To: Janelle Kite[jkite@gesoncall.com]; Daly, Eric[Daly.Eric@epa.gov]
From: Grealish, Beckett
Sent: Thur 6/2/2016 6:13:31 PM
Subject: Re: OSR Request for Modern Landfill-Niagara Falls Boulevard Site

Hi Eric and Janelle.

The MODERN LANDFILL INC facility (at 1445 PLETCHER ROAD in MODEL CITY, NY) is considered acceptable to receive waste regulated by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Off-Site Rule (OSR) within the limitations of its permits. Please also be informed that NYSDEC informed EPA of the following:

"The subject facility, Modern Landfill Inc., has a valid permit to operate in accordance with 6 NYCRR Part 360 to accept non-hazardous industrial and commercial solid wastes (Permit ID 9-2924-00016/00043) effective 10/29/13, expires 10/28/23 and has no compliance or release issues."

PLEASE NOTE: The OSR establishes compliance criteria and release criteria, and establishes a process for determining whether facilities are acceptable based on those criteria. However, once a facility's OSR acceptability status has been determined, EPA assumes that such facility will only accept waste, and waste will only be sent to such facility, which complies with the relevant permits issued by government officials. Therefore, please contact the appropriate agencies (federal, state, local) to verify the facility has the authority to receive this waste prior to any shipments of waste.

Additionally, please also be aware that EPA believes the Mercury Export Ban Act (MEBA) prohibits export of mercury-contaminated media (and other materials) if the intent of the export is to recover and sell or use the mercury. For additional information, you can visit EPA's "Questions and Answers about the Mercury Export Ban Act of 2008" webpage.

From: Janelle Kite <jkite@gesoncall.com>
Sent: Thursday, June 2, 2016 10:10:05 AM
To: Region2 OSR; Daly, Eric
Subject: RE: OSR Request for Modern Landfill-Niagara Falls Boulevard Site

Yes, it is. Here is the revised form.

Janelle Kite
Transportation and Disposal Coordinator
Guardian Environmental Services Company, Inc.
302-518-1917 mobile
jkite@gesoncall.com
Visit us at www.gesoncall.com

From: Grealish, Beckett [mailto:Grealish.Beckett@epa.gov] **On Behalf Of** Region2 OSR
Sent: Thursday, June 02, 2016 9:56 AM
To: Janelle Kite <jkite@gesoncall.com>; Daly, Eric <Daly.Eric@epa.gov>
Subject: Fw: OSR Request for Modern Landfill-Niagara Falls Boulevard Site

Hi Janelle and Eric.

Can you please confirm if the attached OSR request that you submitted is/was intended for the MODERN LANDFILL INC facility at 1445 PLETCHER ROAD (box 2 of form) in MODEL CITY, NY?

If so, can you please revise/update the form and return?

NOTE: It appears the NIAGARA FALLS BOULEVARD site information should also be revised to include the CERCLIS Site I.D. # NYN00020669 (box 18) which is located at 9540 NIAGARA FALLS BOULEVARD (box 13).

Thanks!

From: Janelle Kite <jkite@gesoncall.com>
Sent: Thursday, June 2, 2016 8:27 AM
To: Region2 OSR
Cc: Daly, Eric
Subject: OSR Request for Modern Landfill-Niagara Falls Boulevard Site

Upon request of OSC Eric Daly, please find attached the OSR request.

Thx,
Janelle

Janelle Kite
Transportation and Disposal Coordinator
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Visit us at www.gesoncall.com