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# 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

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Application No. 200601268

Date: October 27, 2006

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Notice No. 06-52

Closing Date: November 27, 2006

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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 404 of the Clean Water Act (33 U.S.C. 1344).
2. APPLICANT: Friends of the Cheat  
119 South Price Street, #206  
Kingwood, WV 26537  
Point of Contact: Keith Pitzer, Executive Director
3. LOCATION: in an unnamed tributary to Morgan Run, located in the Kingwood District, Preston County, West Virginia.
4. PURPOSE AND DESCRIPTION OF WORK: The project proposes to construct a passive acid mine drainage treatment system to treat an abandoned discharge, the DeAntonis Site, flowing into Morgan Run, a tributary to the Cheat River. The treatment system will consist of a limestone leach bed, a steel slag leach bed, a settling pond, and an open limestone channel. The limestone leach bed will be constructed in an 0.11 acre open water mine drainage impoundment and the steel slag leach bed will be constructed on approximately 58 feet of a non-degraded stream draining into the AMD impacted open water impoundment to add alkalinity to the waterway. A limestone channel will be constructed in 124 feet of degraded stream channel draining the open water impoundment to Morgan Run. Morgan Run is listed on the West Virginia 303 (d) list of water bodies impaired by mine drainage. It is anticipated that this project will remove 25,459 pounds of iron, 6,780 pounds of aluminum, and 883 pounds of manganese from Morgan Run annually. Drawings of the proposed project are attached to this notice.
5. ENCROACHMENT PERMIT: The applicant is required to obtain an encroachment permit which includes State 401 Water Quality Certification from the West Virginia Department of Environmental Protection:

West Virginia Department of Environmental Protection  
Division of Water & Waste management  
401 Certification Program  
601 57 Street SE  
Charleston, West Virginia 25304  
Telephone (304) 926-0495

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any 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)

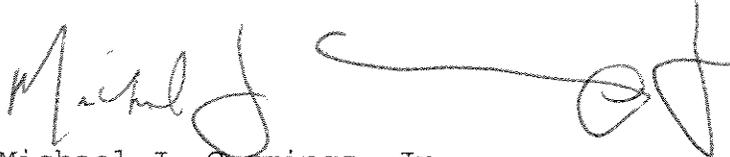
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

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

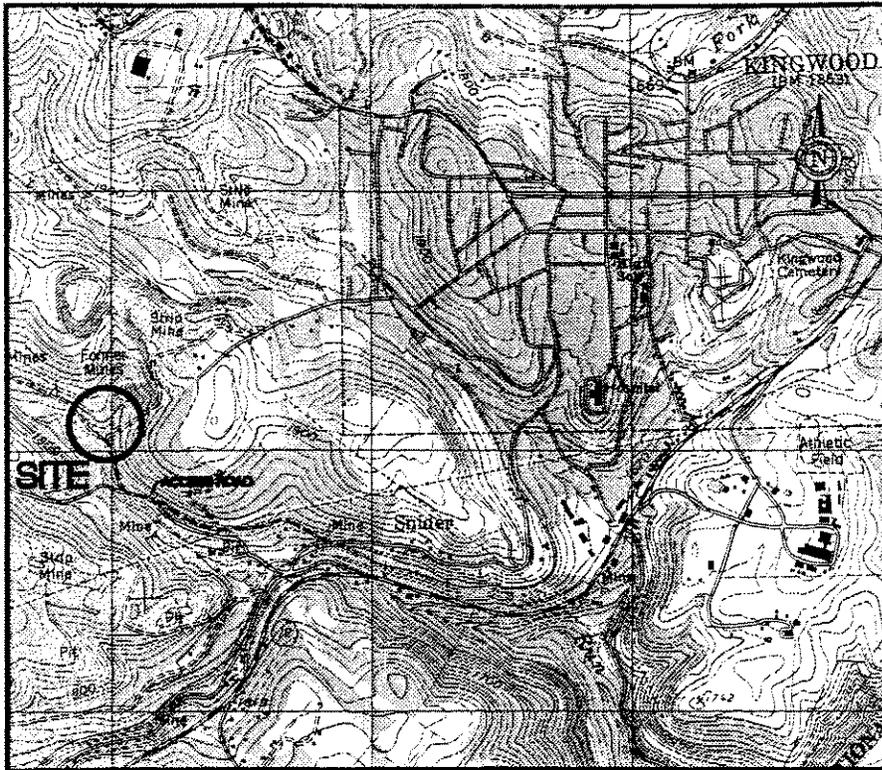
supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; 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 Marcia H. Haberman, at the above address, by telephoning (412) 395-7361, or by e-mail at Marcia.H.Haberman@usace.army.mil. Please refer to CELRP-OR-F 200601268 in all responses.

FOR THE DISTRICT ENGINEER:

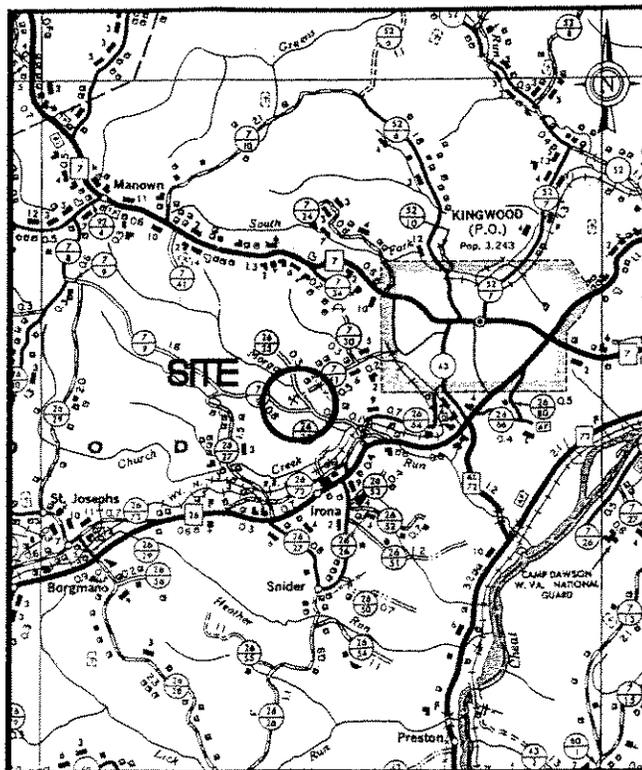
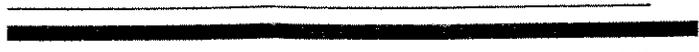


Michael J. Cummings, Jr.  
Chief, Regulatory Branch



**LOCATION MAP**  
**USGB KINGWOOD, WV QUADRANGLE**

SCALE: 1:25,000

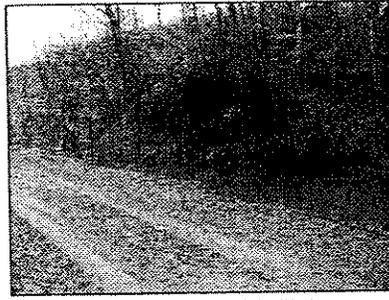
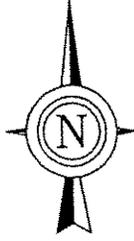


**VICINITY MAP**  
**WVDCH PRESTON COUNTY GENERAL HIGHWAY MAP**

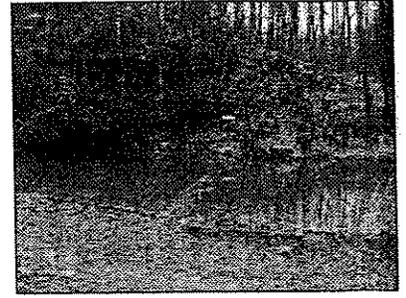
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REA



SURFACE WATER POND PHOTOGRAPH NO. 1



SURFACE WATER POND PHOTOGRAPH NO. 2

MINE DISCHARGE POINT  
(LATITUDE N 39-27-56,  
LONGITUDE W 79-42-43),  
INVERT ELEVATION 999.55  
MIN. FLOW 3.0 GPM (0.01 CFS)  
MAX. FLOW 206.4 GPM (0.46 CFS)  
AVG. FLOW 43.1 GPM (0.10 CFS)  
AVG. PH 2.53

SUMMARY OF SURFACE WATER DISCHARGES  
(TYPE II RAINFALL DISTRIBUTION, GILPIN HYDROLOGIC SOIL GROUP, TR-55 METHODOLOGY)

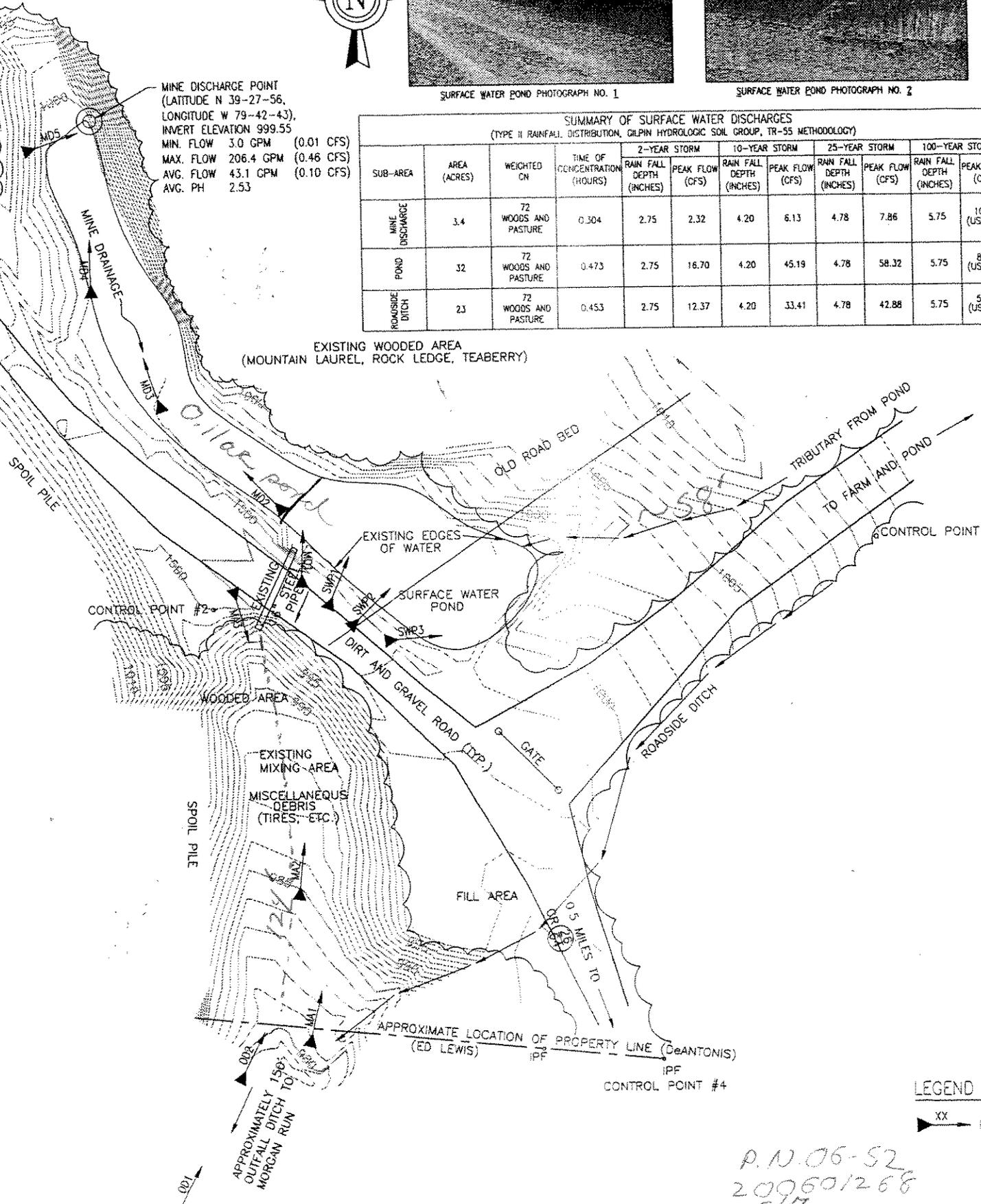
SUB-AREA	AREA (ACRES)	WEIGHTED CN	TIME OF CONCENTRATION (HOURS)	2-YEAR STORM		10-YEAR STORM		25-YEAR STORM		100-YEAR STORM	
				RAIN FALL DEPTH (INCHES)	PEAK FLOW (CFS)	RAIN FALL DEPTH (INCHES)	PEAK FLOW (CFS)	RAIN FALL DEPTH (INCHES)	PEAK FLOW (CFS)	RAIN FALL DEPTH (INCHES)	PEAK FLOW (CFS)
MINE DISCHARGE	3.4	72 WOODS AND PASTURE	0.304	2.75	2.32	4.20	6.13	4.78	7.86	5.75	10 (USE)
POND	32	72 WOODS AND PASTURE	0.473	2.75	16.70	4.20	45.19	4.78	58.32	5.75	81 (USE)
ROADSIDE DITCH	2.3	72 WOODS AND PASTURE	0.453	2.75	12.37	4.20	33.41	4.78	42.88	5.75	56 (USE)

EXISTING WOODED AREA  
(MOUNTAIN LAUREL, ROCK LEDGE, TEABERRY)



PH NO. 2

PH NO. 1

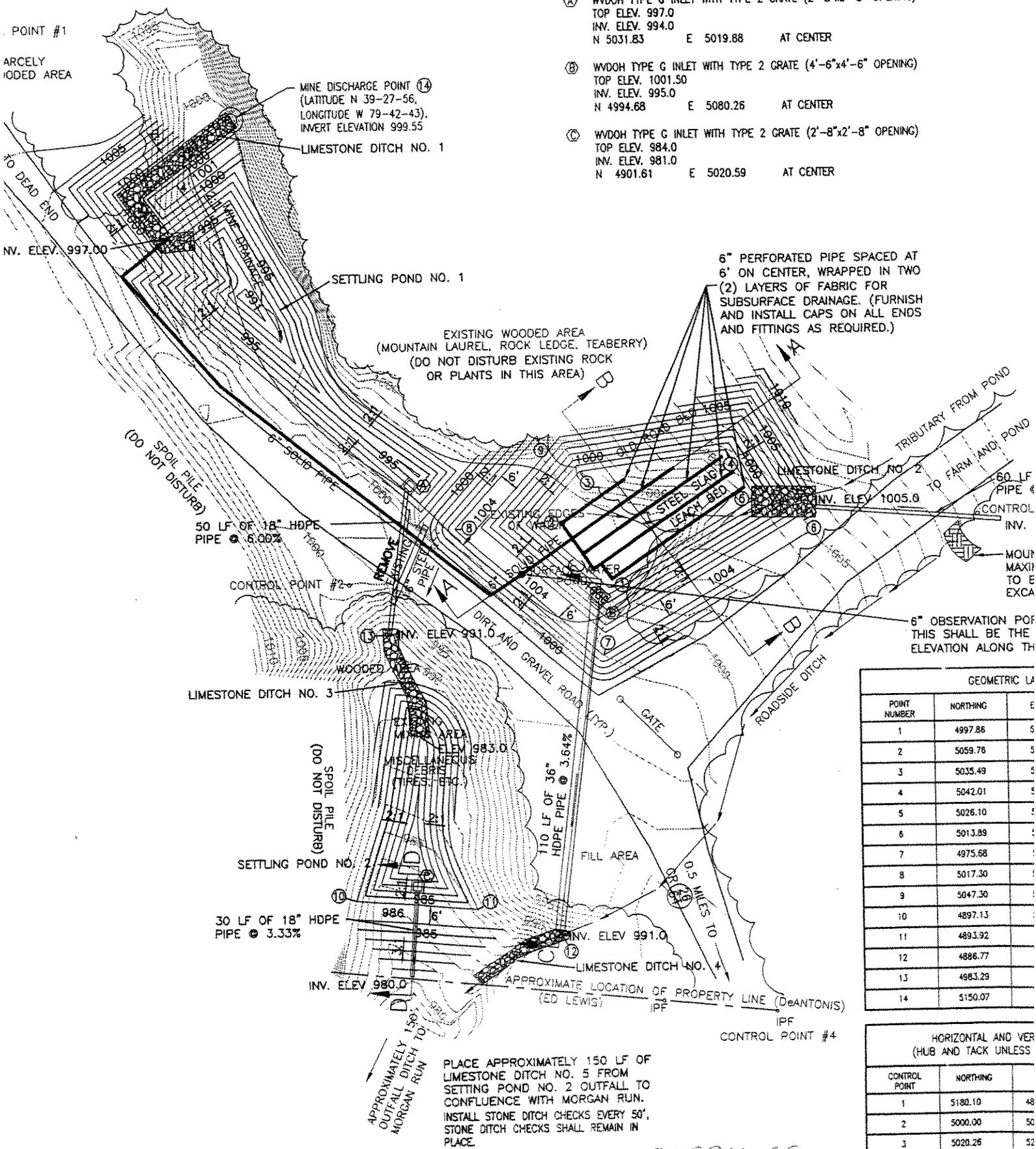


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**DRAINAGE STRUCTURES**

- (A) WVDOT TYPE G INLET WITH TYPE 2 GRATE (2'-8"x2'-8" OPENING)  
TOP ELEV. 997.0  
INV. ELEV. 994.0  
N 5031.83      E 5019.88      AT CENTER
- (B) WVDOT TYPE G INLET WITH TYPE 2 GRATE (4'-6"x4'-6" OPENING)  
TOP ELEV. 1001.50  
INV. ELEV. 995.0  
N 4994.68      E 5080.26      AT CENTER
- (C) WVDOT TYPE G INLET WITH TYPE 2 GRATE (2'-8"x2'-8" OPENING)  
TOP ELEV. 984.0  
INV. ELEV. 981.0  
N 4901.61      E 5020.59      AT CENTER



GEOMETRIC DATA		
POINT NUMBER	NORTHING	EASTING
1	4997.86	5019.88
2	5059.76	5080.26
3	5035.49	5031.83
4	5042.01	5094.68
5	5026.10	5019.88
6	5013.89	5080.26
7	4975.68	5020.59
8	5017.30	4994.68
9	5047.30	5031.83
10	4897.13	5019.88
11	4893.92	5080.26
12	4886.77	5020.59
13	4883.29	4994.68
14	5150.07	5031.83

HORIZONTAL AND VERTICAL (HUB AND TACK UNLESS NOTED)		
CONTROL POINT	NORTHING	EASTING
1	5180.10	48
2	5000.00	50
3	5020.26	52
4 (IPF)	4859.90	51

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Table 1 Water Quality Data collected from the portal on Morgan Run

Date	8/16/1993	10/8/1993	11/4/1993	2/15/1994	1/3/2003	8/25/2004	Average
sampling station	Portal	Portal	Portal	Portal	Portal	Portal	Portal
Flow	5.12	8.03	3.01	23.34	206.43	12.50	43.07
Field pH	2.4	2.6	2.5	2.4	2.6	2.7	2.53
pH	2.5	2.8	2.9	2.7	2.4	2.87	2.70
acidity	1600	1780	1612	938	962	248.69	1190.12
Calc. Acidity	1416.32	1292.14	176.42	752.09	717.62	600.19	870.92
alkalinity	0	0	0	0	0	0	0.00
acid-alk	1416.325	1292.141	176.423407	752.094	717.6173	600.1939	870.92
Mg						27.21	27.21
Ca						60.73	60.73
Fe	305	354	5.4	182	163	133.14	190.42
Al	118	94	1.2	40	52.8	46.16	58.69
Mn	9.39	6.7	1.1	3.2	4.19	3.43	4.67
SO4	1540	2156	2069	1267	596	720	1391.33
Acid Load	15.94	22.84	1.17	38.61	325.91	16.51	80.89
Cond	4770	2673	2780	1996	3230	2480	2988.17

Table 2 Water quality Data collected from Morgan Run below discharge point above Church Run Lat = 39 27'30.9" Long = 79 42' 14.4"

Date	Flow GPM	Field pH	AcidLoad TonsYr	Acid-Alk	Alk	LabAcidity	Lab pH	Al	Ca	Fe	Mg	Mn	SO4	CalcAcid
2/1/2006	1652	3.5	587	161.95	0	161.95	3.25	8.98	20.3	13.62	7.9	1.38	148	117
5/24/2006	1115	3.5	622.94	254.84	0	254.84	3.18	8.67	20.98	10.24	8.25	1.32	159	111.03
3/28/2006	817	3.3	376	210.74	0	210.74	3.22	8.79	22.9	12.53	8.5	1.37	160	115.01
4/25/2006	2730	3.2	1549	258.86	0	258.86	3.17	10.35	21.74	20.67	8.76	1.33	71.4	149.09
6/21/2006	153.2	3.2	75.9	226.01	0	226.01	3.07	10.19	40.66	12.26	13.8	1.86	324	124.38
7/19/2006	111.5	2.9	76.72	313.79	0	313.79	3.08	12.15	44.9	16.58	14.82	2.14	320	178.75
8/28/2006	17	3	24.8	665.55	0	665.55	2.82	11.56	160.32	9.46	34.14	4.22	742	147.23

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