



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF
Special Projects Branch

June 5, 2007

SUBJECT: Linde Utility Tunnel Relocation

Mr. Dennis Conroy
Praxair Site Manager
175 East Park Drive
Tonawanda, New York 14150

Dear Mr. Conroy:

The Corps of Engineers provided you a feasibility study report on March 15, 2007 that presented our evaluation and cost comparison of six different configurations to address potential relocation of the impacted sections of utility tunnel. A comparison of preliminary cost estimates ranged from \$2.2 to \$3.5 million.


Your May 9, 2007 letter indicated preference of a new proposal developed by Praxair that consists of replacement tunnels and features that we consider betterments to the current utility tunnel system. While this alternative may be valuable for future Praxair development, the Federal government is prohibited to provide betterments. Replacing the existing deteriorated tunnel sections with new tunnel sections would require Praxair to contribute the incremental cost increases associated with the betterments.

On May 10, 2007 you indicated that Praxair would not be willing to contribute monetarily to implement the preferred Praxair alternative. Therefore, I recommend Praxair accept our Option 3 that will provide a utility chase corridor that mirrors the existing tunnel route. It appears that estimated costs of this proposed cure is close to the estimates associated with tunnel acquisition and utility relocations and the Corps of Engineers could implement the relocation cure upon request, in lieu of expending acquisition and relocation funds that may be provided to Praxair.

Request Praxair concur with this recommendation by COB June 22, 2007 to allow us to advance our schedule and begin necessary engineering and design work associated with our Option 3 alternative. Upon acceptance, we will forward the relocation Agreement which will be the authorizing document to implement Option3.

If you have any questions, please do not hesitate to call me at (716) 879-4146.

Sincerely,


Raymond L. Pilon
Project Manager

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