of non-hazardous petroleum contaminated soil available from the NOCO Energy Corporation bioremediation facility.
2. Roofing and Shingles - Approximately 150 tons per week available on an on-going basis.

You had previously provided at our July 21, 2000 meeting, the analytical results from the laboratory testing of the NOCO soils. The Department has clarified with NOCO staff that the soils which are available for use at the Tonawanda landfill are made up of both untreated and bioremediated soils. The data provided by NOCO verifies that the soil is non-hazardous.

Therefore, the Department hereby approves the above materials to be used as AGM at the Town of Tonawanda landfill in accordance with the conditions and provisions previously approved regarding the placement, grading and control of the material. Additionally, it should be noted that the approval for use of the NOCO soils is strictly limited to only the 12,000 tons of soil that is represented by the analytical results provided to the Department to date. If it is proposed to use any additional soil from the NOCO facility at the landfill, a new request including the appropriate analytical test results will first need to be submitted for the Department's review and approval.

Also, should there be any objectionable odors generated from the petroleum contaminated soils, the Department may require that additional control measures be implemented at the landfill.

If you or the Town have any questions or concerns regarding this matter, please call either [REDACTED] or myself at 851-7220.

Sincerely,

[REDACTED]

[REDACTED]
[REDACTED]
Environmental Engineer II

cc: [REDACTED], Regional Solid Materials Engineer
[REDACTED] Engineering Geologist II
[REDACTED], Assistant Regional Attorney
[REDACTED] DSHM, Albany
[REDACTED], USACOE
[REDACTED], Town of Tonawanda