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Weston
FUSRAP 7088
NY.54



Department of Energy
Washington, DC 20585

FEB 21 1991

Mr. Frank Archer
President
Niagara Cold Drawn Steel Corporation
110 Hopkins Street
P.O. Box 399
Buffalo, NY 14240

Dear Mr. Archer:

I have executed the consent forms for the performance of a radiological survey of the Niagara Cold Drawn Steel Corporation's property under the Formerly Utilized Sites Remedial Action Program (FUSRAP) of the U.S. Department of Energy (DOE). I enclose a copy of the consent for your company's records.

Oak Ridge Associated Universities (ORAU) will perform the survey of your company's property. Ms. Michelle Landis (615-576-2908) is the project manager for ORAU. We have worked with Mr. Shells of your staff on this project and will continue to coordinate with him to make arrangements for the survey.

I appreciate very much your assistance. If you have any questions, please contact me at 301-353-8149.

Sincerely,

W. Alexander Williams, PhD
Designation and Certification Manager
Off-Site Branch
Division of Eastern Area Programs
Office of Environmental Restoration

Enclosure

cc:
Ms. M. Landis



February 11, 1991

Department of Energy
Division of Eastern Area
Programs (EM-421)
Washington, D.C. 20545

Attn: Dr. W. Alexander Williams

Dear Dr. Williams:

In response to the correspondence dated December 14, 1990 from Mr. James W. Wagoner, II attached are the executed documents as requested.

If you have any questions please do not hesitate to contact Mr. Raymond Rozanski.

Very truly yours,

A handwritten signature in cursive script that reads "Frank Archer".

Frank Archer
President

FA:rh

Encls.

**110 Hopkins Street
P.O. Box 399
Buffalo, NY 14240
(716) 827-7010**

CONSENT FOR PROGRAM ACCESS
SURVEYS AND ENGINEERING STUDIES

The undersigned persons (hereinafter individually and collectively referred to as "Owner") represent that they own the following property:

NIAGARA COLD DRAWN STEEL CORPORATION

110 HOPKINS STREET

BUFFALO, NEW YORK 14220

The following matters are understood by the Owner:

The United States of America (the "Government"), acting through the U.S. Department of Energy (DOE), will provide or contract for radiological surveys and engineering assessments for the following purposes: (1) DESIGNATION - determining if there is radiological contamination on the property for which DOE has authority and sufficient to require remedial action. If the property is designated for remedial action, the next step will be (2) CHARACTERIZATION - accurately defining the extent of contamination in order to design remedial action.

DOE shall be responsible for loss or destruction of, or damage to, the Owner's real and personal property caused by the activities of DOE, their authorized representatives, agents, contractors and subcontractors, in exercising any of the rights granted in this Agreement; PROVIDED, that such responsibility shall be limited to restoration of such real and personal property to a condition comparable to its condition immediately prior to the conduct of any activities on the Property by techniques of backfilling, seeding, sodding, landscaping, rebuilding, repair or replacement.

If the property is not designated for remedial action, this agreement will terminate upon completion of the designation survey. If the property is designated for remedial action, this agreement will remain in effect until completion of the characterization.

Nothing in this document shall be deemed to obligate the Owner to enter into an agreement for the performance of remedial action. No remedial action shall be performed until and unless (1) DOE shall have determined the need for and selected the appropriate remedial action, and (2) the DOE and Owners have entered into a written agreement providing for the performance of such remedial action.

By signing this document and sending it to the DOE, the Owners grant, effective 2/20/1991, to the DOE and its contractors and subcontractors, such access to the Property as is reasonably required, and at times satisfactory to the Owners, for the performance of the radiological surveys and engineering studies.

The radiological surveys and engineering studies will involve some or all of the following activities:

Reviewing existing building, structural, and site plans available to the Owner. Such plans shall be provided to DOE and its contractors, at no cost to the Owner. If such plans are not in the possession of the Owner but are available, the Owner agrees to permit the DOE and its representatives to borrow or acquire, at no cost to the Owner, those plans deemed necessary to facilitate the performance of these reviews.

Performing land surveys and placing survey stakes as required to characterize the premises, including any light clearing of vegetation that may be required.

Determining the location and extent of actual radioactive material on the premises through measurements by various techniques and/or removing samples of contaminated materials by digging or core drilling.

Measuring and examining the premises and structures thereon.

Documenting through photographs the existing conditions of the Property and structures thereon.

Taking radiation measurements and performing core drilling inside structures, in such a manner as is agreeable to the Owner; placing a small radiation monitor in the structures, and collecting a sample from the monitor periodically.

THE UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

W. A. Deford, Jr., Director
(Name)

Designation and
Certification Manager
(Title)

2/20/91
(Date)

FRANK ARCHER, PRESIDENT
(Printed name of Property Owner(s))

Frank Archer
(Signature of Owner)

Signature of Owner (if multiple)

2/11/91 716-327-7010
(Date) (phone)

If the signator is a corporation or a company, please complete the following:

CORPORATE CERTIFICATE

I, RAYMOND BOZANSKI, certify that I am the duly qualified ASSIT SECRETARY of the corporation named herein as the consenter; that FRANK ARCHER, who signed this consent form on behalf of the consenter, was then PRESIDENT of said corporation by authority of its governing body and is within the scope of its powers. Witness my hand and the seal of said corporation.

SEAL

Raymond Bozanski 2-11-91
Name Date

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SURVEYS AND ENGINEERING STUDIES

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THE UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

W. Alexander Williams
(Name)
Designation and
Certification Manager
(Title)
2/20/91
(Date)

FRANK ARCHER, PRESIDENT
(Printed name of Property Owner(s))
Frank Archer
(Signature of Owner)

Signature of Owner (if multiple)
2/11/91 716-827-7010
(Date) (phone)

bcc:
Weston
EM-40 (3)
EM-42 (2)
Williams reader

EM-421:AWilliams:jh:353-8149:2/20/91:archer.waw

WAW
EM-421
Williams
2/20/91
EM-421
Wagoner
2/20/91