

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: LRP-2013-615

Date: July 20, 2015

Notice No. 15-13

Closing Date: August 20, 2015

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.
2. APPLICANT: Mr. James Panaro
Robindale Energy Services, Inc.
224 Grange Hall Road
P.O. Box 228
Armagh, PA 15920
3. LOCATION: the project is located approximately 3 miles north of Armagh, Brush Valley Township, Indiana County, PA. The project is located at: 40.492500° N, -79.017780° W.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to expand the existing Dilltown coal refuse disposal facility. The majority of the disposal material transported to the facility will be beneficial use ash and waste coal rejects generated from the Seward Power Plant situated approximately 10 miles from the facility. Other coal refuse will come from “re-mining” of the existing refuse area, from the LCT Energy Brubaker and Cass deep mines, and from RES Coal’s Clearfield Siding Preparation Plant.

The existing refuse pile comprises approximately 278 acres and construction was initiated in the 1970s. The proposed expansion to the existing refuse and coal ash pile will cover an additional area of approximately 205 acres, thus creating a total fill area comprising 483 acres.

The proposed facility expansion will permanently impact 4,061 linear feet of stream channel and 3.09 acres of wetland. The proposed impacts are located in unnamed tributaries of Blacklick Creek and abutting and adjacent wetlands.

The applicant proposes to offset unavoidable impacts to streams and wetlands by creating 5.69 acres of wetlands and creating/restoring 4,061 linear feet of stream channel. The stream and wetland mitigation area is situated just to the southeast and abutting the new refuse expansion area within the Blacklick Creek watershed, where all of the aquatic impacts will occur. This Permittee Responsible Mitigation Plan is available upon request.

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

DEP California District Mining Office
25 Technology Drive
California Technology Park
Coal Center, PA 15423
Phone 724-769-1100

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, but is not likely to adversely affect endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. A search of the Pennsylvania Natural Diversity Index (PNDI ID: 20150706521427) tool yielded a comment from the US Fish and Wildlife Service concerning potential impacts to Indiana Bats.

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. The Pennsylvania Historical and Museum Commission (PHMC) letter (ER#1993-4258-063-F) dated April 3, 2015 states that the permit area has low archaeological potential and thus should have no effect upon significant archaeological 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.

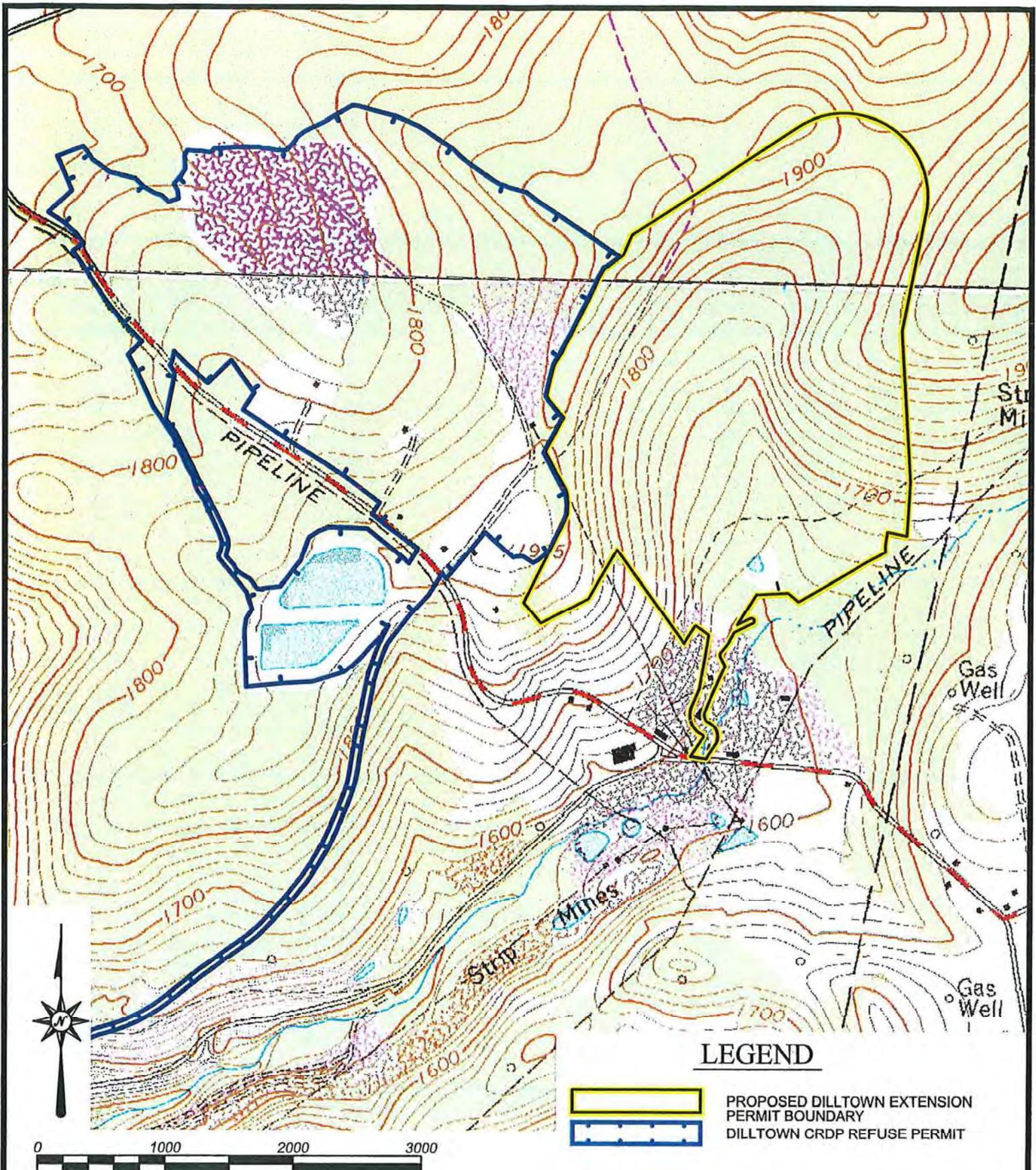
That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will 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 Greg Currey at the above address, by telephoning (412) 395-7181, or by e-mail at Gregory.e.currey@usace.army.mil. Please refer to CELRP-OP-F 2013-615 in all responses.

FOR THE DISTRICT ENGINEER:

//signed//

Karen A. Kochenbach
Chief, Southern Section
Regulatory Branch



LEGEND

- PROPOSED DILLTOWN EXTENSION PERMIT BOUNDARY
- DILLTOWN CRDP REFUSE PERMIT

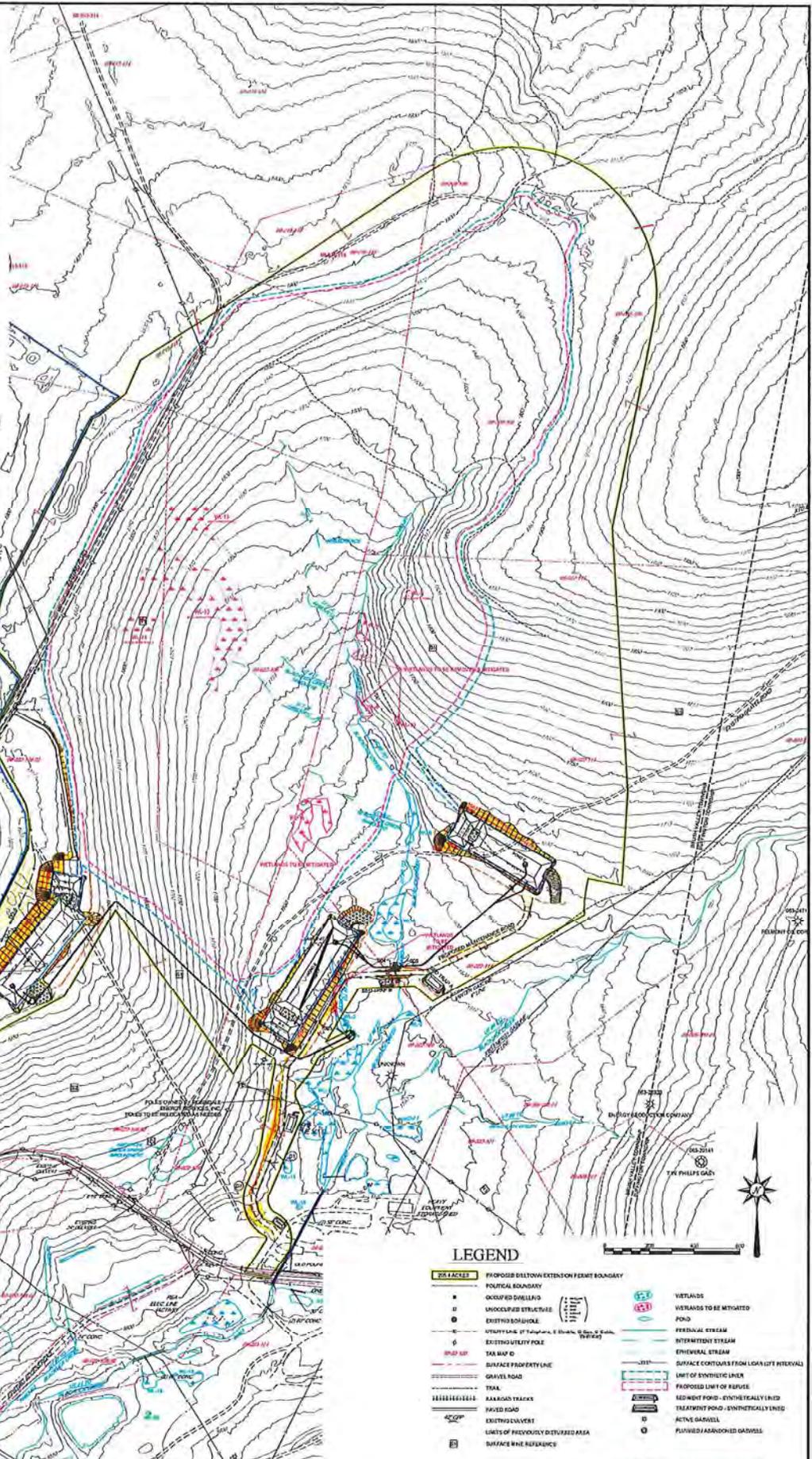
Drawn By:	DJP
Checked By:	BRC
Date:	10-09-2014
Scale:	1" = 1000'
Project No.:	0115-L391
File Name:	Dilltown Facility - Base & Stages.dwg
Drawing:	1 of 1

CME
 ENGINEERING
 CME ENGINEERING LP
 975 Georges Station Rd, Ste 100, Greensburg, PA 15601
 724-672-4800 FAX: 724-672-4801

EXHIBIT 1: SITE LOCATION MAP
 ROBINDALE ENERGY SERVICES, INC.
 DILLTOWN FACILITY
 CRDA # 32733709 MSHA ID # 36-07266
 BRUSH VALLEY TOWNSHIP
 INDIANA COUNTY, PENNSYLVANIA

PROPERTY OWNER INDEX

PARCEL #	PROPERTY OWNER	SPRINKLER/VALVE #
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LEGEND

- 25+ ACRES PROPOSED DELTONA EXTENSION PERMIT BOUNDARY
- POLY POLITICAL BOUNDARY
- OCCUPIED BUILDING OCCUPIED BUILDING
- UNOCCUPIED STRUCTURE UNOCCUPIED STRUCTURE
- EXISTING FOUNDATION EXISTING FOUNDATION
- UTILITY LINE (1" = 10' HORIZ. & 1" = 10' VERT.) UTILITY LINE (1" = 10' HORIZ. & 1" = 10' VERT.)
- EXISTING UTILITY POLE EXISTING UTILITY POLE
- TAX MAP ID TAX MAP ID
- SURFACE PROPERTY LINE SURFACE PROPERTY LINE
- GRAVEL ROAD GRAVEL ROAD
- TRAIL TRAIL
- RAILROAD TRACKS RAILROAD TRACKS
- PAVED ROAD PAVED ROAD
- EXISTING CULVERT EXISTING CULVERT
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- PERMANENT STREAM PERMANENT STREAM
- INTERMITTENT STREAM INTERMITTENT STREAM
- EFFLUENT STREAM EFFLUENT STREAM
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- LIMIT OF SYNTHETIC LINER LIMIT OF SYNTHETIC LINER
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- TREATMENT POND - SYNTHETICALLY LINED TREATMENT POND - SYNTHETICALLY LINED
- ACTIVE GARDWELL ACTIVE GARDWELL
- PLUMBED/ARMORING GARDWELL PLUMBED/ARMORING GARDWELL

- NOTES**
- PERMIT EXHAUSTION AREA IS 206 ACRES. TOTAL PERMIT AREA IS 418.3 ACRES.
 - SURFACE ELEVATIONS INCLUDING BUT NOT LIMITED TO BUILDING, ROADWAYS, UTILITIES, & WATERWAYS TAKEN FROM 7.5' X 7.5' BRUSH VALLEY AND WOOD FLOOR LISTS (SARAPAN AND ORTHOGRAPHIC PHOTOGRAPHY ACQUIRED FROM PASA).
 - PROPERTY LINES WERE TAKEN FROM INDIANA COUNTY GIS AND DO NOT REPRESENT ACTUAL SURVEY OF THE PROPERTY.
 - ALL CONTOURS, ROADS, AND WATERWAYS WERE TAKEN FROM FPAAS, EDAR, DATED 2008.
 - COORDINATES ARE NORTH AMERICAN DATUM OF 1983 (NAD 83) PENNSYLVANIA STATE PLATES SC47H.

Drawn By:	DJP
Checked By:	JFM
Date:	07-15-2015
Scale:	1"=200'
Project No.:	0115-L391
File Name:	DELTONA-EXTENSION-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000
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CME ENGINEERING
CME ENGINEERING LP
975 Georges Station Rd, Ste 100, Greensburg, PA 15601
724-672-4000 FAX: 724-672-4601

SITE MAP
ROBINDALE ENERGY SERVICES, INC.
DILLTOWN FACILITY
CRDA # 32733709 MSHA ID # 30-07260
BRUSH VALLEY TOWNSHIP
INDIANA COUNTY, PENNSYLVANIA