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February 13, 2008

[REDACTED]
Project Manager
Bureau of Project Management
Division of Solid and Hazardous Materials
625 Broadway
Albany, New York 12233-7250

Re: Landfill Closure Assistance Program
Facility: Town of Tonawanda Landfill
Contract No: C300210

[REDACTED]

We are receipt of your letter dated January 29, 2008, a copy of which is attached. I have also enclosed a copy of the letter from your office dated June 19, 2006 granting a contract extension date to August 31, 2009.

Progress has been slow due to circumstances beyond our control. The Town has entered into a Consent Order with the NYSDEC that requires the FUSRAP area of the landfill be resolved with the USACE before major portions of the site can be closed. The Town and local DEC office (Region 9) continue to work with the USACE to resolve the FUSRAP issue and are awaiting the final Record of Decision on this issue.

Meanwhile, the Town continues to work with Region 9 to move forward with some closure activities that can be performed (i.e. site grading, waste relocation and berm construction), pending resolution of the FUSRAP issue. We have recently completed the eastern berm construction and portions of the waste relocation. Site grading is over 70 percent complete.

A submission for costs relative to the most recent eligible activities will be made prior to March 10, 2008. The Town of Tonawanda fully intends to utilize the remaining funds available from the grant through the Landfill Closure Assistance Program to assist with the closure process and appreciates your cooperation in this regard.

Should you have any questions or concerns, please feel free to contact me.

Very truly yours,

[REDACTED SIGNATURE]

Town of Tonawanda

ATC/rd
Enclosures

cc: [REDACTED] NYSDEC
[REDACTED] Camilleri
[REDACTED] Esq.

[REDACTED] P.E.
[REDACTED] USACE

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