

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-2010-1228

Date: December 9, 2011

Notice No. 11-50

Closing Date: January 8, 2012

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions Section 404 of the Clean Water Act.
2. APPLICANT: Richard E. Sliper
FirstEnergy Generation Corp.
76 South Main Street
Akron, Ohio 44308
3. LOCATION: Approximate center location of project is at 40°36'27.00"N, 80°30'11.00"W. The project is located on Reddog Road in Greene Township, Beaver County, Pennsylvania.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct a new coal combustion byproducts (CCBs) disposal facility that will provide for the long-term CCB disposal needs of the Bruce Mansfield Plant (BMP) which provides electrical service to approximately 1 million homes. The proposed project consists of replacing the Little Blue Run impoundment with a captive Class II residual waste landfill, the Bruce Mansfield CCB Disposal Facility. The new disposal facility is proposed to sit directly to the southeast of the existing Little Blue Run impoundment. This project will require dewatering of CCB materials and “dry stacking” the material within the disposal facility. Without the expansion of this facility or an alternative facility for the disposal of CCBs, the BMP cannot continue to operate and supply electrical service to the area.

Development of the area as described above will result in a placement of fill in 1.32 acres of wetlands, 0.37 acres of open water, and 4,177 linear feet of streams. The total stream impacts will consist of 501 linear feet ephemeral and 3,676 linear feet intermittent. All of the proposed stream impacts are within the Mill Creek watershed, which drains into the Ohio River. Also, there is an Ohio River fresh water intake proposed that will service a dewatering facility associated with the CCB disposal facility. The intake will be placed on a mooring cell on the left-descending bank at river mile 39.5. The intake is proposed to extract approximately 500-600 gallons per minute from the Ohio River

FirstEnergy proposes the following mitigation for the aquatic resource impacts. Actions proposed to be taken are as follows: 1) construct 1.85 acres of wetlands, 0.35 acres of open water habitat, and restore, daylight, and/or re-channel 4,341 linear feet of stream. Stream and wetland success criteria are outlined in the application package and will be tracked through

annual monitoring of the mitigation sites.

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
Southwest Regional Office
Soils and Waterways Section
400 Waterfront Drive
Pittsburgh, PA 15222-4745*

Telephone: 412-442-4000

6. IMPACT ON NATURAL RESOURCES: The applicant has consulted with U.S. Fish and Wildlife Service, PA Fish and Boat Commission, PA DCNR, and PA Game Commission. U.S. Fish and Wildlife Service responded to the applicant on July 22 2011 with a “not likely to adversely affect” statement. PA Fish and Boat Commission responded to the applicant with clearance on May 9, 2011. Since this time, the applicant has initiated further consultation, dated June 27, 2011, with the PA Fish and Boat Commission due to the addition of a water intake structure on the Ohio River on an existing mooring cell. Final clearance from PA Fish and Boat Commission has not been received at this time. PA DCNR responded to the applicant on March 4, 2011 stating that there will be “No Impact Anticipated with Conservation Measures.” PA Game Commission responded to the applicant stating that there will be “No Impact Anticipated” in a letter dated May 4, 2011.

7. IMPACT ON CULTURAL RESOURCES: The applicant has consulted with the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation and has obtained written clearance in a letter dated June 6, 2011. 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

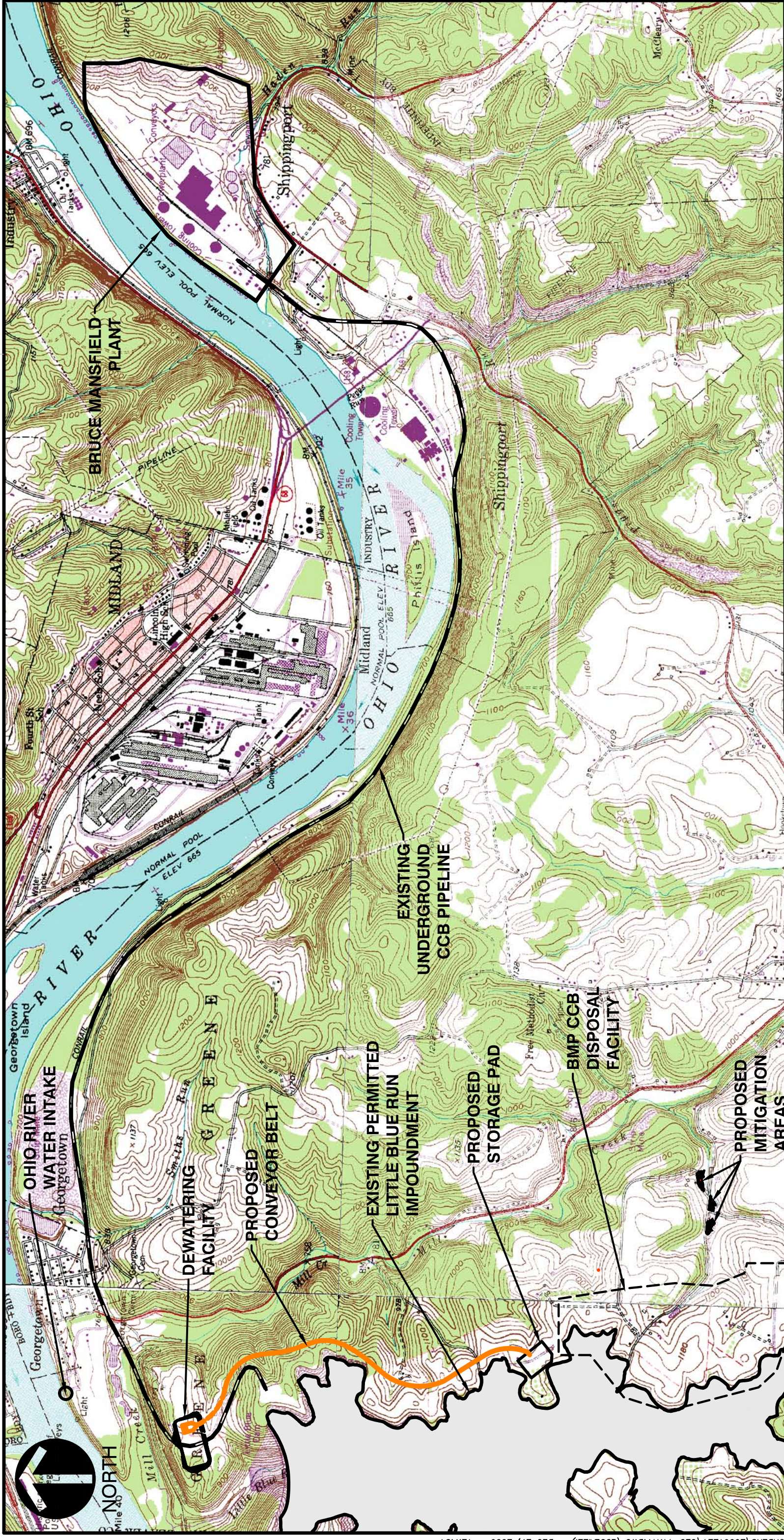
balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife 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. Please refer to CELRP-OP-F 2010-1228 in all responses.

FOR THE DISTRICT ENGINEER:

// SIGNED //

Karen A. Kochenbach
Chief, Southern Section
Regulatory Branch



 Civil & Environmental Consultants, Inc. 333 Baldwin Road - Pittsburgh, PA 15205 412-429-2324 · 800-365-2324 www.cecinc.com * HAND SIGNATURE ON FILE	FIRSTENERGY GENERATION CORP. CCB DISPOSAL FACILITY BRUCE MANSFIELD PLANT BEAVER COUNTY, PENNSYLVANIA
	SITE LOCATION MAP
DRAWN BY: JMB CHECKED BY: JMB APPROVED BY: LCPS DAM DRAWING NO.: 921-22X.0811	DATE: 12/05/2011 DWG SCALE: 1"=2000' PROJECT NO.: 921-22X.0811