PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: 1999-13370-RS
Issue Date: November 30, 1999
Expiration Date: December 30, 1999

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Darling International, Inc.
825 Wilson Avenue
Newark, NJ 07105

ACTIVITY: Maintenance dredge with upland disposal

WATERWAY: Newark Bay

LOCATION: City of Newark, Essex County, New Jersey

Newark Bay Study Area
NBSA-00038

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

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 benefits which reasonably may be expected to accrue from the proposal 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, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration 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 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 need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state,

with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 USC 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New Jersey Department of Environmental Protection Waterfront Development Permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact Dr. Marc Helman of this office at (212) 264-6731.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

FOR THE DISTRICT ENGINEER:

for Joseph J. Seebode
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

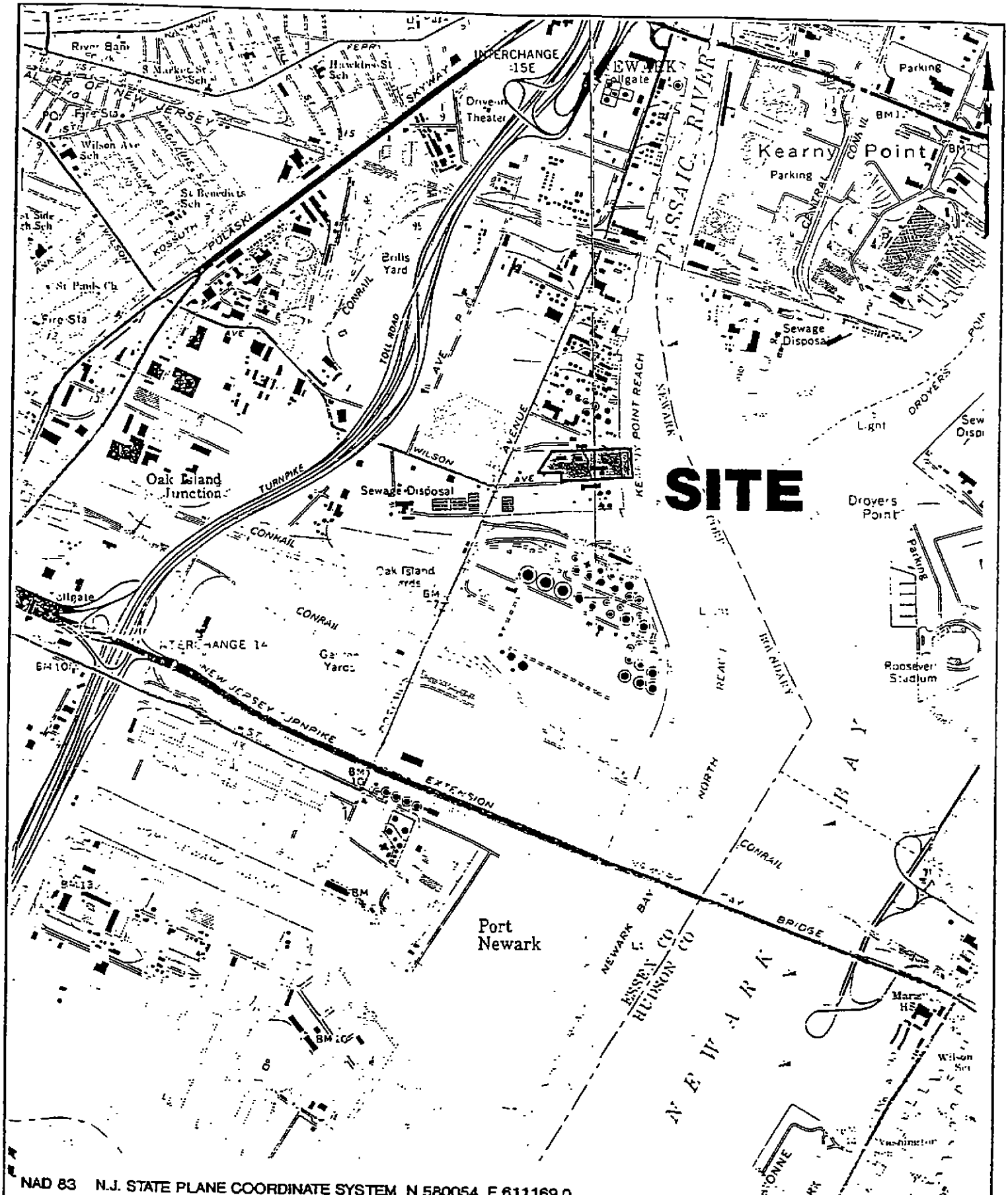
The applicant, Darling International, Inc., has requested Department of the Army authorization to dredge material from Newark Bay at the City of Newark, Essex County, New Jersey with ten years maintenance and subsequent upland disposal at a state-approved decontamination site.

The work would involve maintenance dredging of approximately 22,000 cubic yards of sediment (65% silt/35% clay) from an 80,000 square foot (400 feet x 200 feet) berthing area to a depth of 31 feet below the plane of Mean Low Water (MLW) plus a 2 foot allowable overdepth. Dredging would be undertaken using a closed (environmental) clamshell bucket. Barge overflow is not proposed for this project. If bay current velocities are less than 1 knot, silt curtains would be deployed during dredging operations.

Dredged sediment would be loaded into solid bottom scows and transported to an upland disposal facility that would be designated by the New Jersey Department of Maritime Resources. Any necessary dewatering of the sediment would be undertaken at the designated disposal site. The water would be pumped into a barge and returned to the waterway at the dredge site. The disposal site would be part of the New Jersey Sediment Decontamination Demonstration Program. It is anticipated that the decontamination site would have either a Research Permit or an Acceptable Use Determination Permit issued by the State of New Jersey.

Additional maintenance dredging would be undertaken as needed with removal of necessary amounts of sediment to maintain authorized depths. Disposal would occur in the same manner as the initial dredging with disposal at the same location or another state-approved location.

The stated purpose of this project is to provide sufficient water depth for safe berthing of cargo vessels.



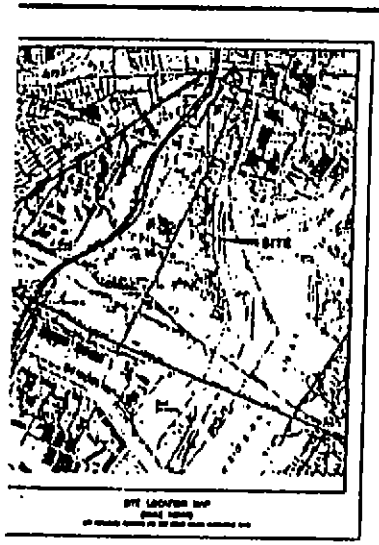
NAD 83 N.J. STATE PLANE COORDINATE SYSTEM N 580054 E 611169.0

MAP REFERENCE: ELIZABETH AND JERSEY CITY,NEW JERSEY U.S.G.S. MAPS (DATED 1981)

Langan Engineering and Environmental Services
(201) 794-6900 (215) 348-7101
Elmwood Park, NJ Doylestown, PA

Project **U.S.G.S.LOCATION MAP**
DARLING INTERNATIONAL
NEWARK NEW JERSEY

Job No.	Date	Scale	Dwg. No.
1398001	7/26/99	1"=2000'	1 of 3



SITE LOCATION MAP

PLAN
(SCALE 1" = 30')

LEGEND

-33.0 DENOTES EXISTING ELEVATION.

-33.0 DENOTES PROPOSED ELEVATION.

NOTES

1. VERTICAL DATUM BASED ON USC&GS MONUMENT Y-71 1965 (1929 DATUM) AS OBTAINED FROM A MAP TITLED " SITE PLAN ADDITION LOCATION PREPARED BY "DeSPAIN ENGINEERS, P.C."
2. FIELD WORK COMPLETED ON 5-30-1990.
3. ELEVATIONS SHOWN ARE DEPTHS BELOW MEAN LOW WATER AS CONVERTED FROM FIELD RECORDED ELEVATIONS USING A CONVERSION FACTOR OF 1.8 FROM NGVD 1929.
4. FIELD DATA OBTAINED USING STANDARD GROUND SURVEYING METHODS FOR WATER ELEVATIONS AND SPOT LOCATIONS AND A DEPTH FINDER FOR BAY FLOOR ELEVATIONS
5. APPROXIMATE VOLUME TO BE DREDGED 32,000 CY.
6. METHOD OF DREDGING: CLOSED CLAMSHELL BUCKET.
7. LOCATION OF SPOIL SITE: TO BE DETERMINED BY NEW JERSEY MARITIME RESOURCES.

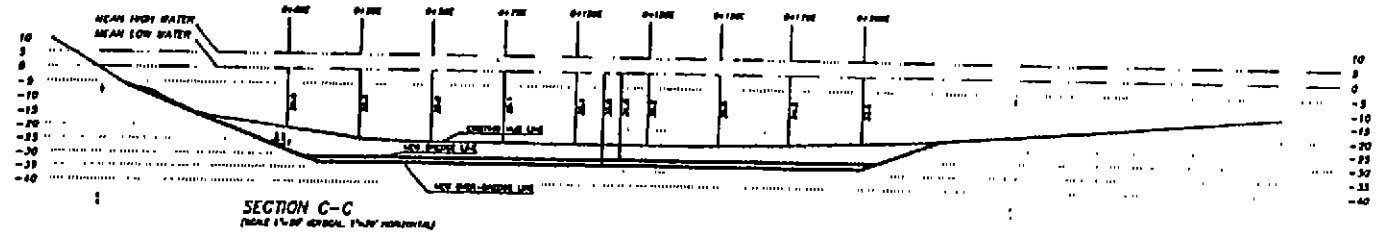
Langan Engineering, Environmental Services

DARLING INTERNATIONAL BERTH DREDGING

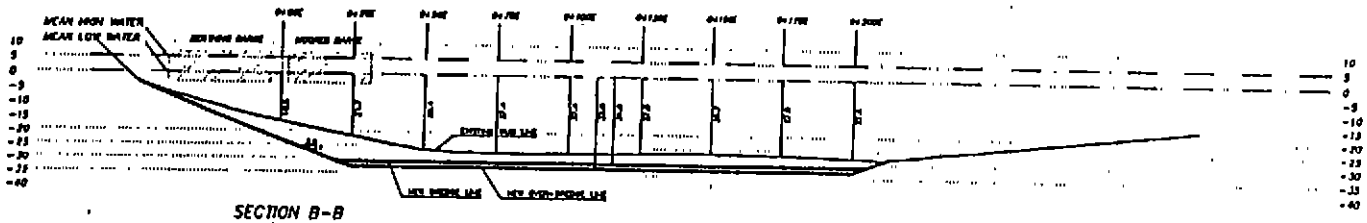
DREDGING PLAN

Job No. 13680
Date 11/15/90
Scale AS SHOWN
Drawn By RB

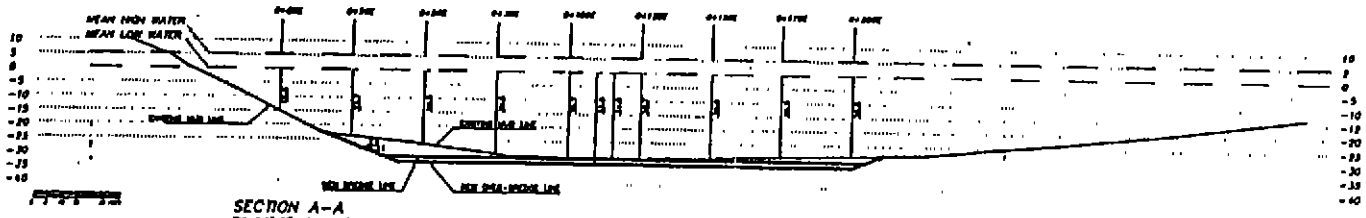
243



SECTION C-C



SECTION B-B



SECTION A-A

NOTES

1. ELEVATIONS SHOWN ARE TO MEAN LOW WATER DATUM.
2. EXISTING MUD LINE SHOWN ON CROSS SECTIONS IS BASED ON FIELD MEASUREMENTS CARRIED OUT BY LANGAN ON 3-30-99 AND MAY HAVE CHANGED SINCE THAT TIME.
3. FIELD DATA OBTAINED USING STANDARD GROUND SURVEYING METHODS FOR WATER ELEVATIONS AND SPOT LOCATIONS AND A DEPTH FINDER FOR BAY FLOOR ELEVATIONS.

No.	Date	Description	By
		Existing	

Langan Engineering and Environmental Services

Project: DARLING INTERNATIONAL BERTH DREDGING
PORT HOWARD, NEW JERSEY

Drawing Title: DREDGING SECTIONS

Job No. 53080
Date 11/15/99
Scale AS SHOWN
Des. By PB
Dwn. By
Chk'd By

Drawing No. 3 of 3

BBL
BLASLAND, BOUCK & LEE, INC.
engineers & scientists

Transmittal

Transmitted Via: First Class Mail

BLASLAND, BOUCK & LEE, INC.
6723 Towpath Road/Box 66 Syracuse, New York 13214-0066
(315) 446-9120

To: Cliff Firstenberg
Two Tower Center Boulevard
Floor 10
East Brunswick, NJ 08816

Date: December 10, 1999

File: 09994.031

Re: Additional USACE Public Notice

We are sending you ____x____ herewith _____ under separate cover

_____ drawings _____ letters ____x____ other

If material received is not as listed, please notify us at once.

Quantity	Identifying Number	Title	Action
1	1999-13370-RS	Public Notice - Darling International, Inc.	I

*Action letter code: R - reviewed; N - reviewed and noted; I - for your information; A - as requested; S - resubmit; J - rejected; Y - for your approval

Remarks:

Enclosed is a new Public Notice from the US Army Corps of Engineers regarding maintenance dredging for Darling International, Inc. in Newark Bay. Please let us know what actions, if any, you would like BBL to take for this project (i.e., FOIA, etc).

Sincerely,

cc:

BLASLAND, BOUCK & LEE, INC.

Robert Romagnoli, P.E.

SH/amm