RR-
This is the notice for the PA to finish dredging Reaches B,C, and D and dispose in the land reclamation project. Let me know if I should forward to CLH.
Sarah

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:1995-11306-RS
Issue Date: January 18, 2000
Expiration Date: February 09, 2000

To Whom It May Concern:

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

APPLICANT: Port Authority of New York & New Jersey
Port Department
One World Trade Center
New York, NY 10048-0202

ACTIVITY: Add an upland (non-wetland) site for disposal of dredged material to an existing dredging permit

WATERWAY: Newark Bay

LOCATION: Reaches B, C and D of Port Newark/Port Elizabeth, Cities of Newark and Elizabeth, Essex and Union Counties (respectively), New Jersey and Bark Camp Mine Reclamation Site in Penfield, Huston Township, Clearfield County, Pennsylvania

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.

Newark Bay Study Area
NBSA-00045

CENAN-OP-RW
PUBLIC NOTICE NO. 95-11306-RS

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 U.S.C. 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:

Approval from the Pennsylvania Department of Environmental Protection

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 this office at (212) 264-0183 and ask for Steven A. Schumach. 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

2 Enclosures:
1. Description of Work
2. Project Plans

WORK DESCRIPTION

The applicant, The Port Authority of New York & New Jersey (PANY&NJ), has requested authorization to add an upland disposal site to its Department of the Army permit to allow for upland disposal of material dredged from Reaches B, C, and D at the Port Newark/Elizabeth Marine Terminal. The dredged material would be transported, as needed, for beneficial reuse in association with a mine reclamation demonstration project at the Bark Camp Mine Reclamation Site in Penfield, Huston Township, Clearfield County, Pennsylvania. The issued permit authorizes disposal of the dredged material at the Newark Bay Confined Disposal Facility. PANY&NJ anticipates that approximately 202,000 cubic yards of the 250,000 cubic yards authorized by the existing permit could be transported to the Bark Hill Camp Mine Site.

The work would be performed by Consolidated Technologies, Inc. (CTI), the entity authorized by the Pennsylvania Department of Environmental Protection (PADEP) to perform the mine reclamation demonstration project. All dredging would be performed with a closed environmental bucket with no barge overflow. Loaded dredge scows would be transported to CTI's dredged material processing facility in Claremont Channel, Jersey City, New Jersey. At this facility, dredged material would be dewatered, screened for debris, stabilized for transportation and loaded into rail cars destined for the Bark Camp Site. CTI has obtained all necessary permits and approvals from the New Jersey Department of Environmental Protection to perform the dewatering and processing operations. Berths and their volume to be dredged are, as follows:

Berth	Volume (cubic yards)
24	11,200
26	3,500
28	5,200
30	4,600
32	5,000
34	3,200
50	13,000
51	14,000
52	11,500
53	1,100
54	12,600
56	13,800
59	3,000
60	1,400
61	8,000
62	3,600
63	14,500
68	13,700
70/72	34,500
74	11,700
76	11,200
92	1,500

A history of the previously issued permits for the site is, as follows:

In accordance with the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 103 of the Marine Protection, Research, and Sanctuaries Act (33 USC 1413), and Section 404 of the Clean Water Act (33 USC 1344), the Port Authority of New York and New Jersey (PANY&NJ) was issued Department of the Army (DA) Permit Nos. 95-11300 and 95-11301, by the District Engineer on May 2, 1997 and May 20, 1997, respectively. These permits authorized the following activities within Reaches B, C, and D of Port Newark/Port Elizabeth located on Newark Bay in the Cities of Newark and Elizabeth, Essex and Union Counties (respectively), New Jersey:

1) Maintenance dredge approximately 159,000 cubic yards of material from Reaches B and C to reestablish project depths ranging from -35 to -40 feet below the plane of Mean Low Water, with two feet of allowable overdepth. The dredged material will be processed and then placed at the state-approved upland OENJ/Orion site in Elizabeth, New Jersey. Return flow to the waterway after processing of the dredged material was authorized.

2) Dredge for the purpose of berth deepening, approximately 126,000 cubic yards of material from Reach C, with barge overflow, from the following locations: Berths 52-58, 57-59, and 64-66. The deepening project will establish new depths of -45 feet below the plane of Mean Low Water, with two feet of allowable overdepth. Disposal of the material was originally authorized to take place in the ocean at the Mud Dump Disposal Site off of Sandy Hook, New Jersey.

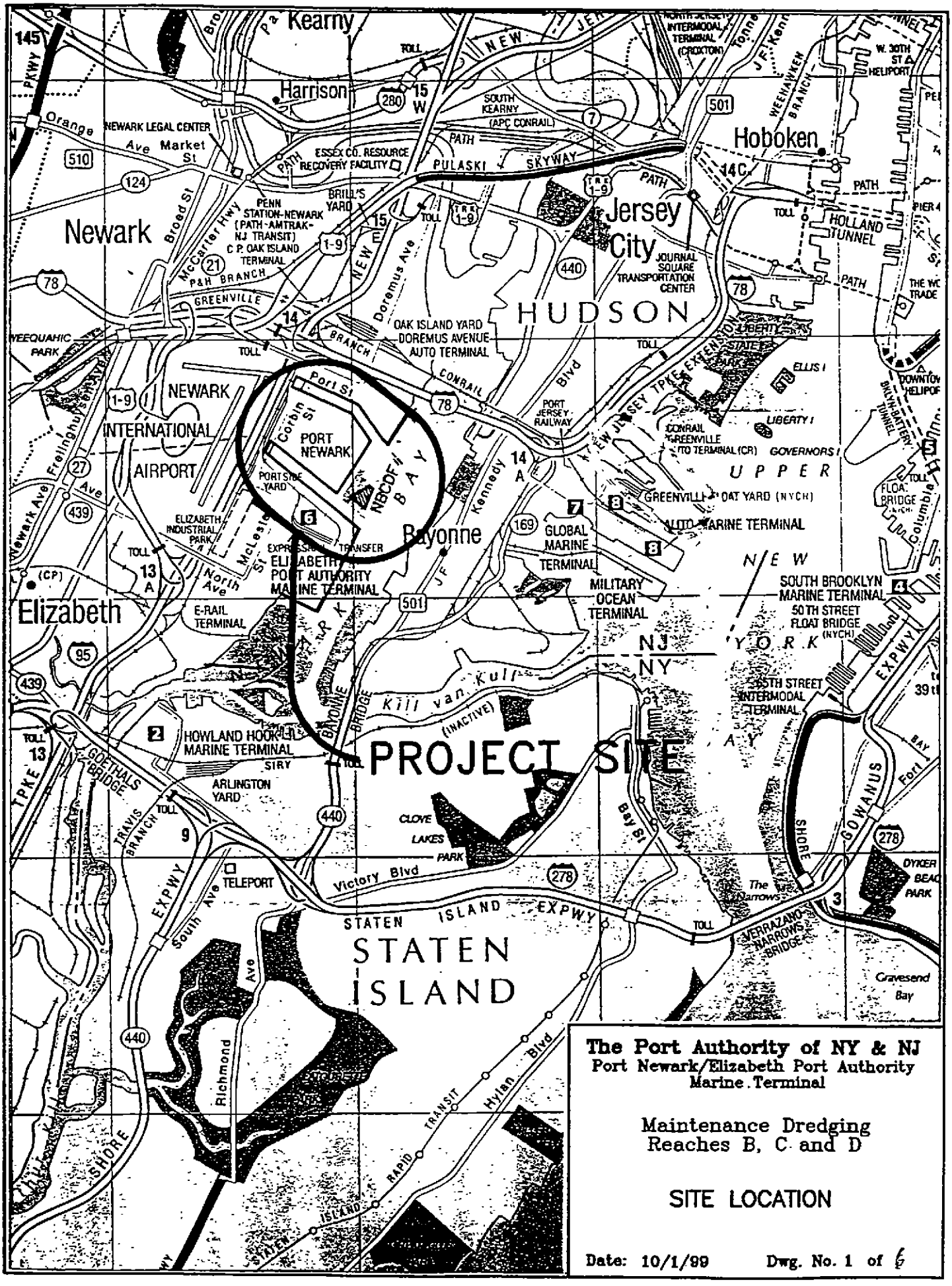
3) Maintenance dredge approximately 50,000 cubic yards of the Category 2 material from Reach D with barge overflow, to reestablish project depths ranging from -35 to -40 feet below the plane of Mean Low Water, with two feet of allowable overdepth. All of the dredged material was originally authorized to be disposed of in the ocean at the Mud Dump Disposal Site.

4) Dredge for the purpose of berth deepening approximately 11,000 cubic yards of new work material from Reach D with barge overflow, from Berth 96-98. The deepening project will establish new depths of -45 feet below the plane of Mean Low Water, with two feet of allowable overdepth. Disposal of the material was originally authorized to take place in the ocean at the Mud Dump Disposal Site.

On May 18, 1999, this office modified both permits to authorize maintenance dredging within specific berthing areas to depths ranging between -35 feet and -45 feet below the plane of Mean Low Water with two feet of allowable overdepth. Approximately 250,000 cubic yards of material would be removed and disposed of in the subaqueous Newark Bay Confined Disposal Facility (NBCDF) instead of the upland OENJ site in Elizabeth, New Jersey, and the ocean at the Mud Dump Site off of Sandy Hook, New Jersey. The applicant was authorized to use the NBCDF, due to the closure of the previously permitted disposal sites.

In addition to requesting a modification to the permit, thus giving the applicant the option of utilizing the Bark Camp Mine Reclamation Site, the applicant has also requested to extend the expiration date of the existing permit from May 5, 2000 to April 22, 2002 in order to coincide with the New Jersey Department of Environmental Protection Waterfront Development Permit for maintenance dredging at this facility.

As there is an existing permit in effect, this public notice seeks comments on the PANY&NJ's proposal to modify its existing permit to add an upland disposal site for the disposal of dredged material, and on its request to extend the permit expiration date. Therefore, comments should be limited to the proposed permit modification.

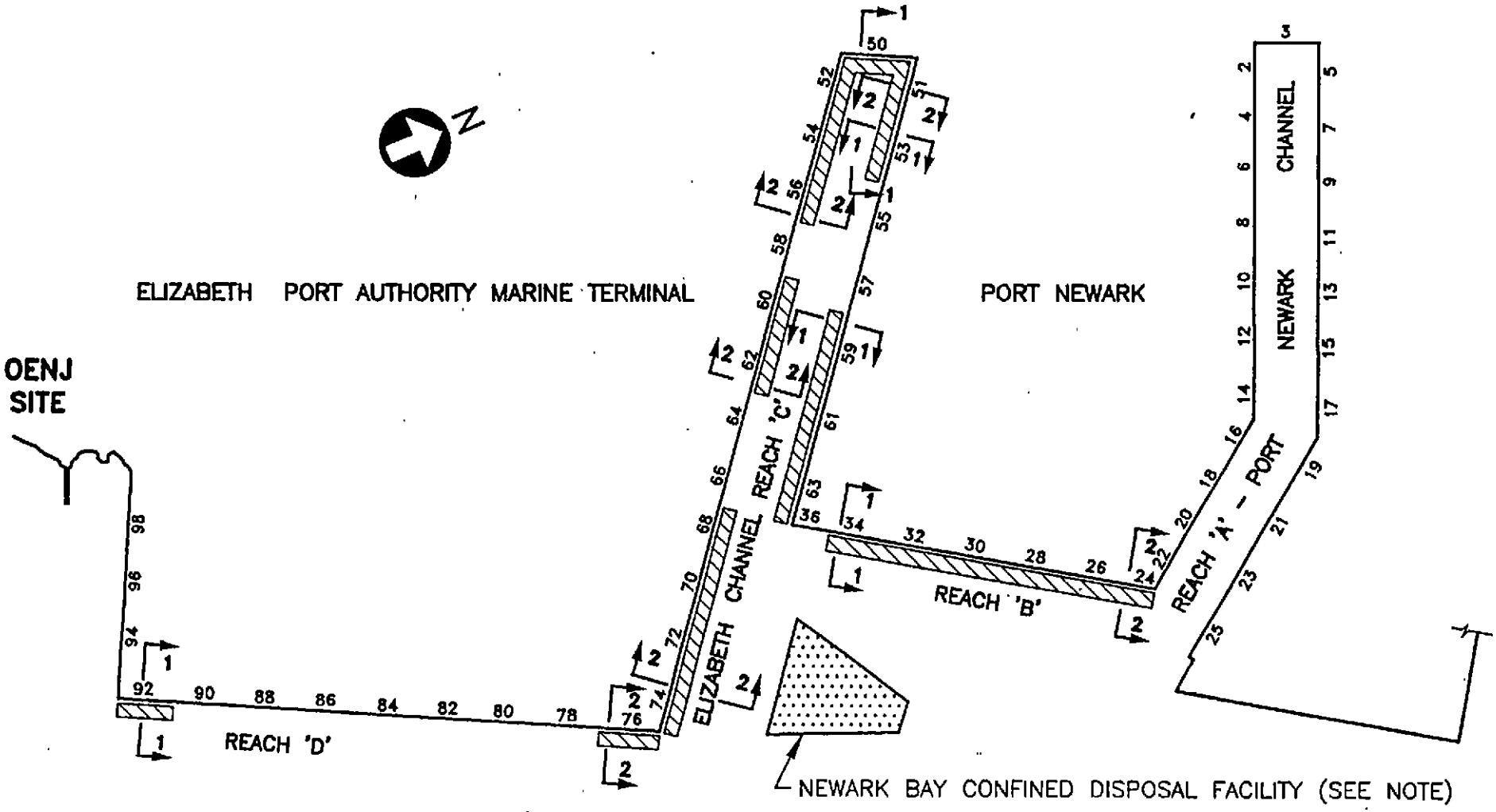


The Port Authority of NY & NJ
Port Newark/Elizabeth Port Authority Marine Terminal

Maintenance Dredging
Reaches B, C and D

SITE LOCATION

Date: 10/1/99 Dwg. No. 1 of 6



LEGEND:

INDICATES AREAS TO BE DREDGED FOR THIS ACTION

PLAN
N.T.S.

NOTE:

DREDGE MATERIAL TO BE BENEFICIALLY USED FOR MINE RECLAIMATION AT THE BARK CAMP SITE IN PENNSLYVANIA, OR DISPOSED OF AT THE NEWARK BAY CONFINED DISPOSAL FACILITY.

The Port Authority of NY & NJ
Port Newark/Elizabeth Port Authority
Marine Terminal

Maintenance Dredging
Reaches B, C and D

PLAN VIEW

Date: 10/1/99 Dwg. No. 2 of 6

DIMENSIONS FOR SECTION 1–1 IN FEET			
BERTH NO.	A	B	C
26	20	120	35
28	20	120	35
2 30	20	120	35
2 32	20	120	35
3 34	15	120	36
2 36	15	120	36
3 63	15	150	36
3 61	15	150	36
3 59	15	150	36
57	15	150	35
1 55	5	150	40
53	15	150	35
50	15	150	35
1 64	5	150	45
1 66	5	150	45
1 90	20	110	40
1 92	20	110	40
94	20	110	40
1 96	5	110	45
1 98	5	110	45

DIMENSIONS FOR SECTION 2–2 IN FEET					
BERTH NO.	A	B	C	D	E
3 24	20	35	120	35	38
3 51	15	35	150	37	38
3 52	15	35	150	37	38
3 54	15	35	150	37	38
3 56	15	35	150	37	38
3 58	15	35	150	37	38
3 60	15	35	150	37	38
3 62	15	35	150	37	38
3 68	15	35	150	37	38
3 70	15	35	150	37	38
3 72	15	35	150	37	38
3 74	15	35	150	37	38
3 76	15	35	110	37	38
1 78	15	35	110	37	38
1 80	15	35	110	37	38
1 82	15	35	110	37	38
1 84	15	35	110	37	38
1 86	15	35	110	37	38
1 88	15	35	110	37	38

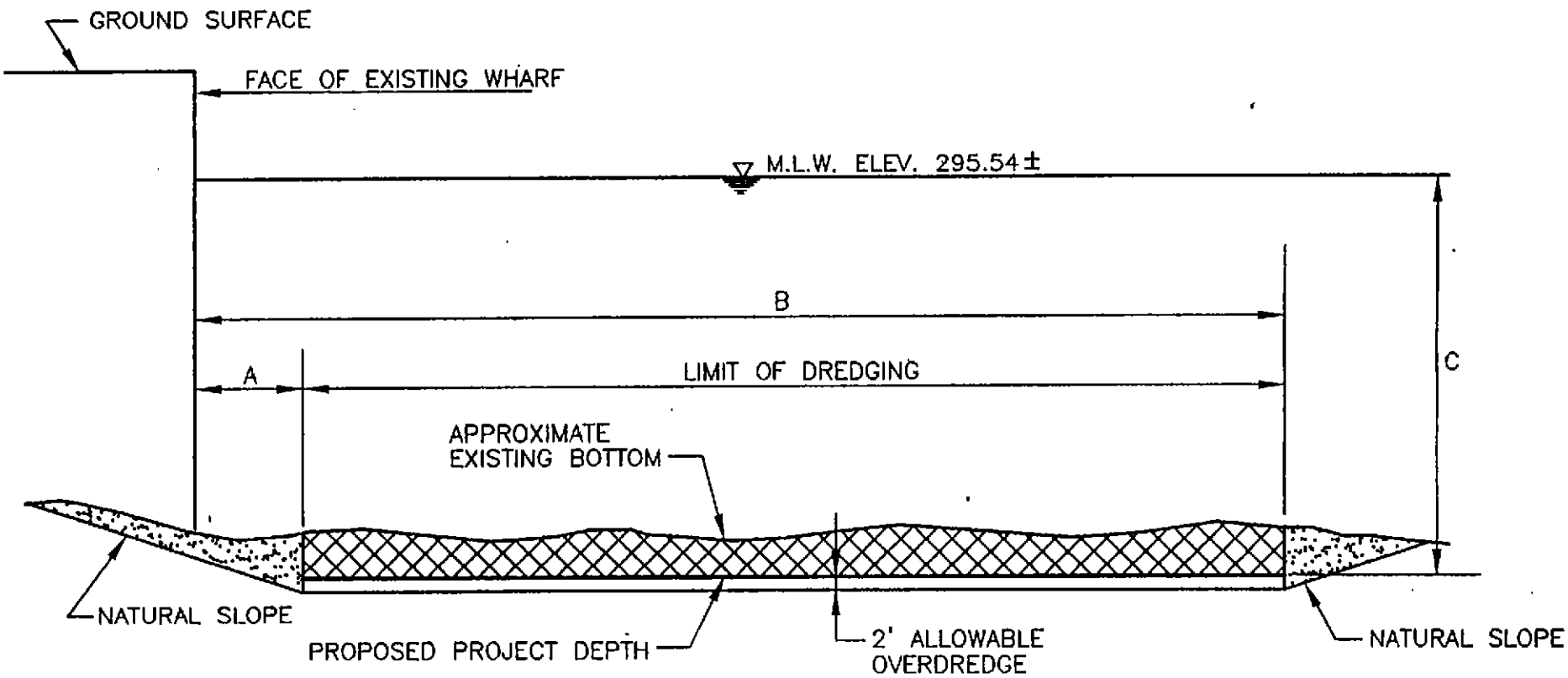
No.	Date	Revision
3	10/1/99	ALLOW. DREDGE LIMITS
2	9/9/99	AUTHORIZED DEPTHS
1	8/12/99	AUTHORIZED DEPTHS

The Port Authority of NY & NJ
Port Newark/Elizabeth Port Authority
Marine Terminal

Maintenance Dredging
Reaches B, C and D

DIMENSIONS FOR TYPICAL SECTIONS

Date: 10/1/99 **Dwg. No. 3 of 6**



LEGEND:

INDICATES LIMITS OF DREDGING

INDICATES MATERIAL SLOUGHING IN FROM SIDE SLOPES. NO DREDGING ALLOWED IN THIS ZONE.

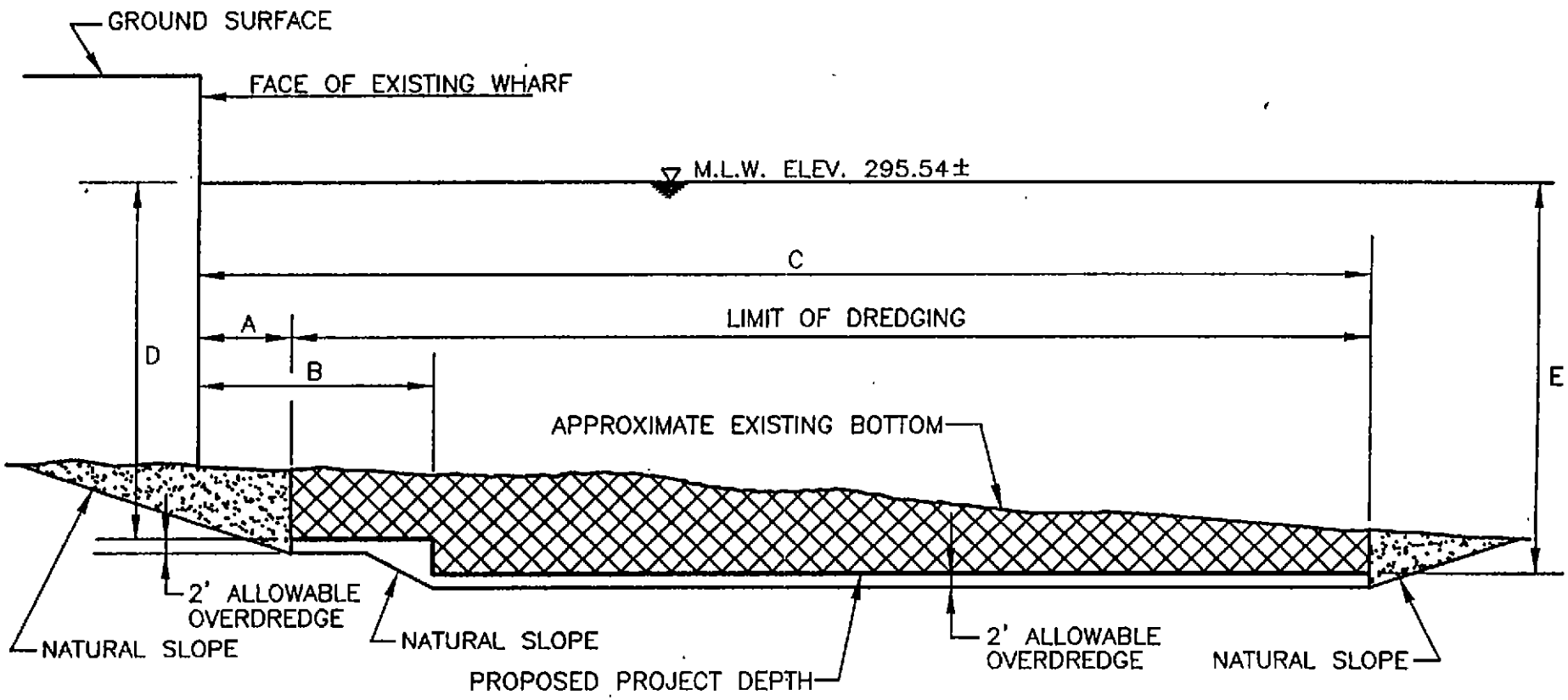
SECTION 1–1
N.T.S.

The Port Authority of NY & NJ
Port Newark/Elizabeth Port Authority
Marine Terminal

Maintenance Dredging
Reaches B, C and D

TYPICAL SECTION 1–1

Date: 10/1/99 Dwg. No. 4 of 6



LEGEND:

INDICATES LIMITS OF DREDGING

INDICATES MATERIAL SLOUGHING IN FROM SIDE SLOPES. NO DREDGING ALLOWED IN THIS ZONE.

SECTION 2–2

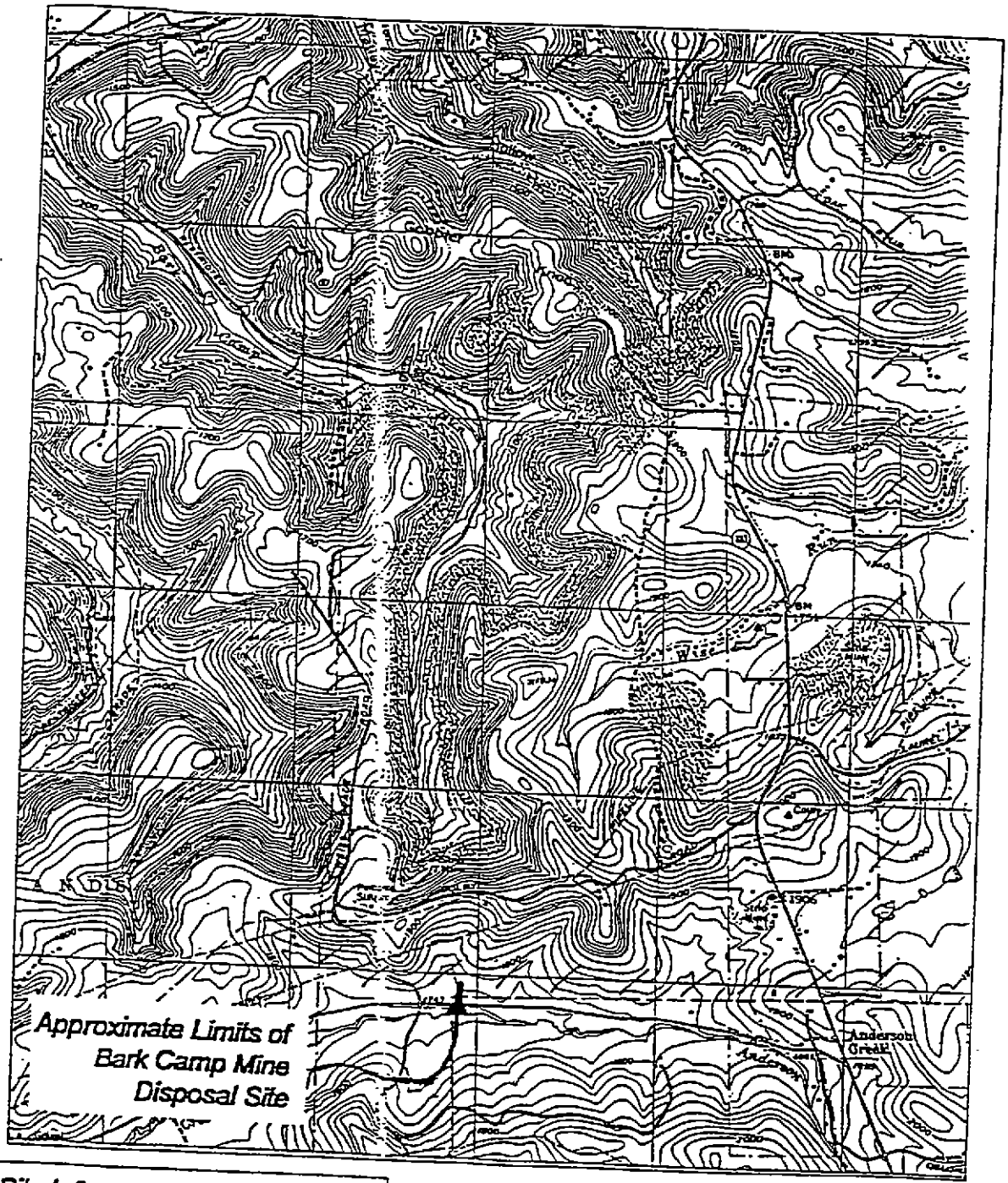
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The Port Authority of NY & NJ
Port Newark/Elizabeth Port Authority Marine Terminal

Maintenance Dredging
Reaches B, C and D

TYPICAL SECTION 2–2

Date: 10/1/99 Dwg. No. 6 of 6



Site Information

County: Clearfield
Site Manager: Consolidated Technologies Incorporated

State Plane Coordinates of Disposal Site (Pennsylvania State Plane, NAD27)

Easting: 1,771,000 ft to 1,781,000 ft
Northing: 360,000 ft to 377,000 ft