



**U.S. Army Corps
of Engineers**
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 2020-78

Date: March 31, 2020

Notice No. 20-07

Closing Date: April 30, 2020

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.
2. APPLICANT: 4K Industrial Park LLC
101 Main Street
Martins Ferry, Ohio 439355
3. LOCATION: Along the right descending bank of the Ohio River, river mile 88.0, Martins Ferry, Belmont County, Ohio. Lat: 40.09909167 North, -80.71114722 West
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct a barge loading and offloading waterfront facility. The facility will be receiving fluids from the Gas and Oil markets for processing, to reuse the fluids for drilling operations or to be sent to a disposal facility.
 - The applicant proposes to secure a 195' x 35' spud barge approximately 25' off the riverbank and will be used for securing tank barges alongside for loading and offloading operations. The spud barge will be anchored with two, 2' x 50' spuds and secured to the riverbank at each end with a 20" deadmen chains. The total mooring width, from the face of the river bank extending riverward will be approximately 100' wide by 200 feet in length. For safety purposes the applicant proposes to place approximately four, 20" diameter steel pipe deadmen, for barge deflection, to protect the downstream marina. The steel pipes will be placed approximately 80' downstream (south end), of the spudded barge and spaced approximately 20' from center point to center of each other, extending riverward and will be driven into the river bottom.
 - On top of the riverbank near the spudded barge, the applicants propose to construct a 240' long elevated catwalk. The elevated catwalk will be support by twenty-four, 12" diameter pipe pilings. The catwalk will then support a doubled walled 10" diameter pipe coming from the existing water storage area, located approximately 600 feet from the waterfront. After the transiting tank barge is secured to the spudded barge, a transfer hose from the barge is then connected to the 10" pipe, along the catwalk, transferring the fluid to the existing water storage area.

5. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)
Section 401 Coordinator
PO Box 1049
Columbus, Ohio 43266-0149
Telephone Number: 614-644-2001

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. 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.

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

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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 Division, 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-RG 2020- 78 in all responses.

FOR THE DISTRICT ENGINEER:

// SIGNED //

Tyler J. Bintrim
Chief of North Branch
Pittsburgh District