



DEPARTMENT OF THE ARMY
 DETROIT DISTRICT, CORPS OF ENGINEERS
 477 MICHIGAN AVE.
 DETROIT, MICHIGAN 48226-2550

IN REPLY REFER TO:

Technical Services Branch
 Operations Office

< date >

Contractor Name

Address

City

Dear < contractor POC >,

This letter is in response to the request received on < date > from < contractor name >, to place < 26,000 - 39,000 > cubic yards of dredged material at the Corps' Pointe Mouillee Confined Disposal Facility (CDF).

The Operations Office has no objection to your proposal to deposit the above dredged material into the Pointe Mouillee CDF providing the following conditions are met. Please review the conditions and provide this office with a signed copy of this Agreement Letter acknowledging your acceptance of the conditions, prior to the onset of material placement operations.

- a. < contractor name > shall hold and save the United States free from damages due to the permittee's use of the facility and its appurtenances.
- b. The Corps of Engineers reserves the right to halt disposal operations at any time.
- c. < contractor name > must be aware that dredging operations may be affected by others using Pointe Mouillee CDF, and if the Permittee dredging operations affect a Federal Navigation Dredging Project then the Corps of Engineers has the right to halt disposal operations until the Federal Navigation Dredging project is complete.
- d. < contractor name > will be responsible for coordination with other contractors using the facility.
- e. The Corps of Engineers reserves the right to coordinate disposal operations with others using the facility to minimize impacts to all contractors and to ensure safety of employees utilizing the facility. This may require designated scheduled time periods when contractors will be permitted to offload.
- f. < contractor name > shall hold safety paramount during operations and while on site. All work shall be performed in compliance with US Army Corps of Engineers Safety and Health Requirements Manual, EM 385-1-1.
- g. < contractor name > is to video or photograph the disposal area prior to and after disposal operations to ensure the CDF is left in the same or better condition prior to disposal operations. This will be submitted to the Detroit Area Office designated point of contact.
- h. The Corps of Engineers reserves the right to request additional sampling of the dredged material

before or during the disposal operations.

- i. Prior to placement of material into the disposal facility, < **contractor name** > shall submit for approval to the Project Engineer, Keith Kropfreiter, Detroit Area Office, 6309 West Jefferson Avenue, Building 414, Detroit, Michigan 48209 (313-226-2205, Keith.e.kropfreiter@usace.army.mil), a suitable disposal plan. The plan shall include, but not be limited to, the specific location within the facility where the material will be placed, special material handling procedures, disposal plan that accounts for other contractors utilizing the disposal facility, or other items necessary for the protection of the environment in the area of the disposal facility.
- j. < **contractor name** > must give the Detroit Area Office a minimum of 72 hours (exclusive of Saturdays, Sundays and Holidays) advance notice of a proposed start or resumption of placement of dredged material within the confined disposal area.
- k. Weekly volume reports of material placed into the disposal facility will be sent to the Corps' Detroit Area Office Project Engineer, Keith Kropfreiter. One or a combination of the following methods, as determined by the Project Engineer, will determine of the volume of material placed in the disposal area:
 1. < **contractor name** > will furnish the Corps' Detroit Area Office with copies of container volume and the number of container loads placed within the disposal area.
 2. < **contractor name** > will furnish the Corps' Detroit Area Office with copies of prior to dredging surveys and after dredging surveys made over the dredge site. This shall include all edited survey data. These are subject to field check and acceptance by the Corps of Engineers.
- l. < **contractor name** > shall notify the Corps' Detroit Area Office once dredging and disposal operations are complete. A final volume disposal report must be sent to the Project Engineer, Keith Kropfreiter, at the end of dredging operations.
- m. < **contractor name** > will be required to repair any damages (beyond fair wear and tear) to the disposal facilities resulting from the permittee's operation.
- n. If the operations of a permittee dredging contractor is halted for any of the reasons above and the contractor pursues another location to offload dredge spoils other than an approved Corps of Engineers facility, then the contractor will receive a cost adjustment for only the material offloaded into the CDF.
- o. < **contractor name** > will receive additional special project procedures that will be discussed at a preconstruction meeting prior to disposal operations.
- p. A cash payment to cover the total disposal fee must be received by the USACE prior to the onset of disposal operations. The disposal fee at the Pointe Mouillee CDF is currently \$10.71 US per cubic yard. Please submit a cashier's check in the amount of \$ _____. US to cover the disposal fee, payable to Finance and Accounting Officer, "FAO, USAED, Detroit", at 477 Michigan Ave., Detroit, Michigan 48226-2550. Include with the cash payment a reference to **Agreement Number 160107, Tax ID number or Social Security Number, and Address**. A cost adjustment, if required, will be made after the completion of disposal operations.

This agreement does not obviate the requirement to obtain other Federal, State or Local authorization required by law.

Acknowledgement of receipt of this letter and agreement to comply with all conditions should be provided on the copy of this letter and returned to this office, ATTN: Operations Office, Technical Services Branch.

If there are any questions concerning the listed conditions, please contact Christine Weisenberger of my staff at 313-226-6798.

Sincerely,
David Wright, P.E.,
Chief, Operations Office

*****ACKNOWLEDGMENT*****

Receipt of this letter dated < date > is hereby acknowledged. Any Correspondence regarding this matter will reference Agreement No. 160107. By the signature below, agreement to comply with all conditions of said letter is provided.

BY: _____

TITLE: _____

DATE: _____

Copy furnished to:
Public Works and Government Services Canada (PWGSC Project No. R.082374.001)