



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. 1986-17

Date: May 11, 2011

Notice No. 11-20

Closing Date: June 10, 2011

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: Tunnel Ridge, LLC
2596 Battle Run Road
Triadelphia, WV 26059
3. LOCATION: Ohio River, Left Bank, Mile 81.9 – 82.2, approximately 2 miles above north of Pike Island Locks and Dam, Ohio County, West Virginia.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to modify their existing barge docking facility by expanding upstream of their existing mooring cells with the addition of seven (7) cluster cells. The needed expansion is to accommodate additional barges for the large volume of coal being discharge from the Tunnel Ridge underground mine. Of the seven cells, six (E1 through E6) will be added 200 feet upstream from the existing last cell and the seventh cell (E7) will be installed between the 3rd and 4th existing cells on the upstream end of the dock. The cells will be constructed of four (4) 24 inch by 3/8inch by 60 feet pipe pilings and will be driven to a minimum of 25 feet. The pipes will be boxed and cross braced with 15 inch by 3/8 inch channel. There will be two tiers of bracing, the first tier will be 9 feet above normal pool and the second 19 feet above normal pool. Each cluster cell will vary in distances to the shoreline, see the attached drawings. The distance between cluster cell E1, located at approximately mile 82.2 and cluster cell E6 located at mile 81.9, is approximately 985 linear feet along the bank of the Ohio River. The applicant is requesting to fleet 6 jumbo barges wide or 210 feet from the riverward side of the of the face of the cluster cells. No dredging will needed for this project. Drawings and measurments of the proposed dock are attached to this notice.
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. 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
Office of Water Resources
Regulatory Review Program
601 57th Street SE
Charleston, WV 25304-2345
Telephone: 304-926-0499
Re: Public Notice CELRP-OP-F No. 11-20

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened 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 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.

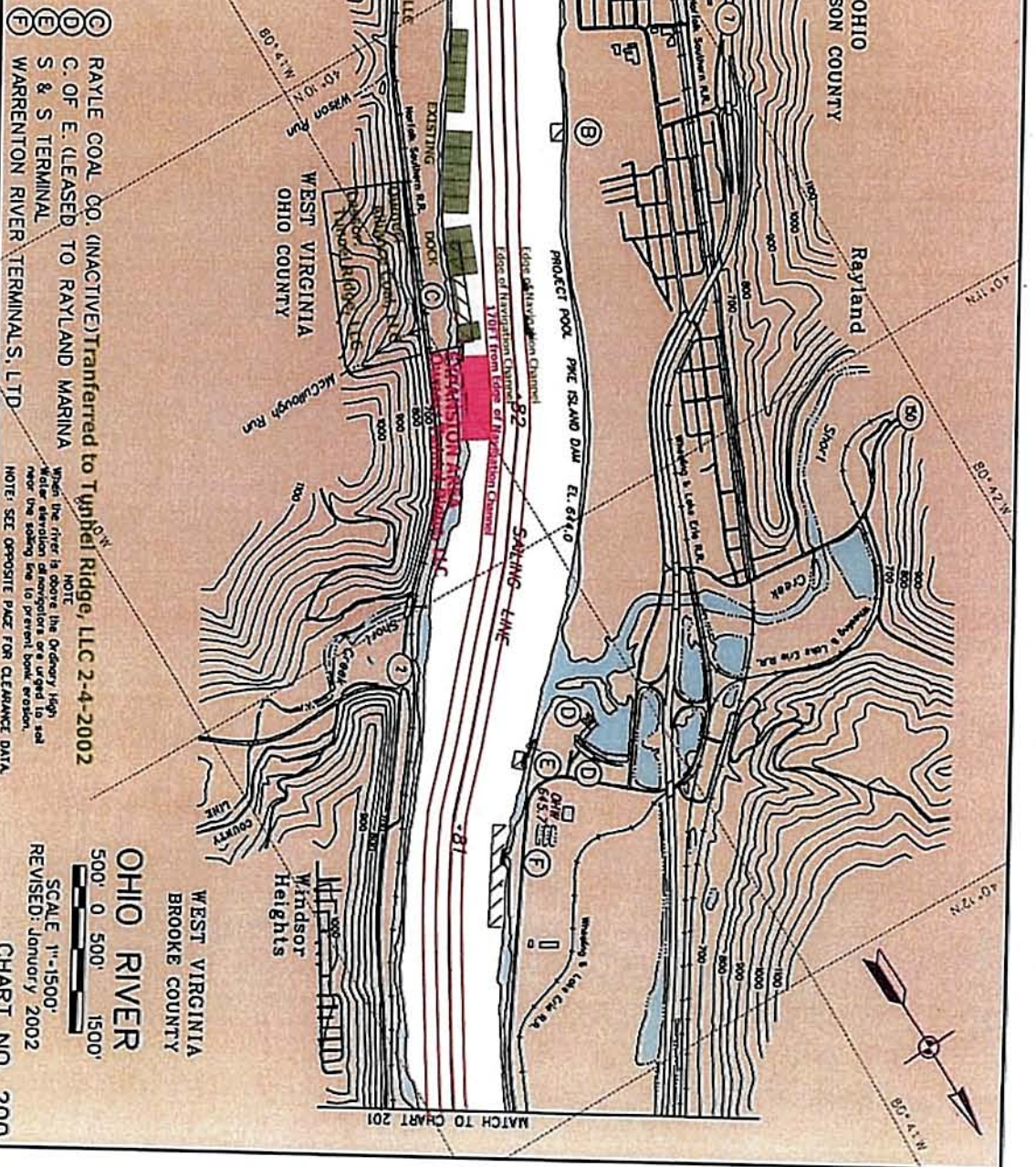
10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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 George Brkovich at the above address, by telephoning (412) 395-7247, or by e-mail at george.r.brkovich@usace.army.mil. Please refer to CELRP-OP-F 1986-17 in all responses.

FOR THE DISTRICT ENGINEER:

// SIGNED //

Scott A. Hans
Chief, Regulatory Branch

PROPOSED EXPANSION SITE PLAN OHIO RIVER MILE 81.9-82.2 LDB	
TUNNEL RIDGE LLC-PERMIT NO. 198600017 30% COAL LOADING & BARGE MOORING FACILITY	
DWG. NO. RLE001	REV.
DATE: March 30, 2011	JEPPERSON COUNTY
SCALE: NOT TO SCALE	SHEET: 1 OF 4



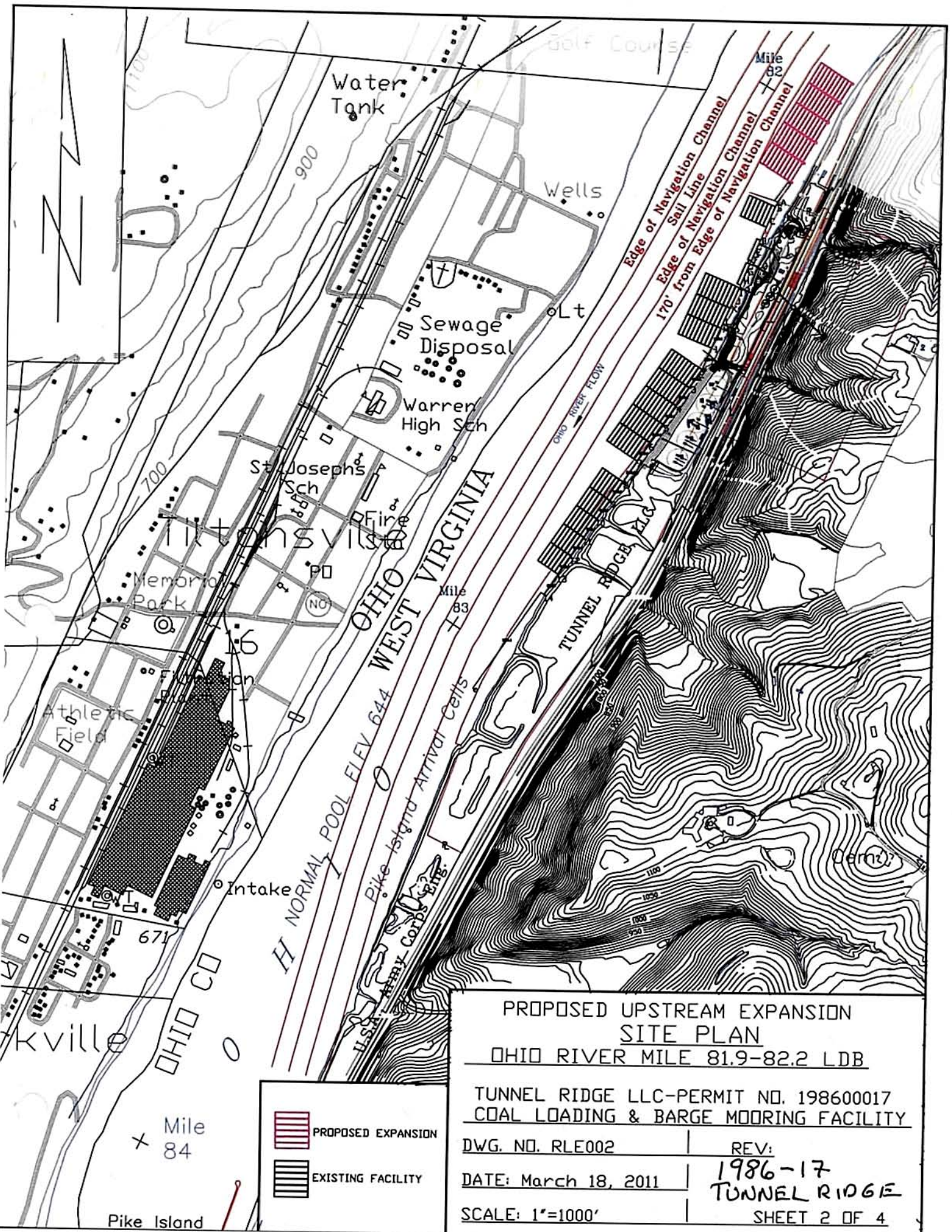
- (1) GAS PIPELINE
- (A) WHEELING PITTSBURGH STEEL CORP.
- (B) WALDEN INDUSTRIES

- (C) RAYLE COAL CO. (INACTIVE) Transferred to Tunnel Ridge, LLC 2-4-2002
- (D) C. OF E. (LEASED TO RAYLAND MARINA
- (E) S & S TERMINAL
- (F) WARRENTON RIVER TERMINALS, LTD

NOTE:
When the river is above the Ordinary High Water elevation the site is to be used to seal near the existing line to prevent bank erosion.
NOTE: SEE OPPOSITE PAGE FOR CLEARANCE DATA.

WEST VIRGINIA
BROOKE COUNTY
OHIO RIVER
500' 0 500' 1500'
SCALE: 1"=1500'
REVISED: January 2002
CHART NO. 200

1986-17 TUNNEL RIDGE



PROPOSED UPSTREAM EXPANSION
 SITE PLAN
 OHIO RIVER MILE 81.9-82.2 LDB

TUNNEL RIDGE LLC-PERMIT NO. 198600017
 COAL LOADING & BARGE MOORING FACILITY

DWG. NO. RLE002



REV:

DATE: March 18, 2011

1986-17
 TUNNEL RIDGE

SCALE: 1"=1000'

SHEET 2 OF 4

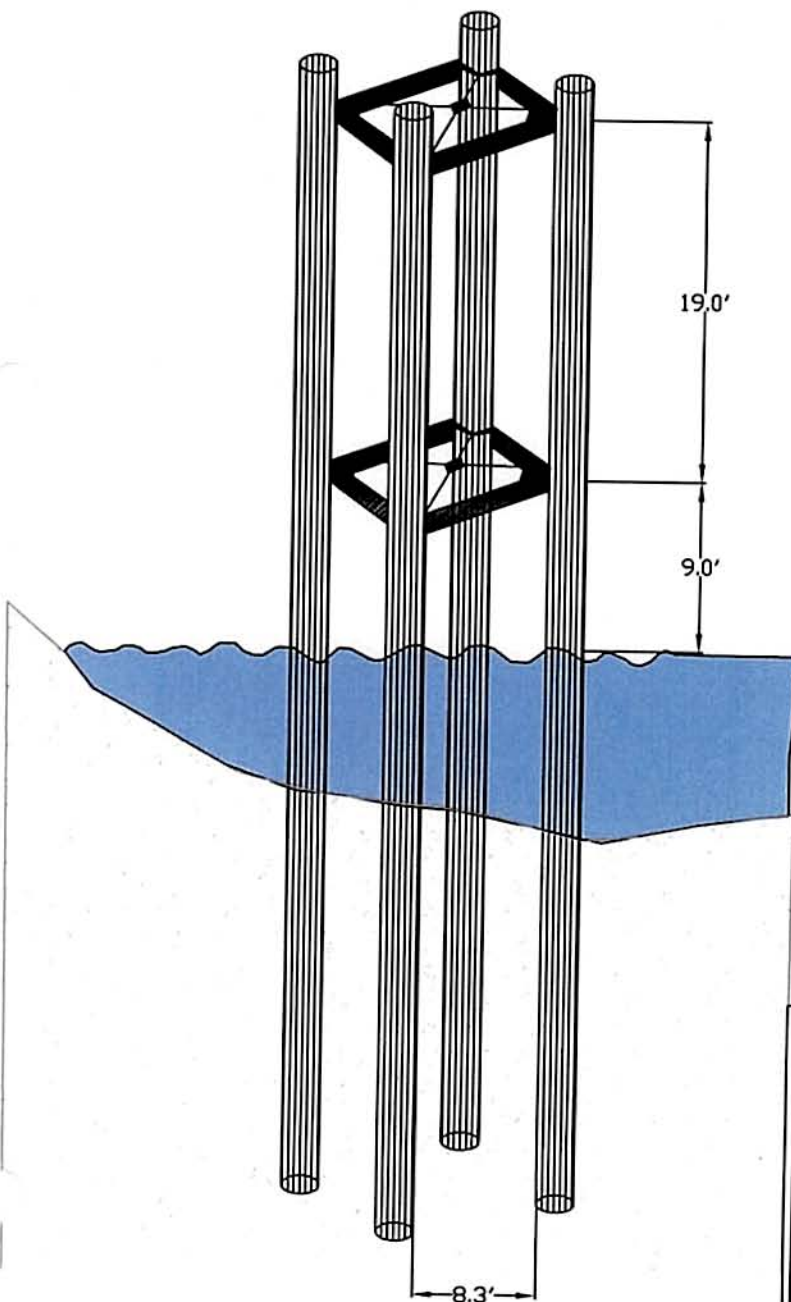
-  PROPOSED EXPANSION
-  EXISTING FACILITY

Mile 84

Pike Island

ATTACHMENT TO ITEM 18
CLUSTER CELL DESIGN

1986-17
TUNNEL RIDGE



SEVEN NEW CELLS WILL BE CONSTRUCTED. SIX (E1 THROUGH E6) OF THE SEVEN WILL BE CONSTRUCTED IN THE EXPANSION AREA NORTH OF THE EXISTING DOCK, THEREINAING CELL(E7) WILL BE CONSTRUCTED BETWEEN THE EXISTING DOCK CELLS

THE CELLS WILL BE CONSTRUCTED OF FOUR (4) 24" X 3/8" X 60' PIPE PILING THE PIPES WILL BE DRIVEN TO A MINIMUM OF 25' THE PIPES WILL BE BOXED AND CROSS BRACED WITH 15" X 3/8" CHANNEL THERE WILL BE TWO TIERS OF BRACING THE FIRST TIER WILL BE 9' ABOVE NORMAL POOL THE SECOND 19' ABOVE NORMAL POOL

CELL DESIGN

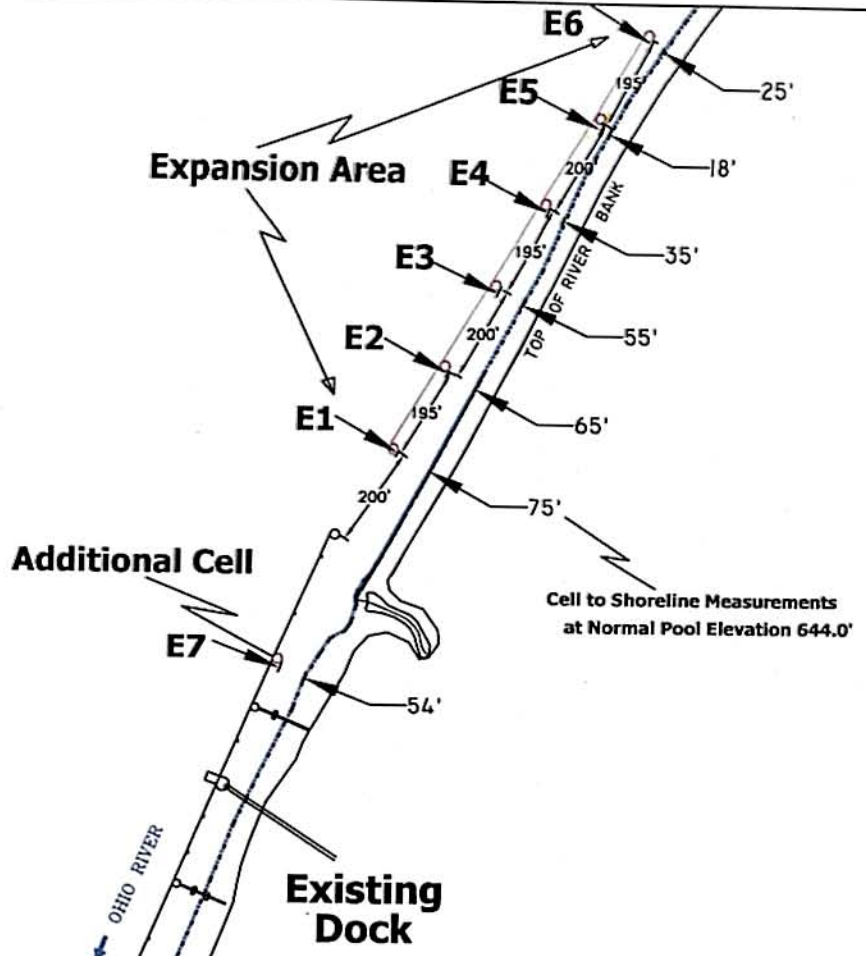
UPSTREAM EXPANSION AREA
TUNNEL RIDGE, LLC - PERMIT 198600017
COAL LOADING &
BARGE MOORING FACILITY
OHIO RIVER MILE 81.9 - 82.2 LDB

DWG. NO. RLE 003
DATE: APRIL 15, 2011

DRAWING NOT TO SCALE

SHEET 3 OF 4

1986 - 17
TUNNEL RIDGE



PLAN VIEW

Existing Dock

**PROPOSED UPSTREAM EXPANSION AREA
MOORING CELLS SITE PLAN
OHIO RIVER MILE 81.9-82.2 LDB
TUNNEL RIDGE LLC-PERMIT 198600017
COAL LOADING & BARGE MOORING FACILITY
DISTANCES FROM CELLS TO SHORELINE**

DWG. NO. RLE004
DATE: March 18, 2011
SCALE: 1" = 400'