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**own of
onawanda**

Office of the Supervisor
[Redacted]

April 28, 2009

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials

[Redacted] Project Manager

Bureau of Project Management

625 Broadway – 9th Floor

Albany, New York 12233-7250

Re: Town of Tonawanda Landfill
Contract for State Assistance Payments
Request for Extension - Contract No. C300210

[Redacted]

This letter has been prepared to request an extension of the above referenced Contract. The Town of Tonawanda (Town) has met all contract deadlines to date, and feels that circumstances out of the Town's and the NYSDEC's control necessitate a time extension to the agreement. The basis for the request is as follows:

The United States Army Corp of Engineers (USACE) is currently in the process of completing additional investigation of the FUSRAP area requested by the local residents and the City of Tonawanda. We await a draft investigation report, which will then need to be reviewed and noticed to the public. The final Record of Decision will follow this work.

The above issue is delaying the preparation of the final design and portions of the grading of the site. The extension will provide additional time for the State and USACE to resolve radiological waste handling issues.

This extension will only apply to Section 12, Page 9 of 12 of the Contract. The schedule included on Attachment 1 of the Contract contemplates the flexibility required and is based upon the satisfactory completion of the USACE work. Attachment 1 does not appear to need adjustment.

The Town is therefore requesting the contract term date, stated in Section 12 of the contract, to be extended for three years to 08/31/12. We look forward to a continued working relationship with the New York State Department of Conservation.

[Redacted]

CC: [Redacted] NYSDEC
[Redacted] TOT; D. Cavarello, Town Attorney; M. Kaiser, TOT
[Redacted] EnSol
[Redacted] USACE

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