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February 17, 2000

Corps of Engineers Real Estate Division Acquisition Branch Ms. Sharon Cotner, FUSRAP Program Manager 9170 Latty Avenue Berkeley, MO 63134

RE: Borrow Site Plan for Fort Belle Quarry

Dear Ms. Cotner:

Thank you for your letter dated Feb. 9, 2000. You indicated that Sites 1 and 2 as identified in our Easement Agreement were suitable for fill material for FUSRAP needs but not Site 3. That shouldn't pose any problem for either of us since there should be more than enough fill material available from Sites 1 and 2 for your entire project anyway. We initially included Site 3 for your consideration only as an enticement to show you that we had no shortage of fill material for your needs.

Your letter included an attached Scheduled Quantities Required showing an estimated 271,200 cubic yards of fill for the first five years and 205,500 cubic yards of fill for the next five years after that. Your letter asks for my acceptance of the proposed borrow site plan and for me to advise whether all is consistent with the terms and conditions of the Easement Agreement. My comments are as follows:

- 1. Our company benefits from this Easement Agreement because removed overburden gains us access to the underlying rock.
- 2. The Corps required an Easement Agreement covering sufficient fill material for the entire FUSRAP project, estimated at that time to be approximately 500,000 cubic yards. We were willing to encumber designated sites on our property with an Easement Agreement, but only if <u>all</u> the needed fill material for the FUSRAP project was taken from our designated sites, depleting Site 1 first, then using Site 2 as needed. In other words, we did not want to encumber our property with an Easement Agreement and receive no benefit of dirt removal if the Corps decided to get the fill material from another site. It didn't matter to us if the actual fill material needed was 500,000 or 300,000 cubic yards, as long as it <u>all</u> came from our site.
- 3. The Schedule of Quantities Required, attached to your February 9 letter, estimates that 271,200 cubic yards would likely be removed within the five year term of the Easement Agreement, provided construction contracts are successfully executed and project plan funding is made available. It is our hope and intent to mutually renew the Easement Agreement at the end of the first five years to accommodate the second five year estimated requirements of an additional 205,500 cubic yards. We have every intention of

renewing the Easement Agreement as long as the Corps demonstrates reasonable fill material removal activity during the first five years.

In summary, this letter will serve as formal notice that we do accept the proposed borrow site plan as set forth in the Schedule of Quantities Required, and that it is consistent with the terms and conditions of the Easement Agreement, provided that <u>all</u> the approved fill material that goes to the FUSRAP project comes from our site, as noted in the Easement Agreement.

We appreciate the opportunity to participate in this mutually beneficial Easement Agreement. Please advise if you have any questions. I can be reached at 573-735-4505.

Sincerely.

Jerry S. Morris

VP & General Manager

JSM/sb

Cataloging Form
{Technical/Project Managers fill in C through G, K through Q. RM completes other fields}

A. Document ID Number: Assigned by database 00-49  B. Further Information Required?:
C. Operable Unit (Choose One):  USACE St. Louis Sites Mallinckrodt Downtown North County Madison Sites Inaccessible Areas PRP Oversight Committee  D. Site (Optional): SLDS VPs Mallinckrodt SLAPS CWC HISS Mallinckrodt SLAPS Mallinckrodt CWC Mallinckrodt SLAPS Mallinckrodt Mallin
E. Area (Optional):
F. Primary Document Type (Choose One):  Site Management Records
G. Secondary Document Type (see back of form): CoNespondence
H. Bechtel Number: I. SAIC Number:
J. MARKS Number (Choose One): FN: 1110-1-8100e   FN: 1110-1-8100f   FN: 1110-1-8100g   K. Subject:/Title: Born Ste Plan for Fort Belle Quarry
N. Recipient(s): Shawn R. Cotner O. Recipient(s) Company: Lustap
P. Version (Choose One): Draft Final Q. Date: 2/12/00
R. Include in the ARF? S. Include in the AR? T. Filed as Confidential/Privileged?
U. Document Format (Choose ons):  Paper Photographic Cartographic/Oversize Electronic Audio-visual Microform
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Administrative Record for the Formerly Utilized Sites
Remedial Action Program (FUSRAP)
North St. Louis County Sites

St. Louis County, Missouri



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