



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

REPLY TO
ATTENTION OF:

Environmental Health Section

June 3, 2010

Mr. Steve Griffith
Tonawanda Plant Manager UOP, LLC.
175 East Park Dr.
P.O. Box 986
Tonawanda, New York 14151-0986

Dear Mr. Griffith:

The U.S. Army Corp of Engineers (USACE) is managing the remediation of the Linde Site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and its implementing regulations found in the National Contingency Plan (40 CFR 300). All work on the site by the USACE's contractor will comply with all Federal, State, and local regulations while performing work on site.

Safety is a key operating principle for the USACE, and, therefore, our Contractor shall adhere to the application of all applicable local, state, and federal requirements. The following documents were considered in the preparation of their Accident Prevention Plan / Site Safety and Health Plan that will be used by our contractor in the performance of their duties:

- USACE EM 385-1-1 (15 Sep 2008) *Safety and Health Requirements Manual*;
- USACE ER 385-1-92 (1 May 2007) *Safety and Occupational Health Requirements for Hazardous, Toxic and Radioactive Waste (HTRW) Activities*.
- UFGS-01 3526 (February 2009) *Governmental Safety Requirements 7-25-09 12*
- UFOS-OI 35 29.13 (January 2008) *Health, Safety, and Emergency Response Procedures for Contaminated Sites*
- USACE ER 385-1-80 (30 May 1997) *Radiological Safety*
- USACE EM 385-1-80 (30 May 1997) *Radiation Protection Manual*
- USDOL OSHA 29 CFR 1926 *Safety and Health Regulations for Construction*
- USDOL OSHA 29 CFR 1910 *Occupational Safety and Health Standards*
- USDOL OSHA 29 CFR 1910.120 or 1926.65 *HAZWOPER Standard*
- USNRC 10 CFR Part 20 *Standards of Protection Against Radiation*

In addition, the contractor will be responsible for posting warning signs and securing work areas in locations that they will be working in. Our Contractor will also furnish, install, and maintain temporary fencing around the work zone throughout the time that work activities will be occurring on the site.

If further information is requested regarding USACE activity on the Linde site, please do not hesitate to ask. The point of contact is the undersigned at 716-879-4129.

Sincerely,

Stephen Bousquet
Chief, Environmental Health Section

CF:

Karen Ginnane, PRAXAIR Site Manager