



---

# 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-2014-136

Date: July 28, 2015

---

Notice No. 15-36

Closing Date: August 27, 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 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.
2. **APPLICANT:** Mr. Todd Waldrop  
Moundsville Power, LLC.  
481 Carlisle Drive  
Suite 202  
Herndon, Virginia 20170
3. **LOCATION:** The site is located south of Moundsville, West Virginia on the Hanlin-Allied-Olin Superfund site along the left-descending bank of the Ohio River at river mile 106. The site address is Chemical Plant Road (aka County Road 21/9), Moundsville, West Virginia 26041. The center of the site is located at: 39.904026° N, -80.796532° W.
4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes to construct a new 565 Megawatt natural gas-fueled electric generating facility on a 37-acre portion of the Hanlin-Allied-Olin Superfund site along the left-descending bank of the Ohio River (river mile 106) near Moundsville, West Virginia. The proposed facility will receive blended natural gas fuel from a dedicated pipeline that ties into a blending station at the nearby Texas Eastern natural gas transmission line. The facility will utilize the Ohio River for initial site construction via barge traffic and also for cooling water during operation by constructing a new intake and outfall.

The applicant proposes unavoidable impacts to Waters of the U.S. at the project location. Permanent stream and wetland impacts will total approximately 1,437 linear feet and 0.52 acres, respectively. Additionally, a water intake and outfall will be constructed on the Ohio River for the cooling water process of the facility. The applicant has calculated the total project debits, using the West Virginia Stream and Wetland Valuation Metric, as part of their impact assessment with a total of 1,273.96 stream debits and 1.174 wetland debits. More details can be found on the Table 1 and attached site drawings.

The applicant proposes to provide on-site, in-kind compensatory mitigation for the proposed impacts as noted in the mitigation plan dated July 2015. As mitigation, the applicant is proposing stream restoration and wetland restoration /enhancement work. By conducting the proposed mitigation work, the applicant will generate approximately 1,940.82 stream credits and 2.755 wetland credits.

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. An individual 401 water quality certification (WQC) may be required for this proposed activity in conjunction with the Section 10 of the Rivers and Harbors Act permit and/or Section 404 of the Clean Water Act permit. The applicant has applied directly to the WVDEP for an individual 401 WQC. 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. Please contact the below to determine if an individual 401 WQC is required for this proposed activity:

Ms. Wilma Reip, 401 Program Manager  
Phone: 304-962-0499 ext. 1599  
E-mail: Wilma.reip@wv.gov

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information, including a consultation letter from the U.S. Fish and Wildlife Service dated July 15, 2015, 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. 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). If the U.S. Fish and Wildlife Service concurs with the may affect, not likely to adversely affect determination please respond with written concurrence (Reference U.S. Fish and Wildlife Service consultation letter dated July 15, 2015).

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, comments can be mailed to:

U.S. Army Corps of Engineers, Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, PA 15222-4186  
Re: Public Notice CELRP-OP-F No. 15-36

CELRP-OP-F  
Public Notice No. 15-36

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 2014-136 in all responses.

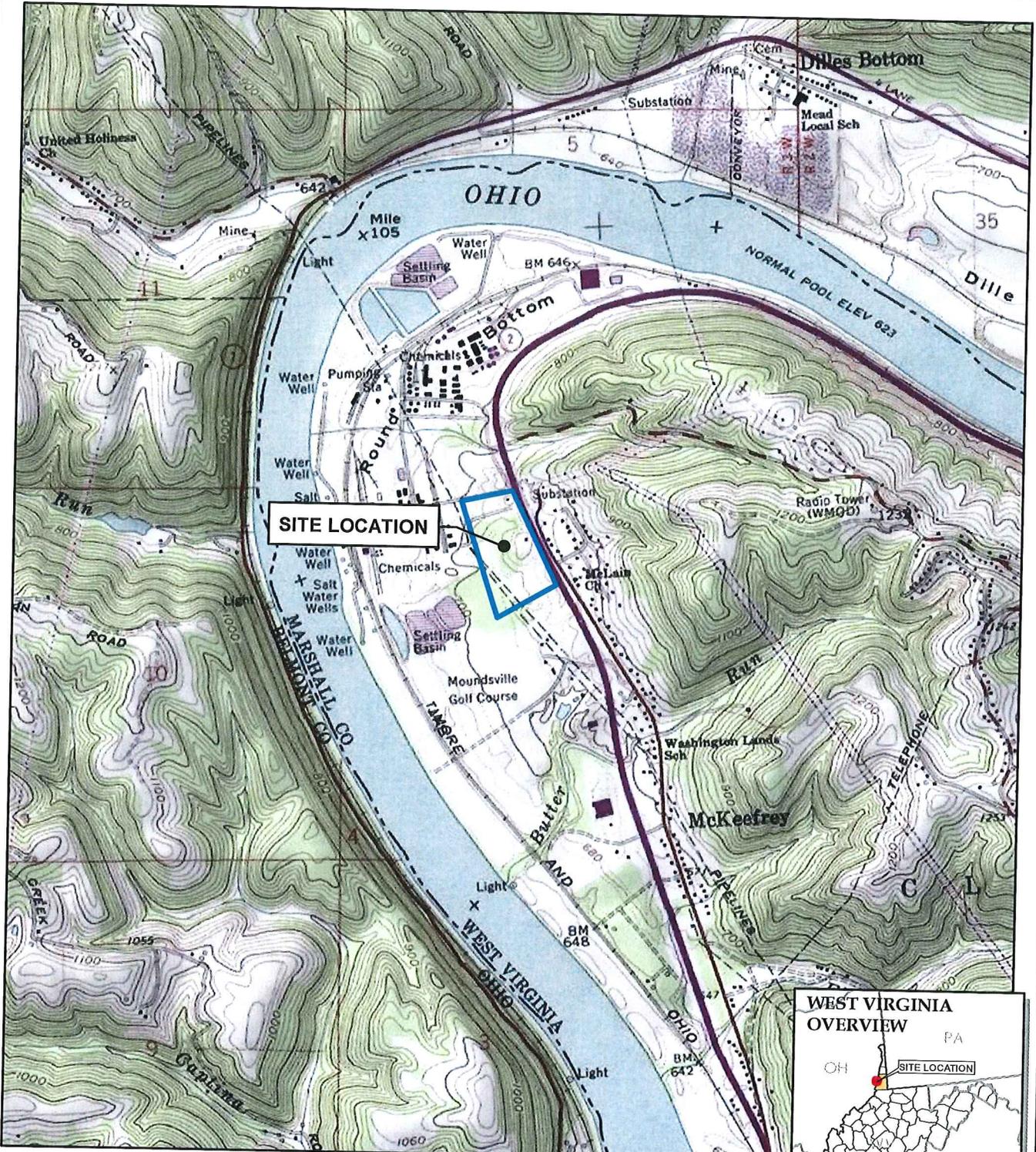
FOR THE DISTRICT ENGINEER:

// SIGNED //

Karen A. Kochenbach  
Chief, Southern Section  
Regulatory Branch

**Table 1**  
**Activities Affecting WOUS**  
**Moundsville Power, Moundsville, West Virginia – Pittsburgh District File Number 2014-0136**

WATERBODY	ACTIVITY	VOLUME AND TYPE OF FILL MATERIAL	EXTENT (linear feet or acres)	DURATION	PROPOSED MITIGATION	DEBITS	PROPOSED CREDITS
Tributary 1	Fill for Site grading and storm water management feature	On-Site borrow	940.13 linear feet	Permanent	On-Site restoration of Tributary 1 downstream from confluence with Tributary 2 and on-Site restoration of Tributary 2	834.99	215.22
Tributary 1A	Excavation for Site grading	Not applicable, excavated	194.12 linear feet	Permanent	On-Site restoration of Tributary 2	153.38	0.00
Tributary 2	Fill for storm water management feature	On-Site borrow	302.92 linear feet	Permanent	Relocation and stream restoration around storm water feature and restoration of upper reaches	253.56	1,725.60
Wetland 1	Possible due to installation of sediment and erosion control features	Silt fencing	<0.1 acres	Temporary	On-Site restoration following construction	Not calculated	Not calculated
Wetland 2	Excavation and fill for Site grading	On-Site borrow	0.19 acres	Permanent	On-Site wetland restoration and reestablishment	0.251	2.59
Wetland 3	Fill for Site grading	On-Site borrow	0.31 acres	Permanent	On-Site wetland restoration and reestablishment	0.924	0.00
Ohio River	Excavation and backfill for intake structure	Riprap, steel piping	67 cubic yards	Permanent	No mitigation proposed	Not calculated	Not calculated
Ohio River	Excavation and backfill for outfall	Riprap	2 cubic yards	Permanent	No mitigation proposed	Not calculated	Not calculated



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES (BUSINESSBURG 1978).

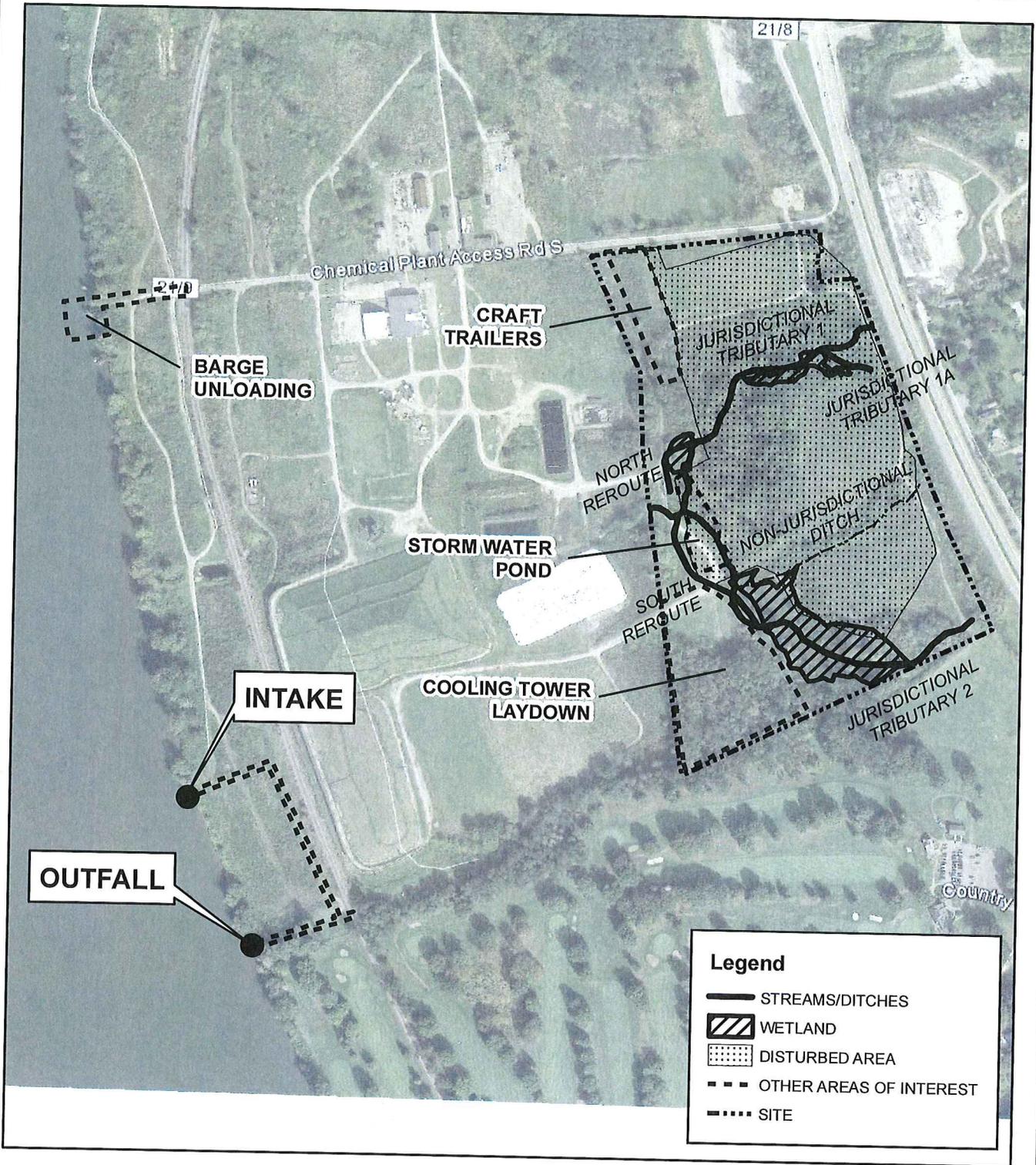


**TRC**  
 Patewood Plaza One, Suite 300  
 30 Patewood Drive  
 Greenville, SC 29615  
 Phone: 864.281.0030

**MOUNDSVILLE POWER  
 MOUNDSVILLE, WEST VIRGINIA**

**SHEET 1  
 SITE LOCATION MAP**

DRAWN BY:	AMF
APPROVED BY:	RWH
PROJECT NO:	225391.0.0
FILE NO:	Sheet01_SiteLoc_20150527.mxd
DATE:	MAY 2015



NOTE: AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH PRO AND IS DATED OCTOBER 8, 2013.

**TRC**  
 Patewood Plaza One, Suite 300  
 30 Patewood Drive  
 Greenville, SC 29615  
 Phone: 864.281.0030

**MOUNDSVILLE POWER  
 MOUNDSVILLE, WEST VIRGINIA**

**SHEET 2  
 SITE DEVELOPMENT PLAN**

DRAWN BY:	AMF
APPROVED BY:	RWH
PROJECT NO:	225391.0.0
FILE NO.	Sheet02_SiteDevPlan_20150602.mxd
DATE:	JUNE 2015

PROJECT: MOUNDSVILLE POWER  
 MOUNDSVILLE, WEST VIRGINIA

TITLE: PROPOSED COOLING WATER INTAKE

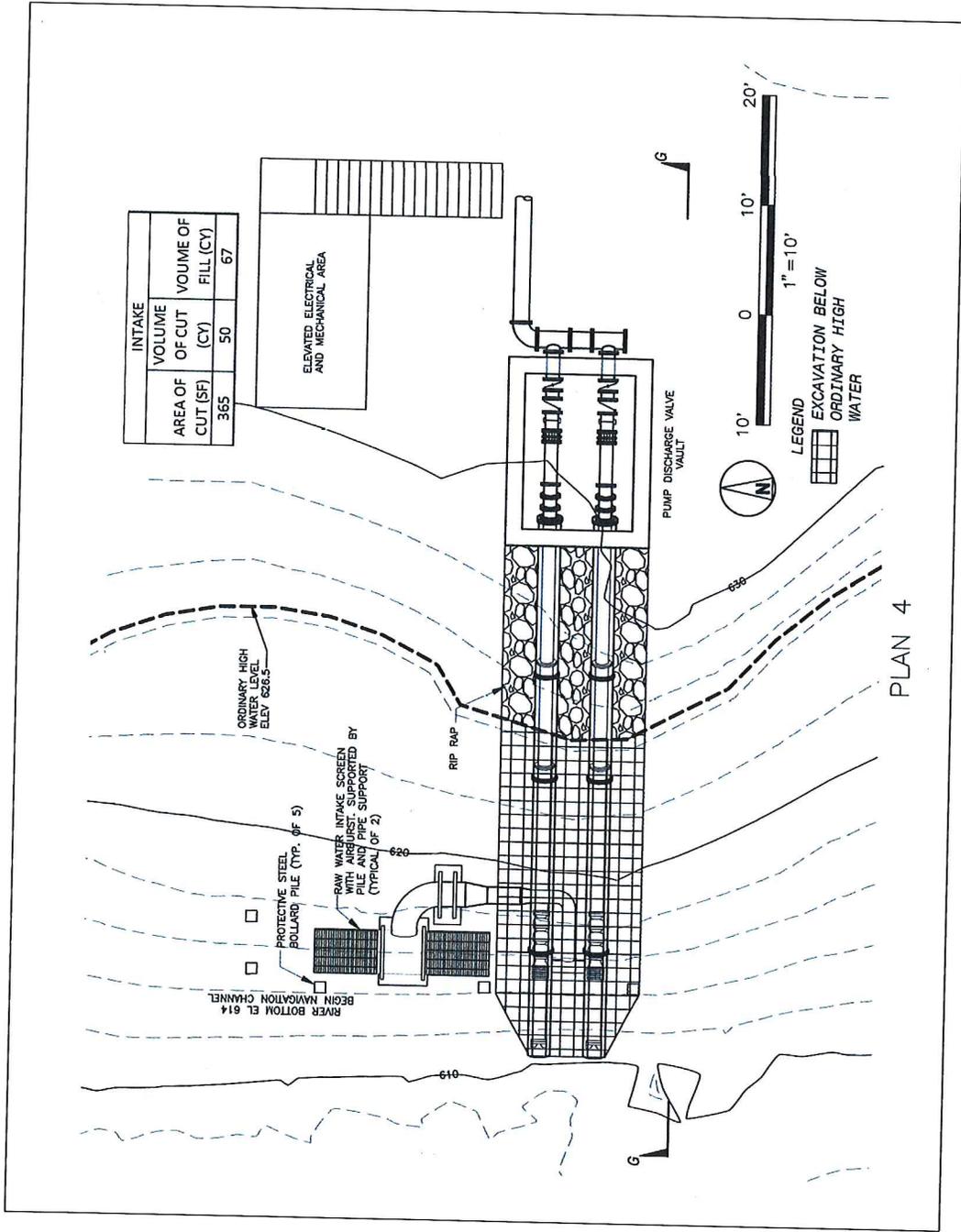
DRAWN BY: AMF PROJ NO.: 232788.0.0  
 CHECKED BY: RWB  
 APPROVED BY: RWB  
 DATE: MAY 2015

SHEET 11

30 Patwood Drive  
 Patwood Park  
 Greensville, SC 29615  
 Phone: 884.281.0000

CTRC

Sheet\moun\_Plan\_20150527.dwg



INTAKE		
AREA OF CUT (SF)	VOLUME OF CUT (CY)	VOLUME OF FILL (CY)
365	50	67

PLAN 4

PROJECT:		MOUNDSVILLE POWER MOUNDSVILLE, WEST VIRGINIA	
TITLE:		PROPOSED COOLING WATER OUTFALL	
DRAWN BY:	AMF	PROJ. NO.:	2027986.0.0
CHECKED BY:	RWH	APPROVED BY:	RWH
DATE:	MAY 2015		
		SHEET 13	
		 13 Patwood Drive Patwood Plaza Greenville, SC 29615 Phone: 864.261.1000 FILE NO.: SheetVarnish_ILLS_20150527.dwg	

