

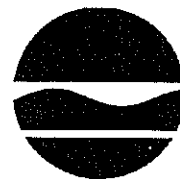
New York State Department of Environmental Conservation

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Alexander B. Grannis
Commissioner

AUG 10 2009

Mr. Walter Mugdan
Director
USEPA, Region II
Emergency and Remedial Response Division
290 Broadway, 26th Floor
New York, NY 10007-1866

Re: Brookhaven National Laboratory, Site No. 152009
Operable Unit III Explanation of Significant
Differences (ESD) for Building 96 Remediation

Dear Mr. Mugdan:

The New York State Department of Environmental Conservation (Department) and the New York State Department of Health have reviewed the above referenced document dated April 28, 2009.

All of the State's comments have been adequately addressed. Therefore, the ESD is approved by the Department for public release.

If you have any questions, please contact Dr. Chittibabu Vasudevan at (518) 402-9625.

Sincerely yours,

Dale A. Desnoyers

Director

Division of Environmental Remediation

cc: C. Vasudevan
D. Pocze, USEPA