

**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. 1970-4

Date: September 7, 2018

Notice No. 18-32

Closing Date: October 7, 2018

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:** Mountaineer Products, Inc.
5310 Guernsey Street
Bellaire, OH 43906
3. **LOCATION:** Along the right descending bank of the Ohio River, mile 92.3, Bellaire, Belmont County, Ohio. Latitude: 40.043469° North; Longitude: -080.731262° West.
4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes to modify their waterfront facility by continuing constructing of a downstream sheet pile wall. In May of 2012, the facility completed construction of a previously permitted 340 linear foot, upstream sheet pile wall and dredged. Due to business demands, Mountaineer Products, needs to extend the wall an additional 400 linear feet downstream of the 340 foot wall, for the purpose of accommodating additional barges. The modification will first involve the removal of 3 waterfront structures that once supported a conveyor system. After removal of the structures, the sheet metal wall will be constructed to tie into the existing 340 foot upstream wall. Approximately 6 CY/ft. of fill material will be placed behind the newly constructed sheet metal wall, up to the ordinary high water mark (OHWM) of 634.58. In addition, dredging will be performed for approximately 400 feet along the sheet pile wall, at a maximum width of 20 feet, to a depth of approximately 2 feet below existing river bottom. The dredge material will be disposed upland. Drawings of the proposed dock are attached to this notice.
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 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).

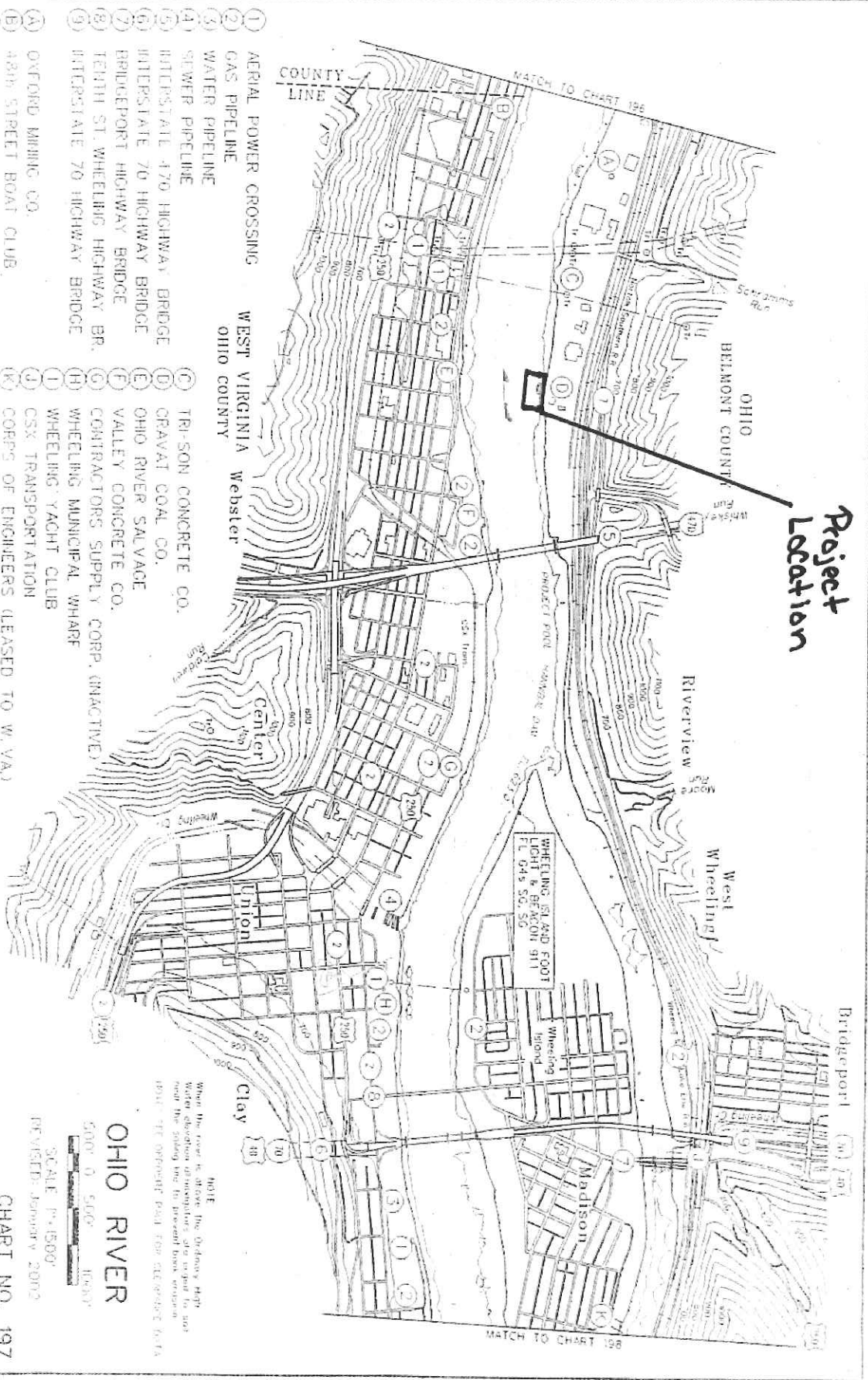
10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered 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 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 1970-4 in all responses.

FOR THE DISTRICT ENGINEER:

// SIGNED //

Tyler Bintrim
Chief, Northern Regulatory Division
Pittsburgh District

Project Location

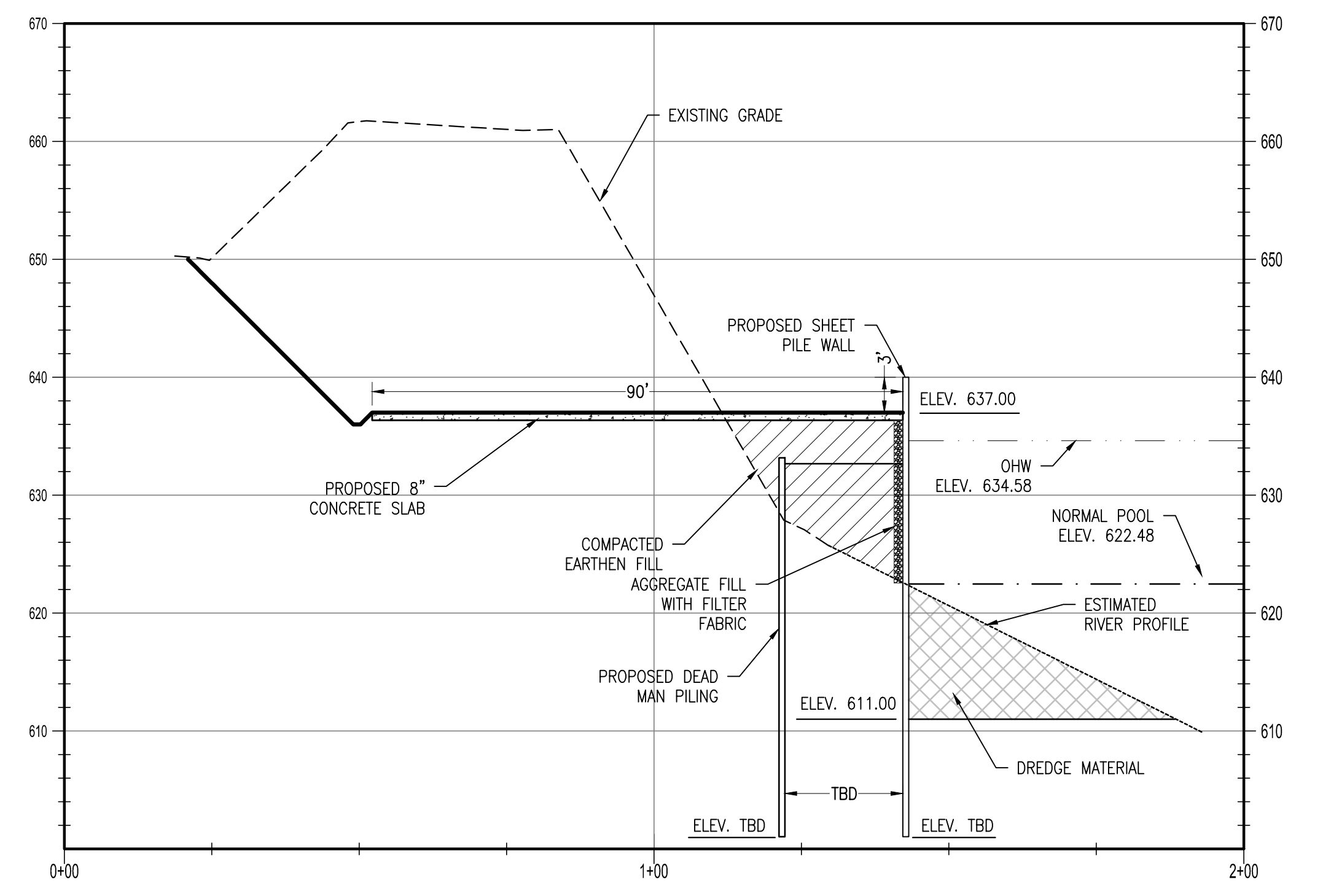
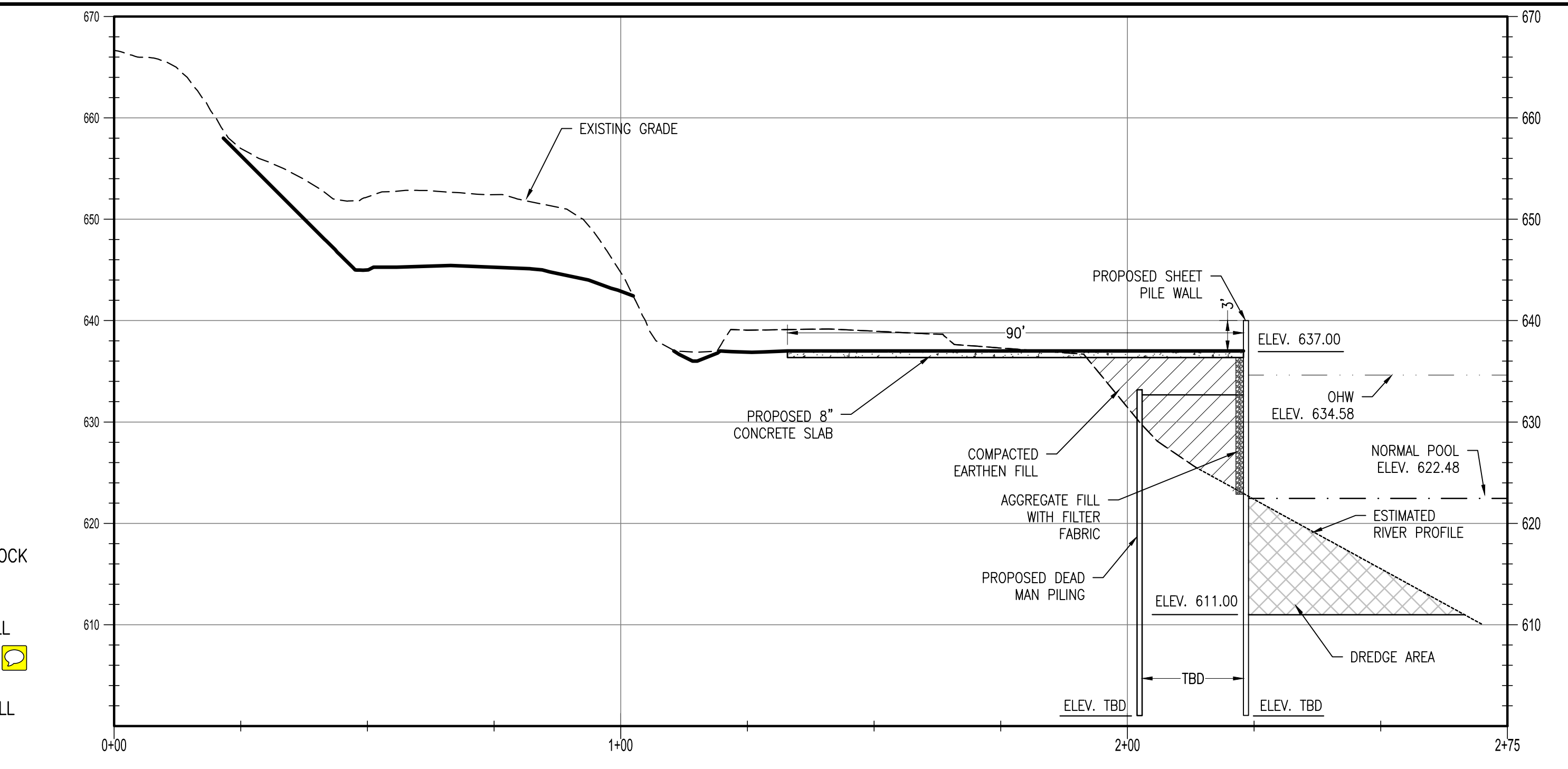
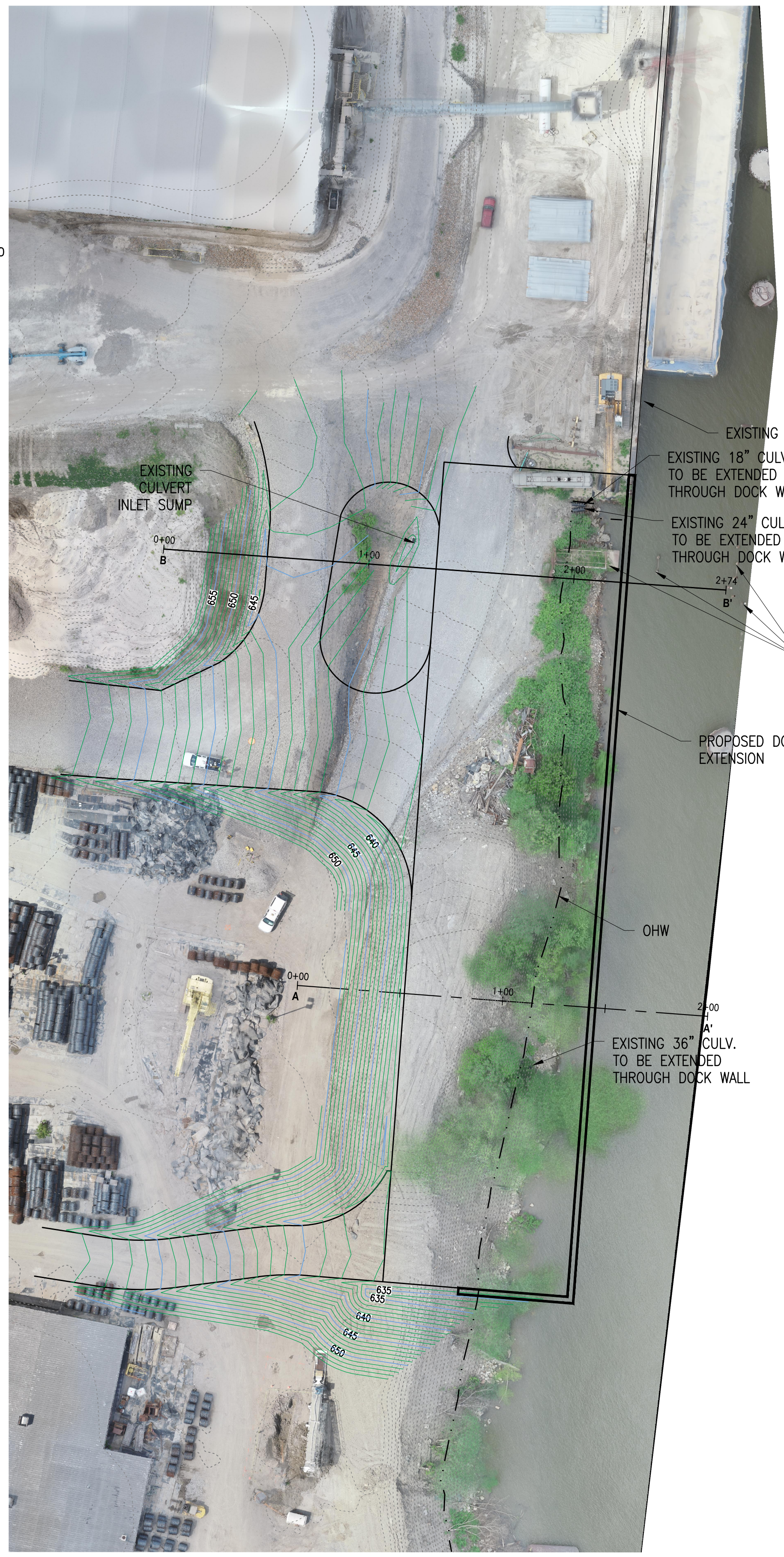
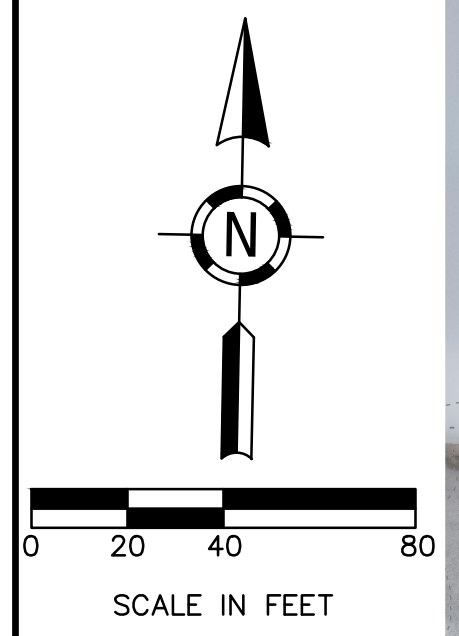


- ① AERIAL POWER CROSSING
- ② GAS PIPELINE
- ③ WATER PIPELINE
- ④ SEWER PIPELINE
- ⑤ INTERSTATE 470 HIGHWAY BRIDGE
- ⑥ INTERSTATE 70 HIGHWAY BRIDGE
- ⑦ BRIDGEPORT HIGHWAY BRIDGE
- ⑧ TENTH ST. WHEELING HIGHWAY BR.
- ⑨ INTERSTATE 70 HIGHWAY BRIDGE

- (A) OXFORD MINING CO.
- (B) ARB STREET BOAT CLUB
- (C) TRI-SON CONCRETE CO.
- (D) CRAVAT COAL CO.
- (E) OHIO RIVER SALVAGE
- (F) VALLEY CONCRETE CO.
- (G) CONTRACTORS SUPPLY CORP. (INACTIVE)
- (H) WHEELING MUNICIPAL WHARF
- (I) WHEELING YACHT CLUB
- (J) CSX TRANSPORTATION
- (K) CORPS OF ENGINEERS (LEASED TO W. VA.)

OHIO RIVER
SCALE 1" = 1500'
REVISION: January 2002
CHART NO. 197

1970-4



LEGEND

---	SURVEYED GRADE
---	ESTIMATED RIVER PROFILE
---	WATER SURFACE
---	ORDINARY HIGH WATER (OHW)

SURVEY :
 HORIZONTAL DATUM: OHIO STATE PLANE (NAD 83) SOUTH ZONE
 VERTICAL DATUM: SOUTH AMERICAN VERTICAL DATUM 1988 (NAVD 88)
 ORDINARY HIGH WATER (OHW) IS BASED ON OHIO RIVER NAVIGATION CHART NO. 197 OF THE U.S. ARMY CORPS OF ENGINEERS, PITTSBURGH DISTRICT, DATED JANUARY 2003, (NAVD 29).
 TOPOGRAPHIC SURVEY WAS PREPARED USING A PHANTOM IV DRONE. AERIAL TOPOGRAPHY ACCURACY IS +/- 0.30'. THIS MAPPING DOES NOT MEET THE STANDARDS FOR MAPPING SET FORTH BY ODOT SURVEY AND MAPPING SPECIFICATIONS.

OGPUPS Ohio Oil & Gas Producers Underground Protection Service
 800-925-0988

Call 811 before you dig
 Ohio Utilities Protection Service
 800-362-2764

PRELIMINARY - FOR PERMIT

Project Title:

**MPR DOCK EXTENSION
 BELMONT COUNTY
 BELLAIRE, OHIO**

Owner:

**MPR
 SUPPLY CHAIN**

5310 GUERNSEY STREET
 BELLAIRE OH, 43906

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Mark	Description	Date
	FOR PERMIT	7/18/18

Project No.:	MNR001
Plot Date:	7/18/18
Layout By:	CJG
Drawn By:	CJG
Check By:	MJB
Scale:	AS NOTED
Issue Date:	JULY 2018
Sheet Title:	

**DOCK EXTENSION
 EXHIBIT**

Sheet Number:

F:\Clients\Active\MNR\MNR001_MPR_Site_Development\Design\Drawings\Exhibits\MNR001_DOCK_SECTIONS_3-1.dwg, EXHIBIT, coplodord, Jul 18, 2018 - 10:18am