

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-2015-1489

Date: March 8, 2017

Notice No. 17-14

Closing Date: March 23, 2017

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: Allegheny County Conservation District, Attn: Jan Lauer, 33 Terminal Way, Suite 325B, Pittsburgh, PA 15219
3. LOCATION: The project is located on Milk Run (an Acid Mine Discharge) and abutting wetlands next to Mahoney Road (T-370) in North Fayette Township, Allegheny County, PA: (40.44333° N, -80.21222° W)
4. PURPOSE AND DESCRIPTION OF WORK: The project proposal involves the placement of fill in Waters of the U.S. for the purposes of constructing a passive wetland treatment system. The project will treat the discharge known as MKR3 for the purpose of improving water quality within Milk Run which is located in the Montour Run Watershed (Reference the 2003 Montour Run Watershed Association Report). This passive system is designed to treat the MKR3 discharge by neutralizing acidity, precipitating aluminum, and producing net-alkaline water. Construction of the project will include the development of a five (5) cell treatment system and impact 367 LF of Milk Run and 1.56 acres of abutting wetland.

This proposed project activity will involve the collection of mine water discharge from MKR3 and direct flow into a 5-cell passive wetland treatment system. More specifically the project will involve the construction of: an initial single forebay, two (2) - Auto-flush Vertical Flow Ponds with Siphons, one (1) - Settling/flush Pond with Window Baffle Curtain, and one (1) - Settling/flush pond/wetland cell. The objective of the project is to eliminate the downstream migration of 36 tons/year of acidity and 3.5 tons/year of aluminum from the discharge to Montour Run.

The proposed project will result in minor adverse environmental effects on the overall aquatic environment, considering individually and cumulatively, and would provide overall environmental benefits to the Montour Run watershed, therefore, no further compensatory mitigation is required for this project.

5. ENCROACHMENT PERMIT: The Pennsylvania Department of Environmental Protection has waived the project, in a letter dated October 27, 2016, as it qualifies for 25 Code

Chapter 105.12(a)(16).

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information (Reference PNDI #616802 – dated 11/10/2016) and 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: 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).

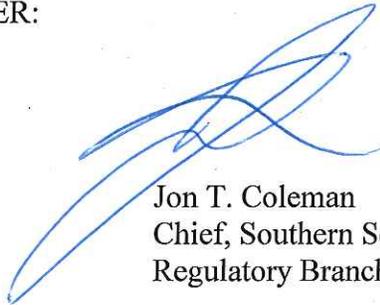
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

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

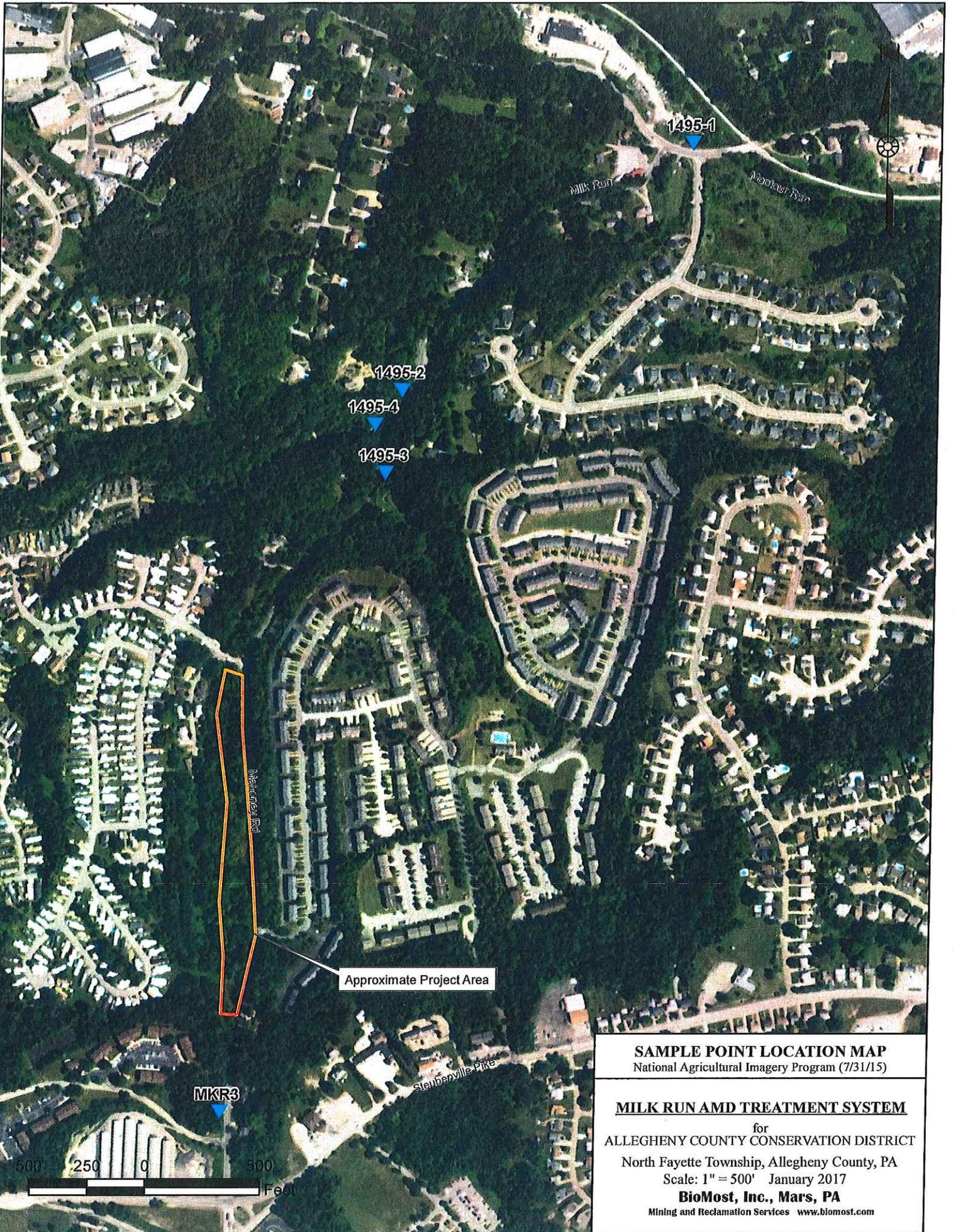
the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will 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 Josh Shaffer at the above address, by telephoning (412) 395-7121, or by e-mail at Joshua.d.shaffer@usace.army.mil.

FOR THE DISTRICT ENGINEER:

A handwritten signature in blue ink, appearing to read 'Jon T. Coleman', is written over the typed name and title.

Jon T. Coleman
Chief, Southern Section
Regulatory Branch

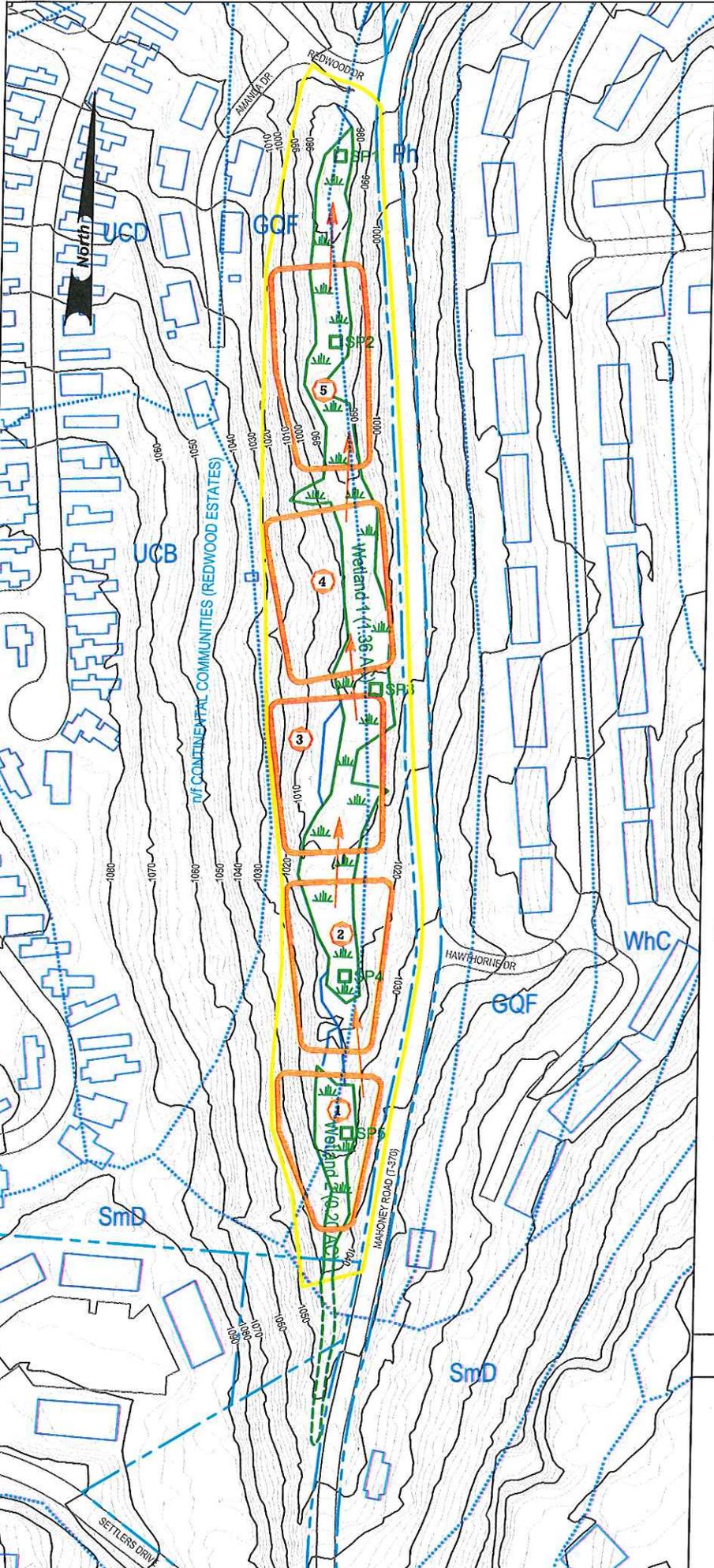


SAMPLE POINT LOCATION MAP
National Agricultural Imagery Program (7/31/15)

MILK RUN AMD TREATMENT SYSTEM
for
ALLEGHENY COUNTY CONSERVATION DISTRICT

North Fayette Township, Allegheny County, PA
Scale: 1" = 500' January 2017

BioMost, Inc., Mars, PA
Mining and Reclamation Services www.biomost.com



Notes:
 Base map contours derived from a 2006 bare-earth digital elevation model constructed from PAMAP LiDAR elevation points by PA DCNR, Bureau of Topographic and Geologic Survey [PA State Plane - South (US Survey Foot) NAD83 (Vertical datum - NAVD88)]. MKR3 located by GPS/Field Observation by BioMost, Inc. Approximate property line locations and owner information compiled from available Allegheny County records and do not represent a property survey. Wetland boundaries and stream segments located with JAVAD Triumph LS GPS unit in RTK mode.

The passive treatment system components as shown are conceptual only. The actual size and configuration is subject to change based on further site investigation/project development, field conditions and/or other factors. Underground and overhead utilities to be located prior to final design.

LEGEND

- PROPERTY LINE (APPROXIMATE)
- EXISTING ROAD
- PROPOSED TREATMENT SYSTEM COMPONENT
- TREATMENT SYSTEM GENERALIZED FLOW PATH
- EXISTING STRUCTURE
- CONTOUR LINE - INDEX
- CONTOUR LINE - INTERMEDIATE
- STREAM
- SOIL MAP UNIT
- PASSIVE TREATMENT COMPONENT NUMBER
- ABANDONED MINE DRAINAGE DISCHARGE
- WETLAND BOUNDARY
- WETLAND SAMPLE POINT
- WETLAND STUDY AREA

PASSIVE TREATMENT SYSTEM COMPONENT TABLE

COMPONENT #	DESCRIPTION
1	3,700 CY FOREBAY
2	3,000 T AUTO-FLUSHING VERTICAL FLOW POND
3	4,000 CY SETTLING/FLUSH POND
4	3,000 T AUTO-FLUSHING VERTICAL FLOW POND
5	4,000 CY SETTLING/FLUSH POND/WETLAND

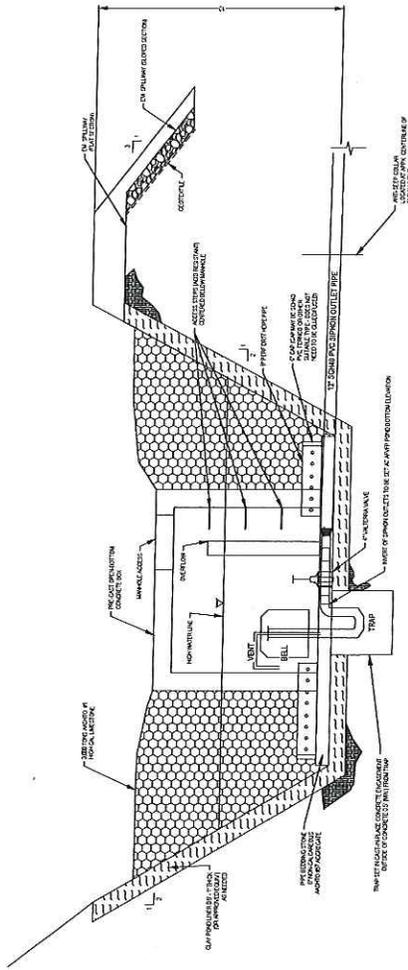
POTENTIAL IMPACTS

TYPE	UNIT	AMOUNT
STREAM	FT	367
WETLAND	AC	1.56



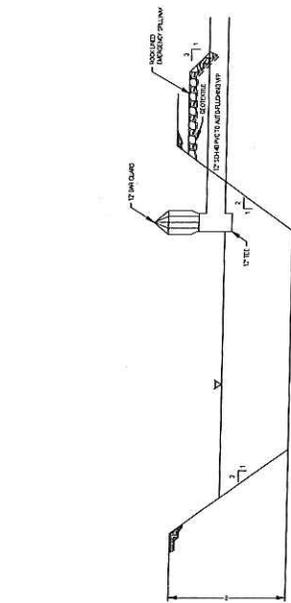
WETLAND MAP

MILK RUN AMD TREATMENT SYSTEM
 for
 ALLEGHENY COUNTY CONSERVATION DISTRICT
 North Fayette Township, Allegheny County, Pennsylvania
 Scale: 1" = 200' February 2017
BioMost, Inc., Mars, Pennsylvania
 Mining and Reclamation Services www.blomost.com



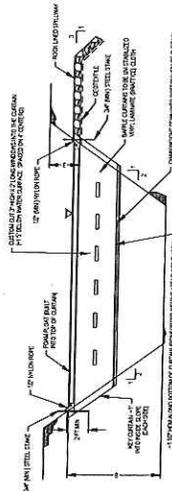
2) & 4) AUTO-FLUSH VERTICAL FLOW POND (AFVFP) & SIPHON
SECTION VIEW

Horizontal Scale: None Vertical Scale: None



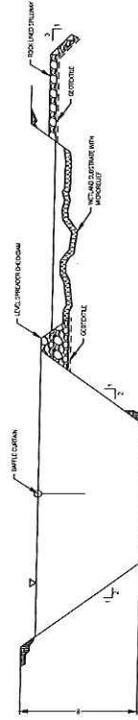
1) FOREBAY

Horizontal Scale: None Vertical Scale: None



3) SETTLING/FLUSH POND WITH WINDOWED BAFFLE CURTAIN

Horizontal Scale: None Vertical Scale: None



5) SETTLING/FLUSH POND/WETLAND

Horizontal Scale: None Vertical Scale: None

TYPICALS

MILK RUN AMD TREATMENT SYSTEM

for
ALLEGHENY COUNTY CONSERVATION DISTRICT
North Fayette Township, Allegheny County, Pennsylvania
Scale: None January 2017
BioWest, Inc., Mars, Pennsylvania
Bidding and Installation Services: www.biomest.com

OPERATION & MAINTENANCE (O&M)

The installation of the Milk Run AMD Treatment System to treat one of the worst abandoned mine discharges in the Montour Run Watershed will improve the overall quality of both Milk Run and the main stem of Montour Run. Periodic inspections and maintenance are required in order to assure continued successful operation. Passive treatment typically requires only a limited amount of maintenance when compared to active treatment, which sometimes requires daily inspections. When problems do occur, passive treatment systems also typically show a decrease in performance over several months, which can often be remediated prior to degradation to the receiving stream.

As part of the COA with the PA Department of Environmental Protection (PADEP), funds provided by Range Resources will be used to establish an O&M Fund. A total of \$191,000 will be held by the Penn's Corner RC&D Council and dedicated specifically for the long-term O&M costs associated with the Milk Run passive treatment system. Using standard PADEP-approved financial projections (3.1% inflation and 8.43% net rate of return) the Milk Run O&M Fund will provide all the cash required to regularly clean and replace the limestone in both of the Auto-Flushing Vertical Flow Ponds (AFVFPs) for well over 50 years. In addition, the Montour Run Watershed Association in cooperation with the Allegheny County Conservation District (both organizations have a proven track record of successful grant acquisition over the long term) will be able to apply for grants as-needed to help pay for required O&M, including occasionally cleaning out the sludge from the Flush/Settling Ponds, limestone replacement, etc. The O&M Fund can provide matching funds typically required by the grant-making organizations (e.g. 15% required by PADEP, Growing Greener). If the O&M Fund is used as match and supplemented with available grant monies, the investment account could be preserved for as long as the mine drainage remains a source of pollution.

In addition to the O&M Fund, a variety of other options are available to assist with maintenance needs. Since 2011, the PA DEP has funded the Passive Treatment O&M Technical Assistance Grant (TAG Program) administered by Stream Restoration Incorporated. This program is available free-of-charge to watershed groups, nonprofits, conservation districts, and state agencies to provide technical assistance related to the operation, maintenance, and rehabilitation/replacement of passive treatment systems. This program can not only evaluate and troubleshoot these systems but can also repair minor maintenance issues, such as unplugging pipes/treatment media, cleaning spillways and ditches, etc. and performing minor upgrades such as replacing valves, installing baffle curtains, etc. For problems larger than what can be addressed through the TAG Program, additional funding can be sought from the Quick Response Program administered by the Western Pennsylvania Coalition for Abandoned Mine Reclamation (WPCAMR). This program, which was established in 2006, provides readily accessible funding for repairs for Growing Greener eligible water restoration projects. Grants for up to nearly \$50,000 have been awarded for passive treatment system repairs. As the name implies, this program allows funds to quickly reach where they're needed.

The Montour Run Watershed Association, which has a dedicated and long-standing group of volunteers, will be responsible for the routine tasks and inspections to insure the mine drainage flows through all components of the system and that the treatment goals for the final effluent are being met. For larger issues, the Milk Run O&M Fund will provide the resources needed to hire an experienced contractor with the appropriate equipment to conduct the planned maintenance activities. The expected O&M tasks for the Milk Run AMD Treatment System are listed below.

QUARTERLY TASKS

Inspection

- Inspect components of passive system to verify that water is flowing as intended
 - Insure no components are over-topping and that water levels are not excessively high or low
 - Inspect water level in AFVFPs and Flush Ponds to verify that flushing is regularly occurring
 - Flow measurement at inflow
 - Field analysis of Settling/Flush Ponds for pH and alkalinity

Maintenance

- Remove sludge, vegetation and debris from outlets, pipes, and ditches as needed
- Repair areas damaged by wildlife, vandalism, and storm events

PERIODIC TASKS (AS NEEDED)

Clean AFVFP Limestone (Expected to be needed every 5-10 years)

- Stir/wash limestone to remove accumulated solids as needed to restore performance
 - Use excavator or other equipment to excavate entire volume of stone and break up solids
 - Remove solids by washing or otherwise flushing solids from limestone as needed
 - Allow sludge from AFVFPs to drain to Settling/Flush Ponds as feasible
 - If cleaning limestone does not result in adequate performance improvement, replace limestone (see below)

OCCASIONAL TASKS (AS NEEDED)

Replace AFVFP Stone (Expected to be needed every 15-30 years)

- Excavate spent limestone and truck off-site as needed
- Install fresh limestone of equivalent or better quality (i.e. 90% CaCO₃)

Other Tasks (Expected to be needed every 20-30 years)

- Remove sludge from Settling/Flush Ponds as needed