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. 1999-1982 Date: June 13, 2013

Notice No. 13-24 Closing Date: July 13, 2013

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. APPLICANT: Axiall Corporation (Former PPG Industries)
P.O. Box 191
New Martinsville, West Virginia 26155

3. LOCATION: Ohio River, Left Bank, Mile 119.1 – 119.6, New Martinsville, Marshall County, West Virginia.

4. PURPOSE AND DESCRIPTION OF WORK: The applicant is reapplying to perform maintenance dredging for an additional period of 10 years, at their Natrium Plant water intake and docking harbor area. Approximately 10,000 – 15,000 cubic yards of sediment as previously permitted is to be dredged from an area 1,000 feet long and 50 feet wide. Part of the area would be dredge to elevation of 590.0 as previously dredged. The dredge material would be transported by barge to property owned by the applicant. Drawings of the proposed dock are attached to this notice.

5. WEST VIRGINIA CERTIFICATION: This permit decision will not be made until the State of West Virginia, Division of Environmental Protection (WVDEP), issues, denies, or waives State Certification. This public notice does not serve as application to the WVDEP for certification required by Section 401 of the Clean Water Act. The applicant must apply directly to the WVDEP for individual water quality certification. The WVDEP will also consider whether or not the proposed activity will comply with sections 301, 302, 303, 306, 307 of the Clean Water Act or any other appropriate State laws. Any person wishing to comment, provide information, and/or request a public hearing concerning certification for this project should write to the:

West Virginia Department of Environmental Protection
Office of Water Resources
Regulatory Review Program
601 57th Street SE
Charleston, WV 25304-2345
Telephone: 304-926-0499
Re: Public Notice CELRP-OP-F No. 13-24

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project will have no effect on 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 National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

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. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: Interested parties are invited to state any 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

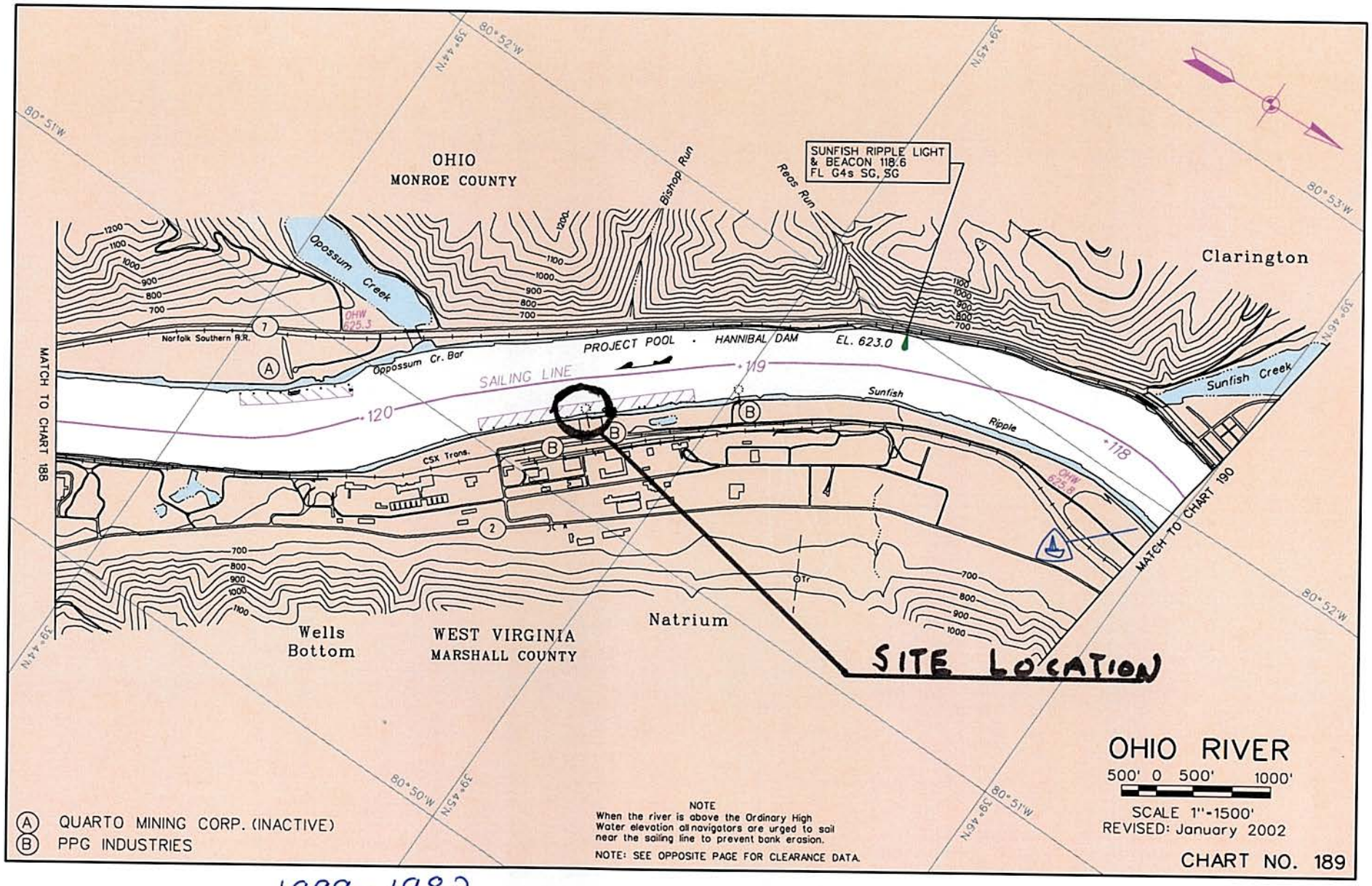
overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit 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 George Brkovich at the above address, by telephoning (412) 395-7247, or by e-mail at george.r.brkovich@usace.mil. Please refer to CELRP-OP-F 1999-1982 in all responses.

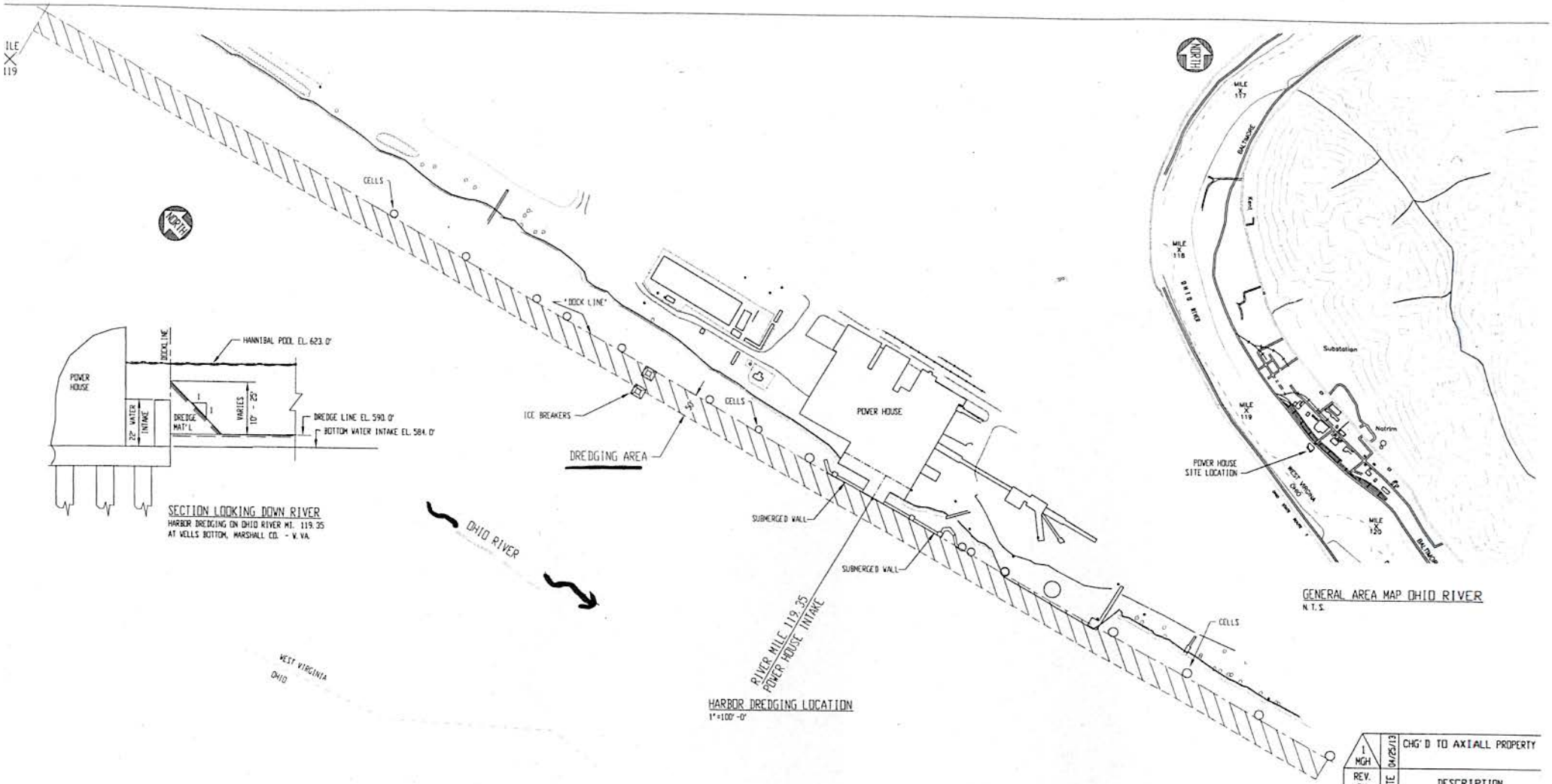
FOR THE DISTRICT ENGINEER:

// SIGNED //

Jon T. Coleman
Chief, Southern Section
Regulatory Branch
Pittsburgh District


OHIO
MONROE COUNTY
SUNFISH RIPPLE LIGHT
& BEACON 118.6
FL G4s SG, SG
Bishop Run
Reos Run
Opossum Creek
Clarington
Norfolk Southern R.R.
PROJECT POOL · HANNIBAL DAM EL. 623.0
Opossum Cr. Bar
SAILING LINE
119
120
118
Sunfish
Ripple
Sunfish Creek
CSX Trans.
MATCH TO CHART 188
MATCH TO CHART 190
Wells
Bottom
WEST VIRGINIA
MARSHALL COUNTY
Natrium
SITE LOCATION
80°51'W
80°52'W
80°53'W
80°50'W
39°44'N
39°45'N
39°46'N
OHIO RIVER
500' 0 500' 1000'
SCALE 1"=1500'
REVISED: January 2002
CHART NO. 189
A QUARTO MINING CORP. (INACTIVE)
B PPG INDUSTRIES
NOTE
When the river is above the Ordinary High Water elevation all navigators are urged to sail near the sailing line to prevent bank erosion.
NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

1999-1982



REV.	BY	DATE	DESCRIPTION
1	MGH	04/25/13	CHG'D TO AXIALL PROPERTY

DEPT: 49 - GENERAL PLANT

TITLE: HARBOR DREDGING

THE OHIO RIVER, COUNTY OF MARSHALL, WEST VIRGINIA

DRAWING TYPE: GENERAL AREA PLAN (GAP)

EQUIPMENT No:

axiall NATRIUM

DRAWN RJT	DATE 07/06/99	
CHECKED	DATE	
APP'VD	DATE	
SCALE NOTED	ACAD YES	
JOB No 1		REV
DWG 49A-0424		

1999-1982