



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. 2007-1022

Date: March 19, 2008

Notice No. 08-16

Closing Date: April 18, 2008

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: Monongahela Power Company
800 Cabin Hill Drive
Greensburg, PA 15601-1689
3. LOCATION: in unnamed tributaries of Crooked Run, a named tributary to the Monongahela River, near Maudsville, in Monongalia County, West Virginia. The project area is located ten miles north of Morgantown, West Virginia; off of West Virginia Route 119. The approximate center of the project is Latitude 39'42'20"N and Longitude 79'52'05"W.
4. PURPOSE AND DESCRIPTION OF WORK: Monongahela Power Company (MEP) is proposing to expand an existing coal combustion by-product (CCB) landfill and the construction of a Material Handling Conveyor at the Fort Martin Power Station. The proposed expansion and construction of the conveyor will directly support the continued operations at the Fort Martin Power Station. MEP is currently in the planning and engineering stages for the construction of a scrubber system which will significantly increase the quantity of CCBs requiring disposal. MEP is required to construct the scrubber system to be in compliance with the Clean Air Act.

The proposed expansion of the CCB landfill is located entirely on MEPs property adjacent to the existing landfill. The proposed project site consists of approximately 76 acres (specifically the footprint of the landfill expansion).

The proposed construction of the conveyor would originate at the plant and traverse immature forest, mixed deciduous forest, a

utility right-of-way and an open field to the proposed CCB landfill expansion. The proposed route of the conveyor is approximately 4,450 feet long and encompasses approximately 12 acres. Activities associated with the overland conveyor were considered eligible for Nationwide Permit #14. The impacts associated with this activity included two unnamed tributaries totaling approximately 176 linear feet (LF). The impacts associated with this activity will be addressed cumulatively with the landfill expansion of which will impact approximately 2,158LF of perennial channel, 950LF of intermittent and 475LF of ephemeral channel.

MEP is currently working on a conceptual mitigation plan which includes both in-kind and out-of-kind compensatory mitigation. MEP currently proposes to construct on-site stream channels that will convey flow around the fill area to the downstream reaches of Crooked Run. These structures would convey flow around the proposed project and provide functions similar to those of an ephemeral channel. Further details are not available at this time. MEP is currently working with the Corps and state resource agencies in seeking possible mitigation projects. Drawings of the proposed project are attached to this notice.

5. WEST VIRGINIA 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
Division of Water & Waste Management
401 Certification Program
601 57th Street SE
Charleston, West Virginia 25304
Telephone: 304-926-0495

Re: Public Notice CELRP-OP-F No 08-16.

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, not likely to adversely affect the continued existence of the Indiana bat (*Myotis sodalis*) a federally listed endangered 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 (USFWS) 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 Allen Edris, at the above address, by telephoning (412) 395-7158, or by e-mail at allen.r.edris@lrp02.usace.army.mil. Please refer to CELRP-OP-F 2007-1022 in all responses.

FOR THE DISTRICT ENGINEER:

SIGNED

Scott A. Hans
Chief, Regulatory Branch

XREF Files: IMAGE Files:
 File: S:\proj\05-0673-FORT MARTIN\dwg\006\05-0673-AD-FINAL-DEV.dwg
 Plot Date/Time: Feb 25, 2008 - 4:45pm
 Plotted By: MBSankof



LEGEND

-  DITCHES
-  20 FT. BENCH
-  2.5:1 SLOPE
-  20 FT. BENCH

2006 BASE TOPOGRAPHIC MAPPING OF FORT MARTIN POWER STATION'S ACTIVE CCB LANDFILL FACILITY PROVIDED TO POTESTA AND ASSOCIATES FROM ALLEGHENY ENERGY SUPPLY COMPANY, LLC. AERIAL PHOTOGRAPHY DATED 04/20/06, REFER TO DRAWING NO. C69503313.

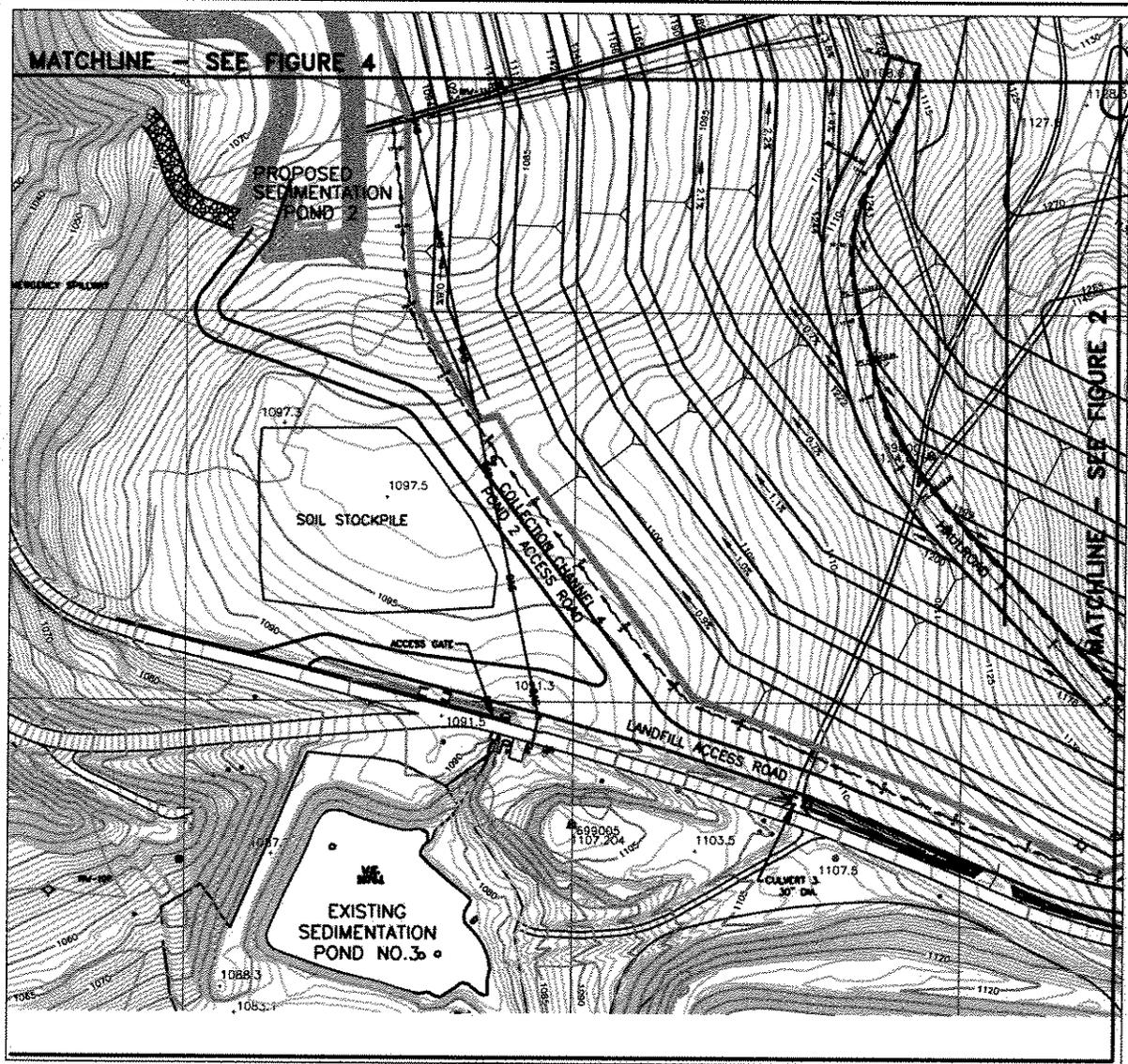
GRAPHIC SCALE



POTESTA
Potesta & Associates, Inc.
ENGINEERS AND ENVIRONMENTAL CONSULTANTS
 7012 MacCorkle Ave. SE, Charleston, WV 25304
 TEL: (304) 342-1400 FAX: (304) 343-9031
 E-Mail Address: potesta@potesta.com

Project	
FT. MARTIN POWER STATION COAL COMBUSTION BY-PRODUCTS LANDFILL EXPANSION	
Scale NOTED	Dwg. No.
Date FEBRUARY 2008	FIGURE 6

XREF Files: IMAGE Files:
 File: S:\proj\05-0673-FORT MARTIN\dwg\006\05-0673-AD-FINAL-DEV.dwg
 Plot Date/Time: Feb 25, 2008 -- 4:46pm
 Plotted By: MBSenkoff



LEGEND

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2006 BASE TOPOGRAPHIC MAPPING OF FORT MARTIN POWER STATION'S ACTIVE CCB LANDFILL FACILITY PROVIDED TO POTESTA AND ASSOCIATES FROM ALLEGHENY ENERGY SUPPLY COMPANY, LLC. AERIAL PHOTOGRAPHY DATED 04/20/06, REFER TO DRAWING NO. C6950313.

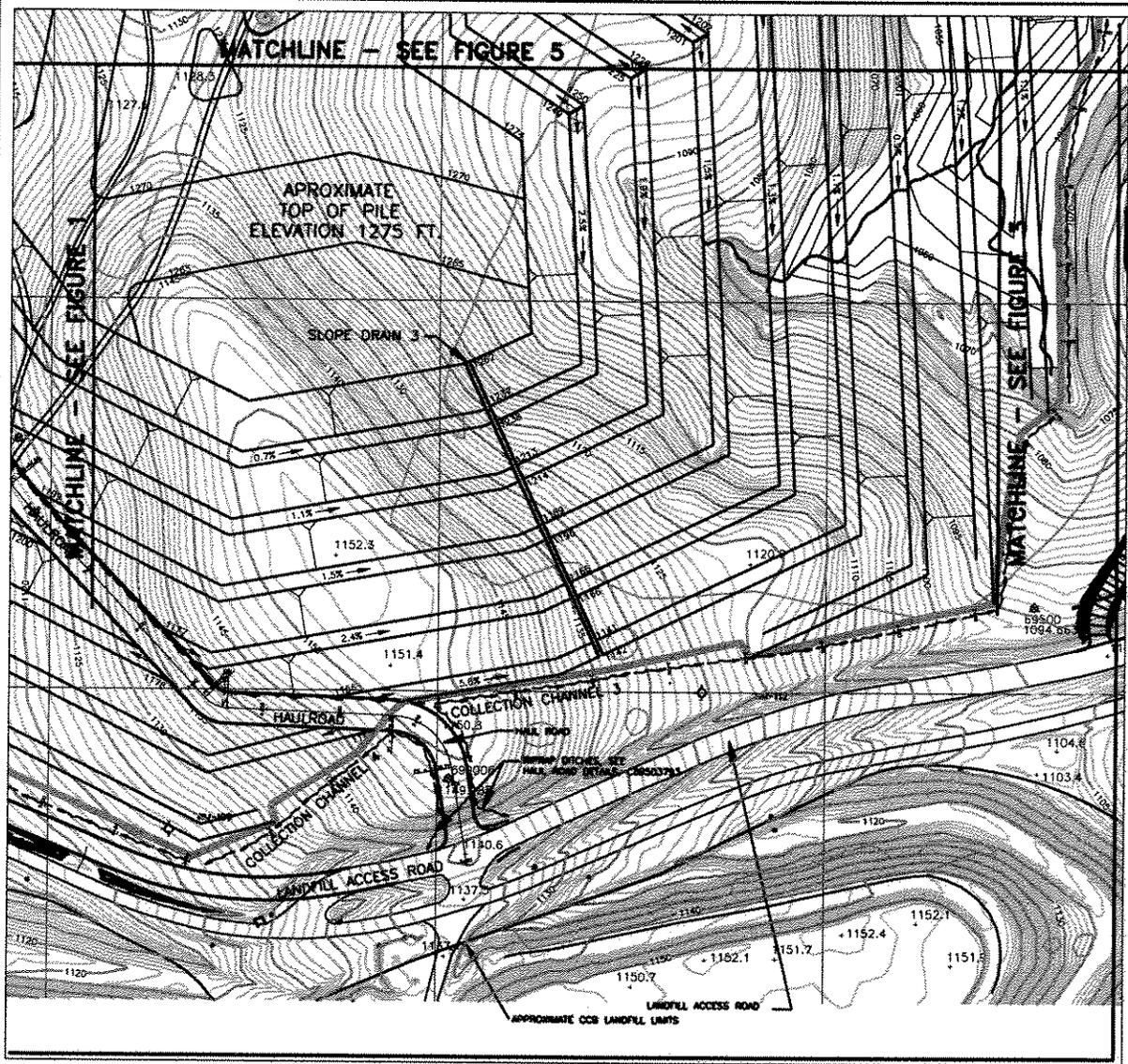
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Project	
FT. MARTIN POWER STATION COAL COMBUSTION BY-PRODUCTS LANDFILL EXPANSION	
Scale NOTED	Dwg. No.
Date FEBRUARY 2008	FIGURE 1

XREF Files: IMAGE Files:
 File: S:\proj\05-0673-FORT MARTIN.dwg\006\05-0673-AD-FINAL-DEV.dwg
 Plot Date/Time: Feb 25, 2008 - 4:46pm
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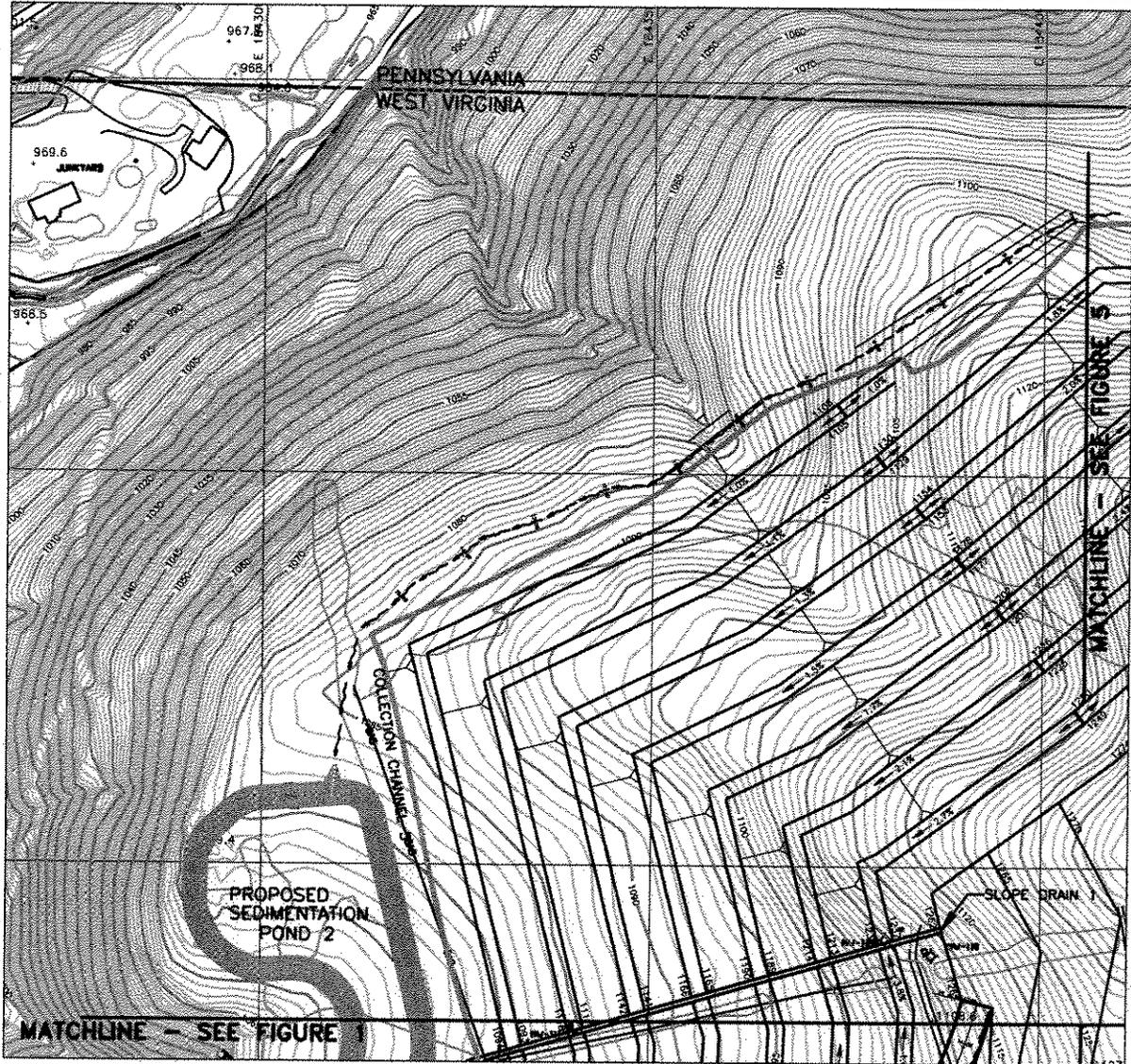
7012 MacCorkle Ave. SE, Charleston, WV 25304
 TEL: (304) 342-1400 FAX: (304) 343-9031
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 FT. MARTIN POWER STATION
 COAL COMBUSTION BY-PRODUCTS
 LANDFILL EXPANSION

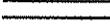
Scale NOTED
 Date FEBRUARY 2008

Dwg. No.
FIGURE 2

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 Plotted By: MBSankoff



LEGEND

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Project

FT. MARTIN POWER STATION
 COAL COMBUSTION BY-PRODUCTS
 LANDFILL EXPANSION

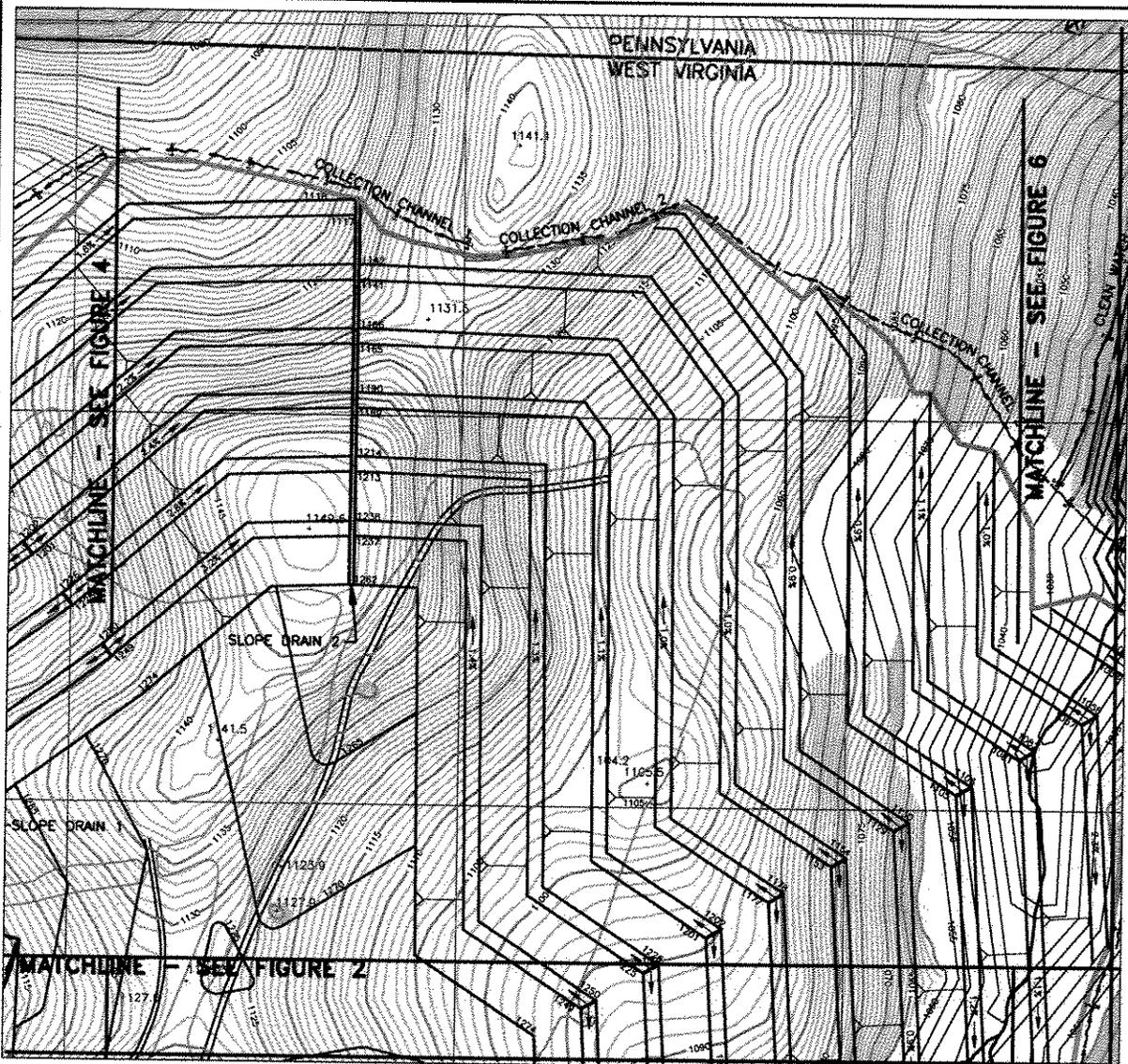
Scale NOTED

Date FEBRUARY 2008

Dwg. No.

FIGURE 4

XREF Files: IMAGE Files:
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FIGURE 5