



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

# Public Notice

In Reply Refer to  
Notice No. below

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

Application No. 2014-405

Date: May 30, 2014

Notice No. 14-27

Closing Date: June 14, 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. APPLICANT: Alpha PA Coal Terminal, LLC  
158 Portal Road, P.O Box 1020  
Waynesburg, Pennsylvania 15301
3. LOCATION: at the former LaBelle preparation plant along the Monongahela River (RM 63.1) right descending bank near East Millsboro, Luzerne Township, Fayette County, Pennsylvania. Coordinates at location are: 40.009440° N, -79.989440° W.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes the construction of a new waterfront working platform for unloading and transfer of coal and a new rail siding adjacent to the existing Norfolk Southern (NS) railroad corridor. The proposed work will in part support the existing Cumberland Coal Resources mine located in Whiteley Township, Greene County as well as accommodate additional coal storage and transportation capacity for other coal customers. The proposed project will allow for the unloading of coal from barges on the Monongahela River for transfer to the railroad cars via rail siding to the Norfolk Southern rail line.

The proposed project location was formerly used as a coal processing and barge loadout and mooring facility located along the right descending bank of the Monongahela River. The applicant proposes to construct an unloading pad between existing mooring cells #17 - #20 where an electric material handler will unload coal from barges to be stockpiled in the adjacent existing brownfield area. The proposed rail siding will supply the means of material transport from the stockpile location to the NS rail corridor. The proposed project will be located entirely within a disturbed site that is within an existing SMCRA permit boundary and NS railroad right-of-way. The project need is justified by the following factors: FirstEnergy's (FE) Hatfield Power Plant was a key coal recipient for the Cumberland Mine and is now closed. With the closure of the Hatfield Plant the applicant does not have enough storage room in order to facilitate future coal orders, and the applicant's current options preclude the Cumberland Mine from having a suitable means of coal transport to customers via rail.

As a result of the proposed work impacts to streams and wetlands will occur. The following details have been provided after a thorough alternatives analysis was performed for on-site and off-site locations. Permanent impacts to the Monongahela River will include 191 LF (0.02 acres) of permanent engineered fill to be placed for the purposes of building an unloading pad and 89 LF to a tributary to the Monongahela River for the purposes of a culvert extension. Additionally, impacts to a wetland system along the rail siding will also occur in the amount of 0.558 acres. Impacts for the project are summarized in Table #1 below.

<b>Table #1 - Impacts</b>			
<b>Resource Name</b>	<b>Classification</b>	<b>Impact Amount</b>	<b>Impact Type</b>
Tributary to Mon River (S01MJB31414A)	Perennial	89 LF	Culvert Extension
Mon River (37185)	Perennial	191 LF (0.02 ac)	Eng. Fill/Pad
W07ADG31414A	PEM, PSS, PFO	PEM = 0.111, PSS = 0.111, PFO = 0.336	Rail Expansion

To offset unavoidable impacts to streams and wetlands, the applicant proposes on-site and off-site mitigation. Off-site stream mitigation is proposed along the left descending bank of Tenmile Creek in East Bethlehem Township, Washington County, PA to offset impacts to the Monongahela River. Work to be done will include stream riparian corridor restoration, bank stabilization along 360 LF of Tenmile Creek, and shallow water habitat improvements. The project also encompasses the re-grading and revegetating an existing gob pile. On-site stream mitigation is proposed on the same stream reach that will be impacted by two (2) culvert extensions. Work that is proposed includes stream bank grading and riparian plantings along 230 LF of stream. Wetland mitigation will be provided for wetland impacts related to the rail siding through the construction of three (3) wetland cells within the project area. Work that is proposed includes grading and planting to fulfill wetland mitigation requirements. Proposed mitigation for the project is summarized in Table #2 below.

<b>Table #2 - Mitigation</b>			
<b>Resource Name</b>	<b>Classification</b>	<b>Mitigation Amount</b>	<b>Mitigation Type</b>
Monongahela River	Perennial	230 LF	Bank grading/planting
Tenmile Creek	Perennial	360 LF	Bank grading/planting/restoration
Created Wetlands	PEM, PSS, PFO	PEM=0.111 ac, PSS=0.222 ac, PFO=1.010 ac	Wetland Creation

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  
California District Mining Office  
25 Technology Drive  
Coal Center, Pennsylvania 15423

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information which includes the PNDI review information (PNDI #20140415446-932,937,940 and 20140424448158). The DE 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: Coordination with the PHMC was conducted in 2008 (ER#2008-1686-051-B). Within PHMC's letter dated, June 16, 2008, it notes that a high probability of resources may be within the area, but the proposed project would not affect the potential cultural resources. 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

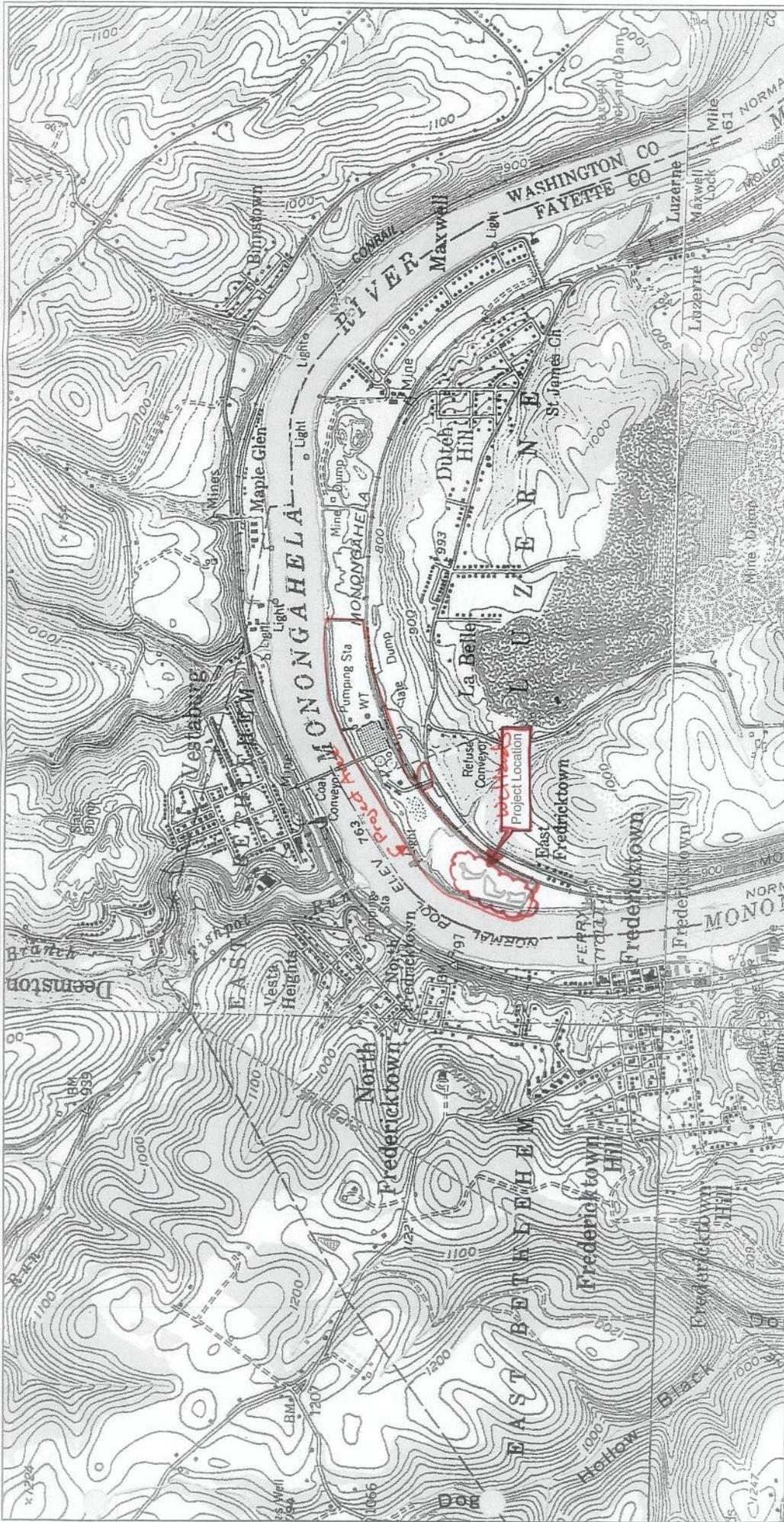
needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties 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 Josh Shaffer at the above address, by telephoning (412) 395-7121, or by e-mail at [joshua.d.shaffer@usace.army.mil](mailto:joshua.d.shaffer@usace.army.mil). Please refer to CELRP-OP-F 2014-405 in all responses.

FOR THE DISTRICT ENGINEER:

// SIGNED //

Jon T. Coleman  
Chief, Southern Section  
Regulatory Branch



Source Data:  
 1. 7.5 Minute Topographic DRG,  
 \*California, Carmichaels, Ellsworth and  
 Mather, PA., USGS, 1996.  
 Projection: Lambert Conformal Conic  
 Datum: NAD27  
 Coordinate System:  
 PA State Plane South (Feet)  
 4/15/2014

Revisions:  
 5/13/2014

Legend  
  
 Project Location  
 SMCRA Permit Boundary  
 Streams

Prepared For:  
 Alpha PA Coal Terminal, LLC  
 158 Portal Road  
 Waynesburg, PA 15370

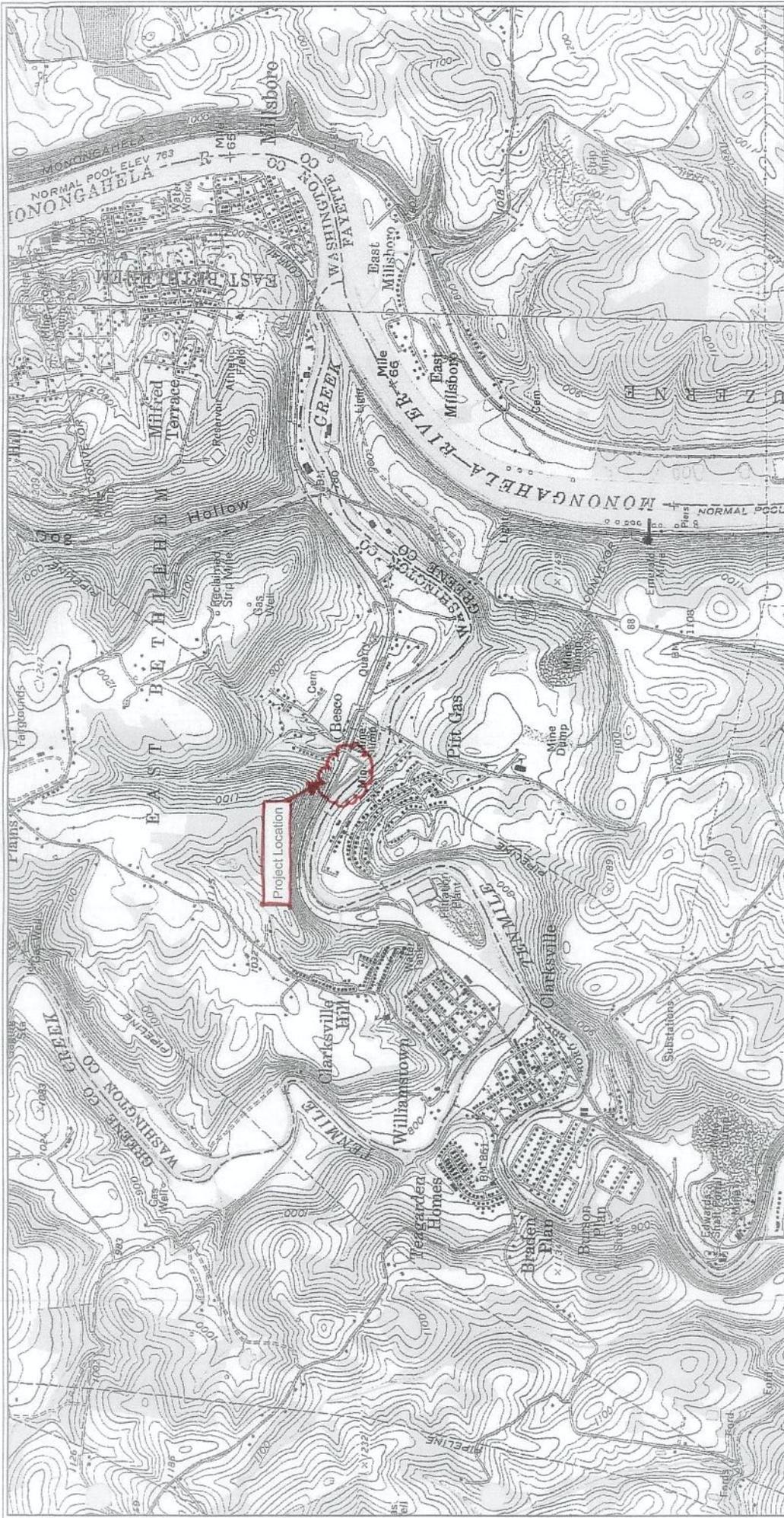
WALLACE & PANCHER, INC.  
 1000 TOWN CENTER WAY, STE 140  
 CANONSBURG, PA 15317  
 PHONE: (724) 561-1240  
 FAX: (724) 561-1279  
 ENGINEERING AND ENVIRONMENTAL CONSULTING

Project: Project Location Map  
 LaBelle Rail Siding, Unloading  
 Facility and Transfer Facility  
 Wetland Mitigation Plan  
 Fayette County, Pennsylvania

Figure 1

Drawn: HAB  
 Checked: MJB  
 Reviewed: JEB  
 Project No.: 20558





Source Data:  
 1: 7.5 Minute Topographic DRG,  
 1: 25,000 Scale, U.S. Geological Survey,  
 Mather, PA. USGS, 1986.  
 Projection: Lambert Conformal Conic  
 Datum: NAD27  
 Coordinate System:  
 Pennsylvania State Plane South (Feet)

Revisions:  
 4/15/2014  
 5/29/2014

Legend  
 Project Location

1 inch = 1,500 feet

North Arrow

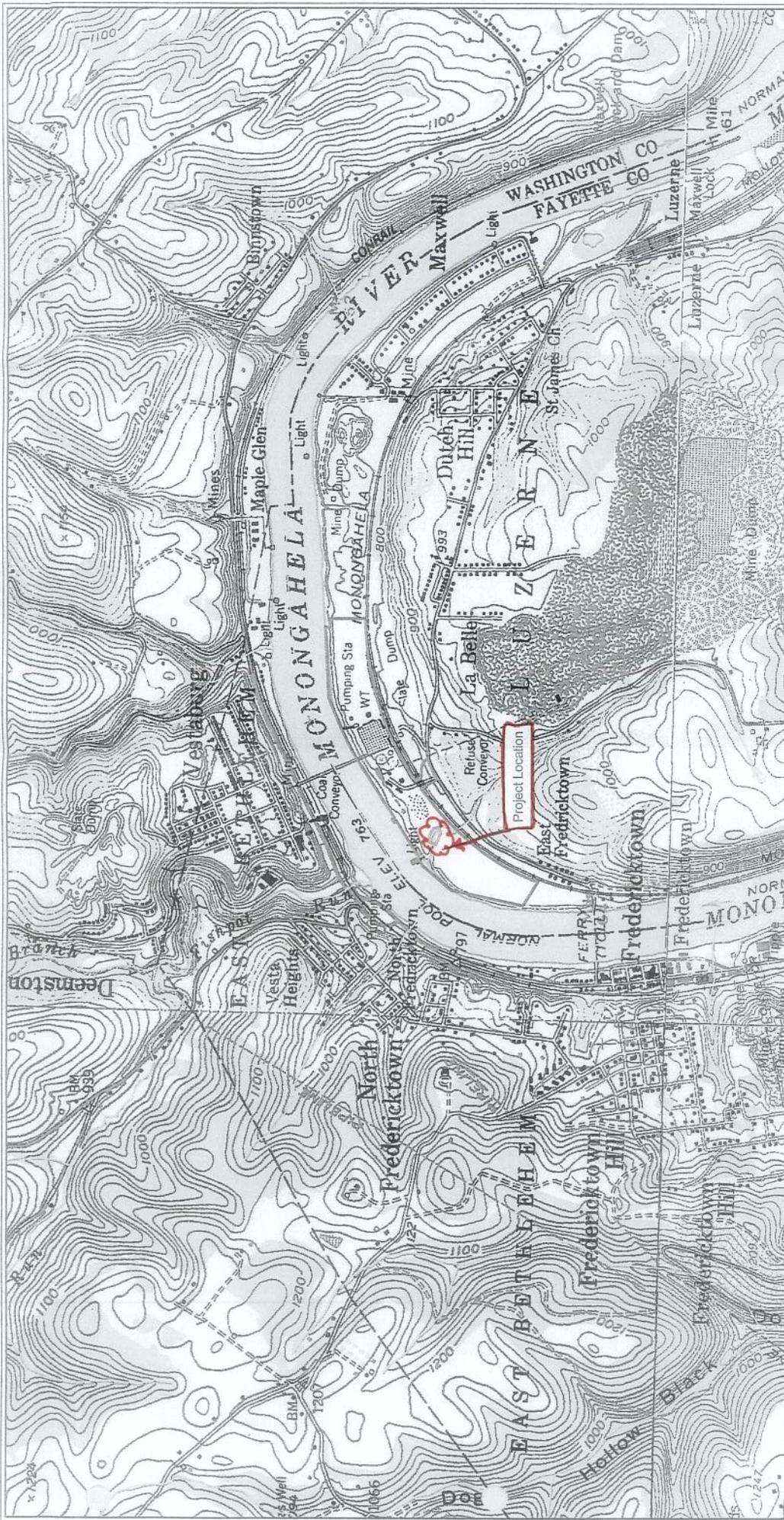
Prepared For:  
**Alpha PA Coal Terminal, LLC**  
 158 Portal Road  
 Waynesburg, PA 15370

Project:  
 Project Location Map  
 Tenmile Creek Gob Pile  
 Conceptual Stream Mitigation  
 Washington County, Pennsylvania

WALLACE & PANCHER, INC.  
 1000 TOWN CENTER WAY, STE. 140  
 CANONSBURG, PA 15317  
 PHONE: (724) 551-1240  
 FAX: (724) 551-1279  
 ENGINEERING AND ENVIRONMENTAL CONSULTING

Drawn: JJC  
 Checked: HMB  
 Reviewed: LMB  
 Project No.: 20558

Figure 2



<p>Source Data:          1. 7.5 Minute Topographic DRG,          "California, Carmichaels, Ellsworth and          Mather, PA," USGS, 1986.          Projection: Lambert Conformal Conic          Datum: MAD27          Coordinate System:          P.A. State Plane South (Feet)</p>	<p>Prepared For:  <b>Alpha PA Coal Terminal, LLC</b>          158 Portal Road          Waynesburg, PA 15370</p>	<p>Project:          Project Location Map          LaBelle Rail Siding, Unloading          Facility and Transfer Facility          Stream Mitigation Plan          Fayette County, Pennsylvania</p>	<p>Figure  <b>3</b></p>	<p>Drawn: HAB          Checked: MJB          Reviewed: JEB          Project No.: 20558</p>			
<p>Legend</p> <ul style="list-style-type: none"> <li> Project Location</li> <li> SMCRA Permit Boundary</li> <li> Streams</li> </ul>	<p>1 inch = 1,200 feet</p> 	<p>Revisions:</p> <table border="1"> <tr> <td>L</td> <td>4/15/2014</td> </tr> <tr> <td></td> <td>5/13/2014</td> </tr> </table>	L	4/15/2014		5/13/2014	<p>WALLACE &amp; PANCHER, INC.          1000 TOWN CENTER WAY, STE. 140          CANONSBURG, PA 15317          PHONE: (724) 551-1240          FAX: (724) 551-1279          ENGINEERING AND ENVIRONMENTAL CONSULTING</p>
L	4/15/2014						
	5/13/2014						



