



STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

January 26, 1994

COMMISSIONER

Dear [REDACTED]:

Enclosed are the New York State comments on the U.S. Department of Energy (DOE) "Draft Feasibility Study/Proposed Plan-Environmental Impact Statement for the Tonawanda Site," (DOE/EIS-0191D), dated November 1993.

This feasibility study/proposed plan-environmental impact statement (FS/PP-EIS) was prepared by DOE pursuant to the Comprehensive Environmental Response, and Liability Act (CERCLA), as amended, and the National Environmental Policy Act (NEPA). The draft FS/PP-EIS assesses site contamination of the Tonawanda, New York, sites in the Formerly Utilized Sites Remedial Action Program (FUSRAP). Also, it analyzes the potential environmental impacts and disposal alternatives for radioactive materials at the Tonawanda sites.

The State of New York position on this remedial action is that DOE should clean up these sites to a level consistent with the Department of Environmental Conservation's cleanup guidance in our recently developed criteria discussed herein (TAGM-4003) for unrestricted use wherever possible (where access is not feasible due to existing buildings - a restricted use should be placed on the site till eventual remediation). The radioactive waste materials from this remedial action should be disposed of in an out-of-state DOE or commercial disposal site, such as the Envirocare site in Clive, Utah.

Thank you for providing Governor Mario Cuomo and the New York State agencies an opportunity to comment on these important documents.

Sincerely,

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Enclosure

[REDACTED] M.D., M.P.H.
Assistant Secretary
Environment, Safety and Health
United States Department of Energy
Washington, D.C. 20585