



# Public Notice

**U.S. Army Corps  
of Engineers**  
Pittsburgh District

In Reply Refer to  
Notice No. below

US Army Corps of Engineers, Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, PA 15222-4186

Application No. 1997-1769

Date: July 25, 2014

Notice No. 14-28

Closing Date: August 25, 2014

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.
2. APPLICANTS:  
Horsehead Corporation (Horsehead)  
300 Frankfort Road  
Monaca, Pennsylvania 15061  
  
Shell Chemicals Appalachia (Shell)  
150 C North Dairy Ashford Street  
Houston, Texas 77079
3. LOCATION: The proposed site is located at 300 Frankfort Road, Potter and Center Townships, Beaver County, Pennsylvania along the Ohio River (RM 28.0 – 29.5) (Site). The approximate center of the site is located at: 40.670137° N, -80.334732° W.
4. PURPOSE AND DESCRIPTION OF WORK: Horsehead Corporation ceased operations at its Zinc Smelting Facility (Site) in April 2014. Horsehead is currently in the process of closing the Site and is relocating operations. Shell is evaluating purchase and redevelopment of the site as a Petrochemical Complex.

Shell's proposed complex would receive and crack ethane from gas production primarily in the Marcellus and Utica Shale Region. Project activities include the redevelopment of the Site including the need for excavation and grading, culverting portions of Poorhouse and Rag Runs, construction of two (2) separate dock locations and twenty-four (24) dolphin structures to accommodate barges along the Ohio River, and maintenance dredging along the shoreline in the Ohio River.

An extensive site selection process, that evaluated several dozen sites, was conducted by Shell during the initial planning phases of the project. The current re-development proposal would result in unavoidable impacts to Waters of the United States (WOUS). The projected impacts are 13,249 linear feet of stream and 4.29 acres of wetland as result of culverting and grading of the Site to ensure an efficient use of workspace. Details of the aquatic resource impacts and proposed mitigation activities are further identified in attached Table 1. The proposed impacts have been evaluated through a rigorous alternatives analysis process.

As compensatory mitigation to offset the unavoidable impacts to WOUS, the applicant is proposing to construct Permittee-Responsible Mitigation (PRM) at a site located in Avella, Pennsylvania (40.279414° N, -80.415753° W). The PRM site is located within the Cross Creek watershed and is within the same 8-digit HUC (Upper Ohio 05030101) as the Site impacts. As stream and wetland mitigation, Shell is proposing and 14,503 linear feet of stream mitigation and 5.35 acres of wetland mitigation as identified in Table 1.

The proposed PRM site will be protected in perpetuity by a conservation instrument held by a third party. This instrument will be enacted in advance of the mitigation work to ensure long-term protection of the site. Monitoring, maintenance, and reporting of the mitigation site will occur for no less than 5 years after the completion of the mitigation work. Success criteria for the mitigation site have been proposed within the mitigation plan.

5. ENCROACHMENT PERMIT: The applicant must obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection  
Southwest Regional Office  
Waterways and Wetlands Section  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Telephone: 412-442-4000

6. IMPACT ON NATURAL RESOURCES: The applicant coordinated with the U.S. Fish and Wildlife Service throughout 2012-2014. Additionally, the District Engineer has consulted the most recently available information and determined that the project will have no effect on any Federally Listed endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this determination is not required, this Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

7. IMPACT ON CULTURAL RESOURCES: The applicant coordinated site evaluation efforts with the Pennsylvania Historical and Museum Commission (PHMC) and local interest throughout 2012-2014. These investigations have identified multiple resources within the limit of disturbance and permit area. Additionally, the District Engineer has consulted the National Register of Historic Places and determined that there are eligible properties/sites that will be adversely impacted by the proposed work. The Corps is currently developing a Programmatic Agreement in consultation with the appropriate stakeholders in order to ensure compliance with Section 106 of the National Historic Preservation Act (NHPA). A list of interested parties has

been developed, and this notice is provided to afford any other interested parties the opportunity to come forward and comment or participate in the Section 106 process. Additionally, the Corps will be conducting coordination with the appropriate Tribes and federal agencies as required in 33 CFR 325 Appendix C.

8. **PUBLIC INVOLVEMENT:** Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application within the Corps scope and authorities. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing. A final determination on the need for such a hearing will be made by the Corps.

9. **EVALUATION:** Interested parties are invited to state any comments or objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit for the aquatic resource impacts will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn: Josh Shaffer at the above address, by telephoning (412) 395-7121, or by e-mail at [ShellComplex@usace.army.mil](mailto:ShellComplex@usace.army.mil). Please refer to CELRP-OP-F 1997-1769 in all responses.

FOR THE DISTRICT ENGINEER:

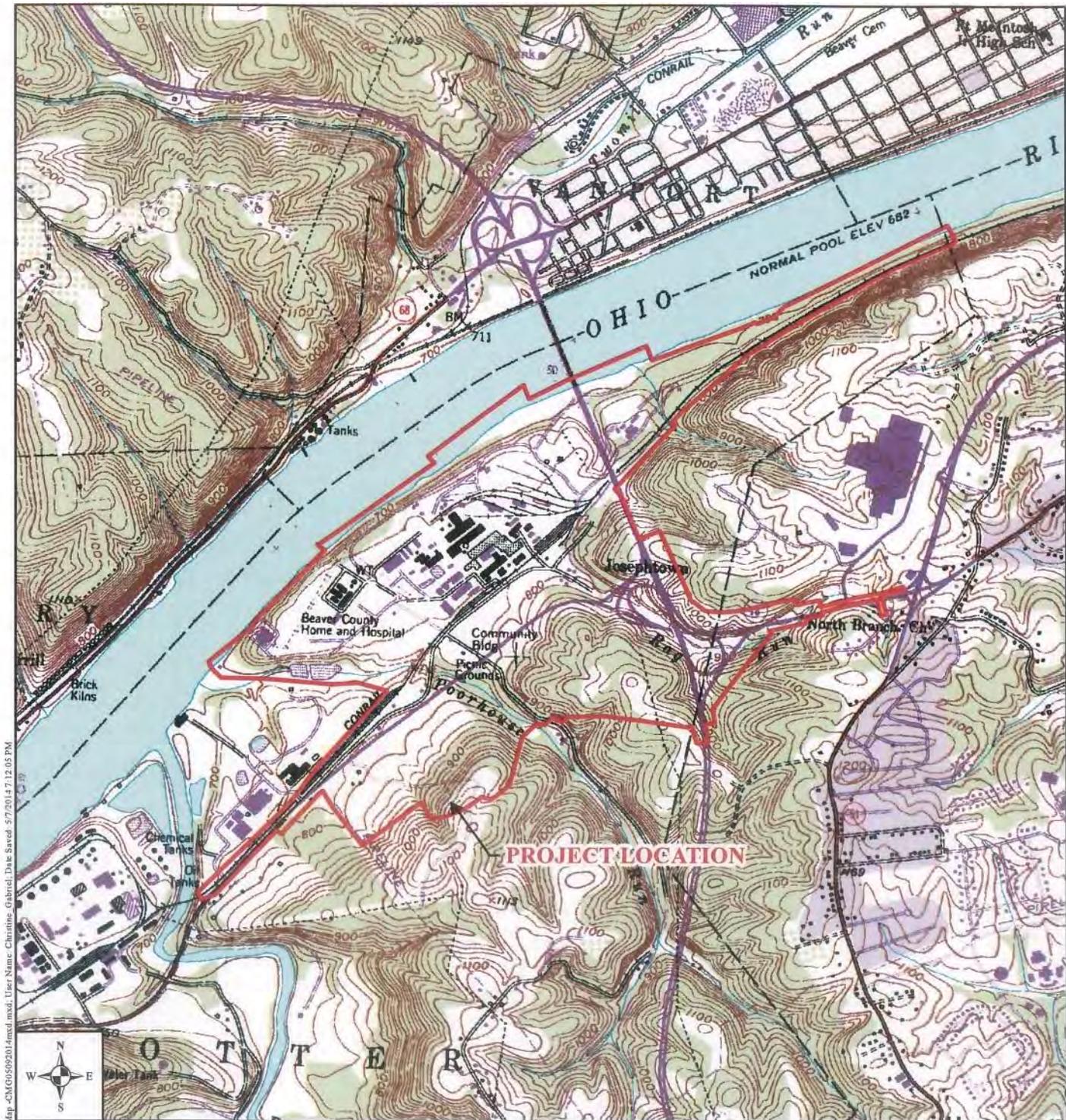
// SIGNED //

Scott A. Hans  
Chief, Regulatory Branch

**Table 1: Impacts and Mitigation Summary**

Wetland Impacts				Wetland Mitigation			
Impact Type	Impact (ac)	Impact Ratio	Required Replacement	Mitigation Approach	Wetland Type	Mitigation Ratio	Mitigation (ac)
PEM	3.62	1 to 1	3.62	Restoration	Non-Existent	1 to 1	4.73
PSS	0.59	2 to 1	1.18	Enhancement	PEM	2 to 1	0.42
PFO	0.08	3 to 1	0.24	Enhancement	PSS	2 to 1	0.04
				Enhancement	PFO	2 to 1	0.16
<b>TOTAL</b>	4.29		5.04				5.35

Stream Impacts				Stream Mitigation			
Impact Type	Impact (LF)	Impact Ratio	Required Replacement	Mitigation Approach	Stream Type	Mitigation Ratio	Mitigation (LF)
Perennial	7,184	1 to 1	7,184	Restoration	Perennial	1 to 1	12,147
Intermittent	4,083	1 to 1	4,083	Enhancement	Perennial	2 to 1	1,107
Ephemeral	1,982	1 to 1	1,982	Enhancement	Ephemeral	2.25 to 1	1,250
<b>TOTAL</b>	13,249		13,249				14,503



Path: Y:\GIS\Projects\Shell\Harrisburg\MXD\Figure 1 - Site Location Map - CMG\6592014.mxd; User: Name: Christine Gabriel; Date Saved: 5/7/2014 7:12:03 PM



**REFERENCE:**  
 Basemap of USGS 7.5 Minute Topographic Map, Beaver Quadrangle, Pennsylvania 1953, Photorevised 1979.  
 Contour Interval 20 Feet  
 Datum is Mean Sea Level  
**REVISION 1 (MAY, 2014)**

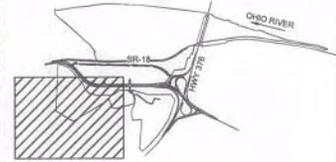
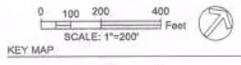
<b>TITLE</b>		
<b>PROJECT LOCATION MAP</b>		
<b>PROJECT</b>		
<b>SHELL CHEMICALS APPALACHIA LLC          POTTER AND CENTER TOWNSHIPS          BEAVER COUNTY, PENNSYLVANIA</b>		
<b>URS</b>		4507 NORTH FRONT STREET, SUITE 200 HARRISBURG, PENNSYLVANIA 17110 TEL (717) 635-7901 FAX (717) 635-7902 <a href="http://www.urscorp.com">www.urscorp.com</a>
<b>SCALE</b>	<b>DWN. BY</b>	<b>JOB NO.</b>
1" = 2,000'	CMG	25015523
<b>DATE</b>	<b>APPR. BY</b>	<b>FIG NO.</b>
5/9/2014	JCS	1







MATCH LINE SHEET 1



- LEGEND
- EXISTING CONTOUR
  - 900 PROPOSED CONTOUR
  - PROPERTY BOUNDARY
  - LIMITS OF DISTURBANCE
  - DIRECTION OF FLOW
  - EXISTING WETLAND AND STREAM
  - W-JCS-01 WETLANDS IDENTIFIER
  - S-JCS-06 STREAM IDENTIFIER

MATCH LINE SHEET 5

"I, Richard K. Lowery, do hereby certify pursuant to the penalties of 18 Pa. C.S.A., section 4904 to the best of my knowledge, information and belief, that the information contained in the accompanying plans, specifications and reports has been prepared in accordance with accepted engineering practice, is true and correct, and is in conformance with Chapter 185 of the rules and regulations of the Department of Environmental Protection."



*Richard K. Lowery* 5/1/14

THIS DOCUMENT IS PRELIMINARY AND BEING RELEASED FOR PERMITTING PURPOSES ONLY. THE DOCUMENT SHALL NOT BE USED FOR CONSTRUCTION OR BIDDING.

**JACOBS**  
 JACOBS ENGINEERING GROUP, INC.  
 3915 ROGERSDALE ROAD  
 HOUSTON, TEXAS 77072  
 281.351.6000

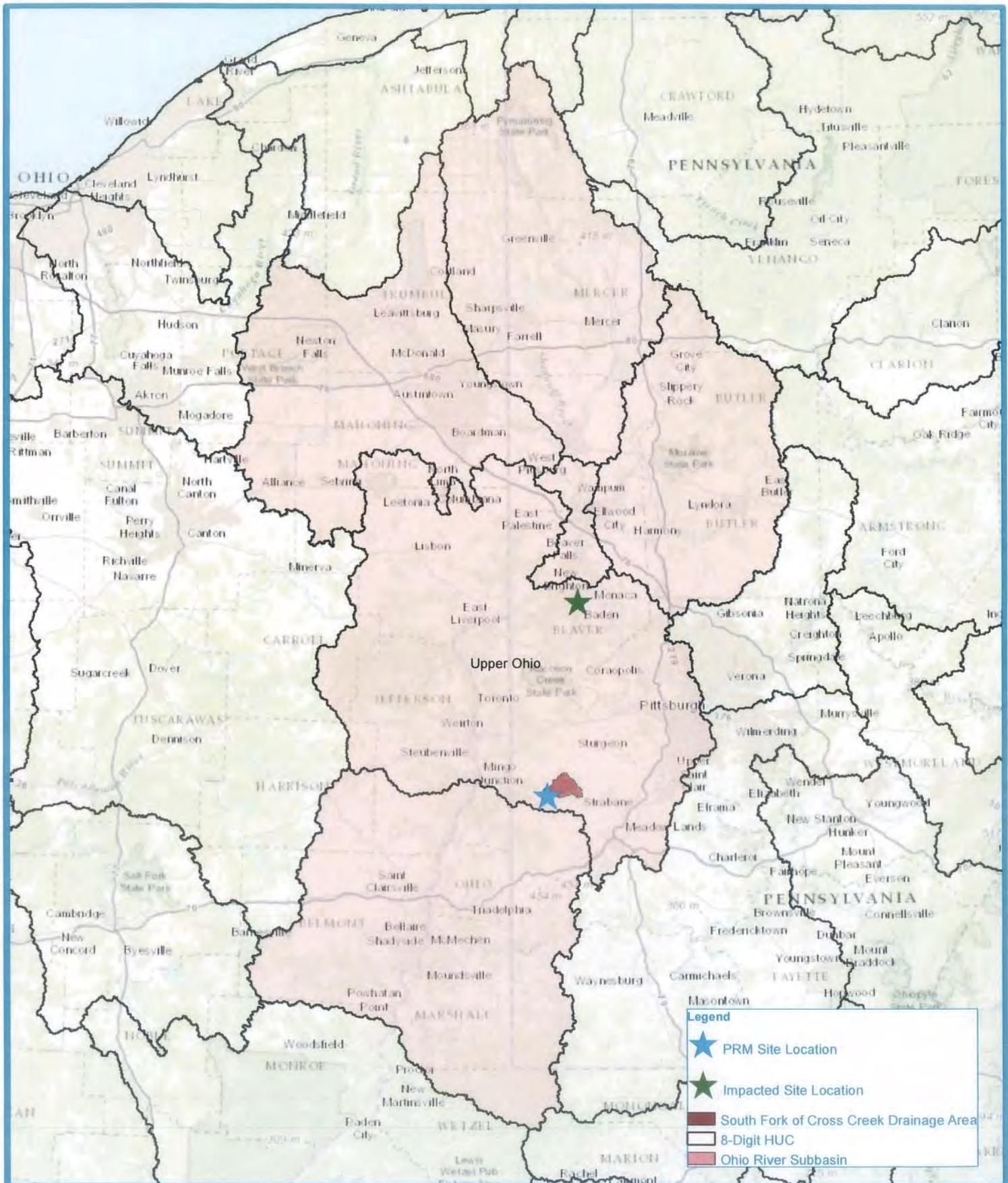
**HORSEHEAD CORPORATION**  
 300 FRANKFORT ROAD  
 MONACA, PA 15061

PROPOSED CONDITIONS  
 SHEET 4 OF 5

BY	DATE	ESTIMATE	B.M.	BY	DATE	DESCRIPTION	SYMBOL	INITIALS	DATE	SCALE	
APPROVED						REVISIONS		DWN BY	APR	05-07-14	SHELL DOC NO.
								CRD BY	TDP	05-07-14	GRID NUMBER
								APRD BY	RJA	05-07-14	DRAWING NUMBER
								SUPERVISOR	MVN	05-07-14	REV NO

A





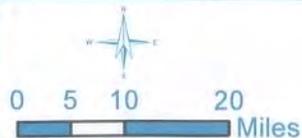
**Legend**

- ★ PRM Site Location
- ★ Impacted Site Location
- South Fork of Cross Creek Drainage Area
- 8-Digit HUC
- Ohio River Subbasin

**FIGURE 1**

**PERMITTEE RESPONSIBLE MITIGATION FOR THE SHELL PROPOSED PETROCHEMICALS COMPLEX HORSEHEAD CORPORATION VICINITY MAP**

**WASHINGTON COUNTY, PENNSYLVANIA**



COORDINATE SYSTEM: NAD 1983 UTM ZONE 17 NORTH

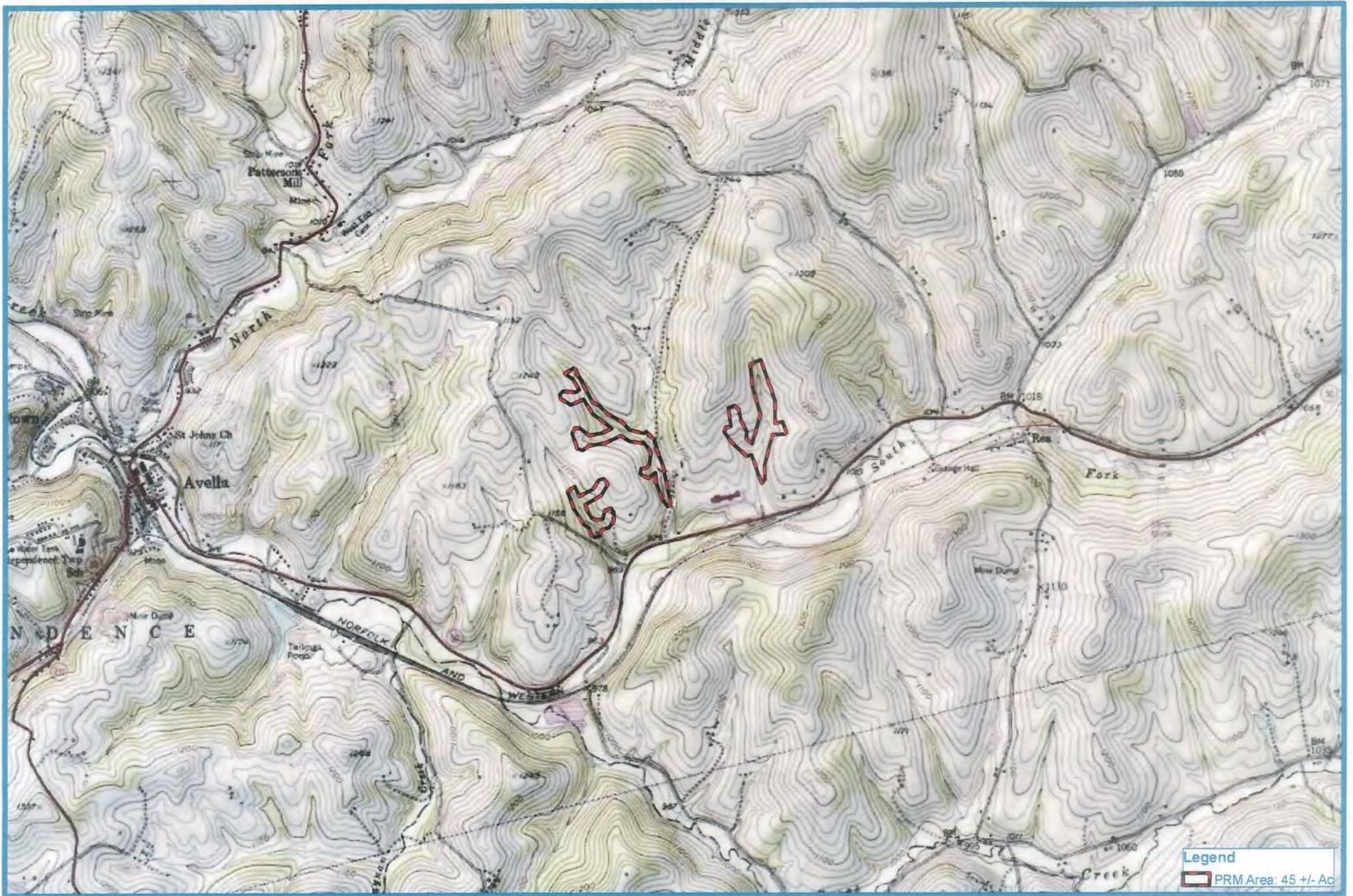


FIGURE 10

PERMITTEE RESPONSIBLE MITIGATION FOR THE SHELL PROPOSED PETROCHEMICALS COMPLEX  
 HORSEHEAD CORPORATION  
 TOPOGRAPHIC MAP



COORDINATE SYSTEM: NAD 1983 UTM ZONE 17 NORTH

WASHINGTON COUNTY, PENNSYLVANIA

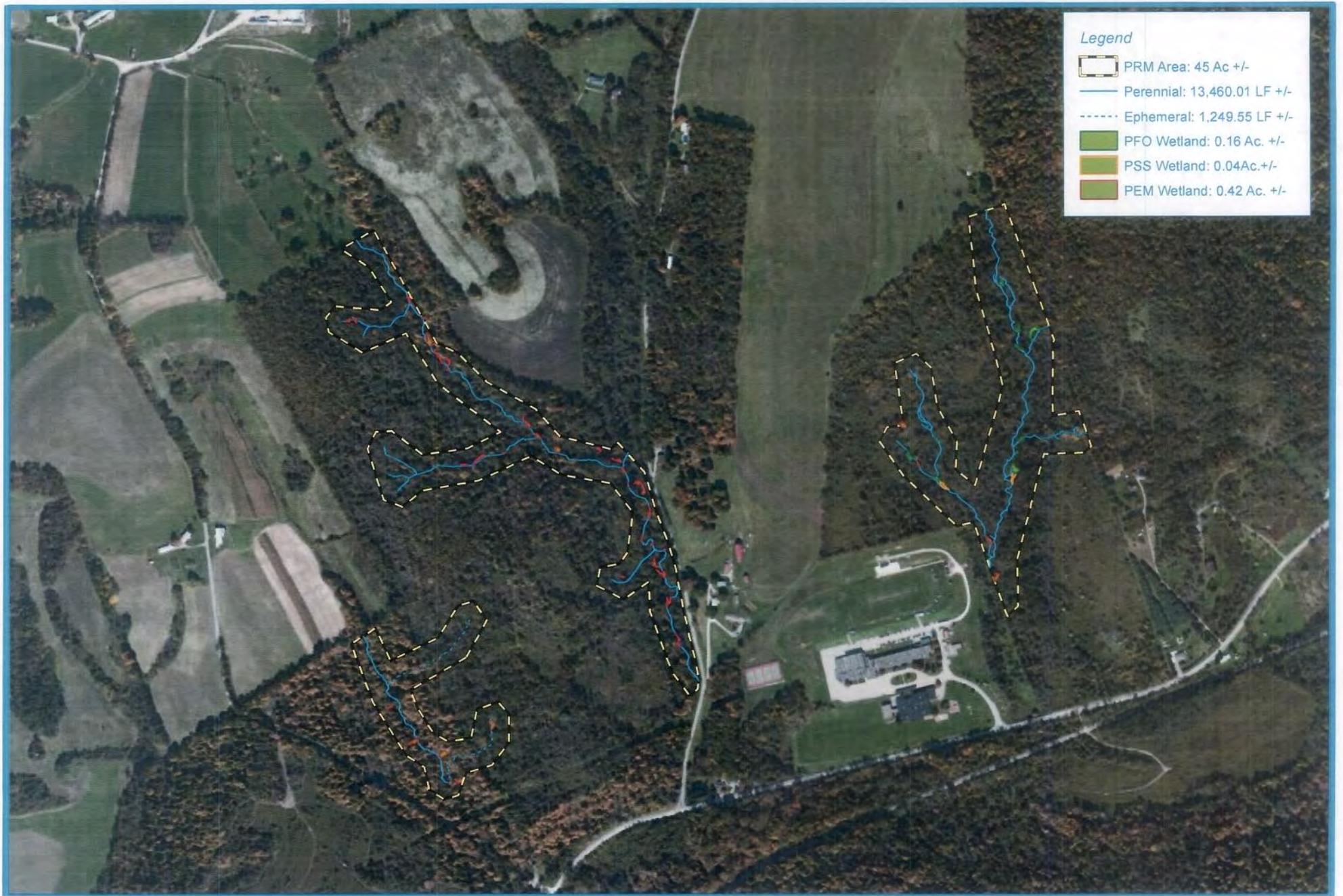


FIGURE 11

PERMITTEE RESPONSIBLE MITIGATION FOR THE SHELL PROPOSED PETROCHEMICALS COMPLEX  
 HORSEHEAD CORPORATION  
 EXISTING CONDITIONS MAP

WASHINGTON COUNTY, PENNSYLVANIA

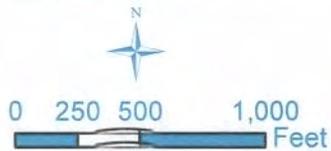




FIGURE 12

PERMITTEE RESPONSIBLE MITIGATION FOR THE SHELL PROPOSED PETROCHEMICALS COMPLEX  
 HORSEHEAD CORPORATION  
 RESOURCE DEVELOPMENT MAP

WASHINGTON COUNTY, PENNSYLVANIA



COORDINATE SYSTEM: NAD 1983 UTM ZONE 17 NORTH

