Rick / Jean file ER

PUBLIC NOTICE

Dredging / Public Notice

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

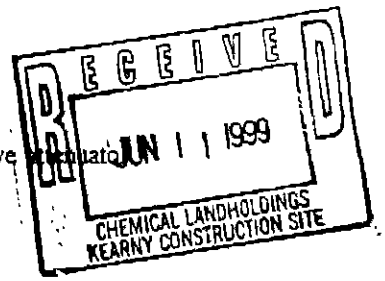
In replying refer to:
Public Notice Number: 1999-03040-J1
Issue Date: June 9, 1999
Expiration Date: July 9, 1999

Newark Bay Study Area
NBSA-00043

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 USC 1344).

APPLICANT: Tosco Refining Company
1400 Park Avenue
Linden, NJ 07036



ACTIVITY: Dredge with upland disposal, install floats and wave attenuator

WATERWAY: Arthur Kill

LOCATION: City of Linden, Union County, New Jersey

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,

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PUBLIC NOTICE NO. 1999-03040-J1

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 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 at (212) 264-3912.

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

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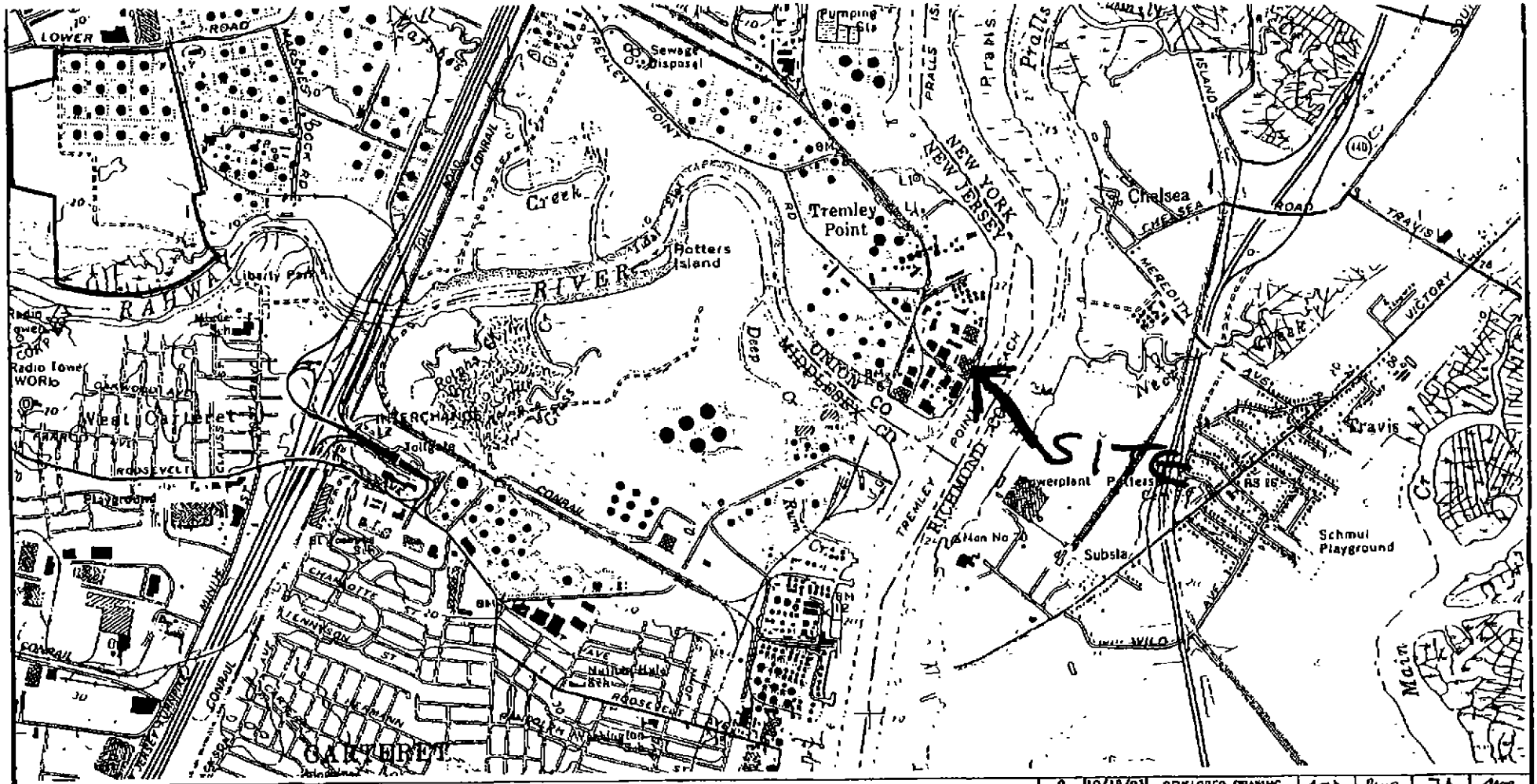
WORK DESCRIPTION

The applicant, Tosco Refining Company, has requested Department of the Army authorization to dredge with upland disposal and install floats, including a wave attenuator, in the Arthur Kill at the City of Linden, Union County, New Jersey.

The work would involve dredging approximately 4,000 cubic yards of sediment from an area approximately 325 feet x 120 feet to a depth of 8 feet below the plane of mean low water. Dredging would be undertaken using a barge-mounted environmental (closed) clamshell bucket with the dredged sediment being loaded onto barges for transfer and unloading at a containment area on the applicant's upland property where it would be dewatered. Hay bales would be used to filter return flow to the waterway. Subsequent to drying the dredged sediment would be utilized on the site as fill.

The project would also involve construction of a mooring facility consisting of a float/wave attenuator that would have an overall length of 235 feet x 9 feet wide. The northernmost 110 feet would be offset 25 feet to the east (waterward) of the northern 125 feet. A 104 foot x 5 foot float would extend north from the position of the offset in the float/wave attenuator. Six 30 foot x 4 foot finger floats would be installed, three on the west side of the 104 foot float and three on the west side of the southern portion of the float/wave attenuator. The finger floats would be installed at an angle of approximately 45 degrees. A 40 foot x 5 foot ramp would be installed to provide access to the floats from an existing loading platform.

The stated purpose of this project is to provide a single, central, berthing area, with adequate water depth, for mooring vessels of the Clean Harbors Cooperative, L.L.C. to insure fast response capabilities in the containment and cleanup of petroleum discharges.



SOURCE: USGS 7.5 MINUTE SERIES TOPOGRAPHIC MAP, ARTHUR KILL AND ELIZABETH, NEW JERSEY QUADRANGLE, 1968 AND 1967, PHOTOREVISED 1981.

1000 0 1000 2000
SCALE OF FEET

REV.	DATE	DESCRIPTION OF REVISION	REV. BY	ENG	CHKD BY	APPVD BY
0	10/18/93	DEVELOPED DRAWING	d.m.b.	RWP	JA	dwg

PROJECT MANAGER: R.W. PRAHL | DRAWN BY: D.M.B.

IT INTERNATIONAL TECHNOLOGY CORPORATION

USGS TOPOGRAPHIC QUADRANGLE MAP

BAYWAY REFINERY
LINDEN, NEW JERSEY
PROJECT No. 542073

LAYER(S)	DATE PLOTTED	DRAWING NUMBER
0	10/93	542073-83

1 of 5

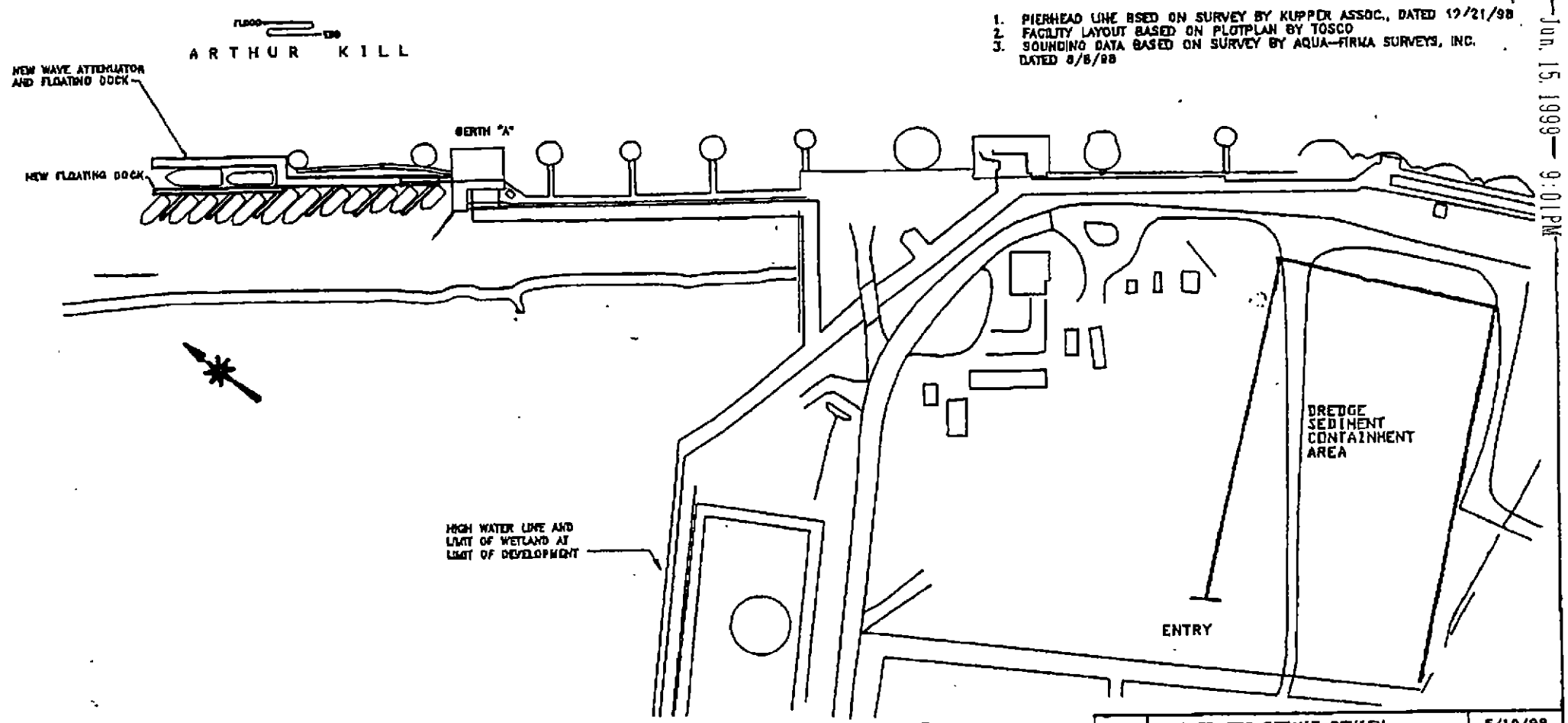
542073B3 10/18/93 1:02pm D.M.B.

Jun 15 1999 9:00PM

No. 8475 P. 4/6

NOTES:

1. PIERHEAD LINE BSED ON SURVEY BY KUPPER ASSOC., DATED 12/21/98
2. FACILITY LAYOUT BASED ON PLOTPLAN BY TOSCO
3. SOUNDING DATA BASED ON SURVEY BY AQUA-FIRMA SURVEYS, INC. DATED 8/8/98



PLAN VIEW
Scale: 1" = 120'

REV	DESCRIPTION	DATE
0	ISSUED FOR PERMIT REVIEW	5/10/99

BAYWAY REFINERY
LINDEN, NEW JERSEY

THIS DRAWING IS THE PROPERTY OF\

BAYWAY REFINING COMPANY
A SUBSIDIARY OF TOSCO CORPORATION

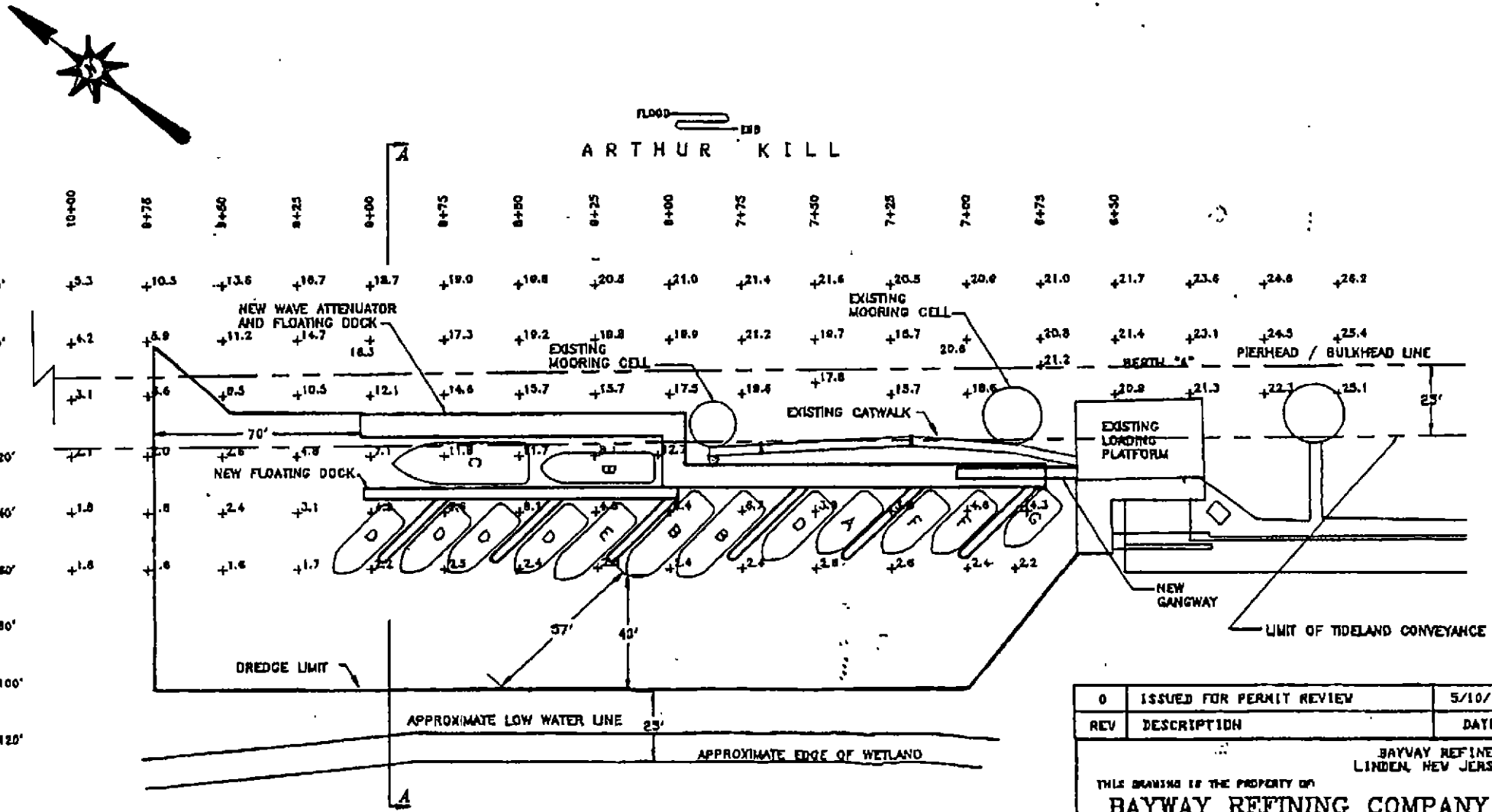
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PROPOSED MARINA GENERAL LAYOUT
CLEAN HARBORS CO-OP
TREMLEY POINT TERMINAL

SCALE	DRAWING NUMBER	REV.
AS SHOWN	AC-M-1	0

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Jun 15 1999 9:01PM P. 4/6 No. 8476



PLAN VIEW

Scale: 1" = 50'

3 of 5

REV	DESCRIPTION	DATE
0	ISSUED FOR PERMIT REVIEW	5/10/99

BAYWAY REFINERY
LINDEN, NEW JERSEY

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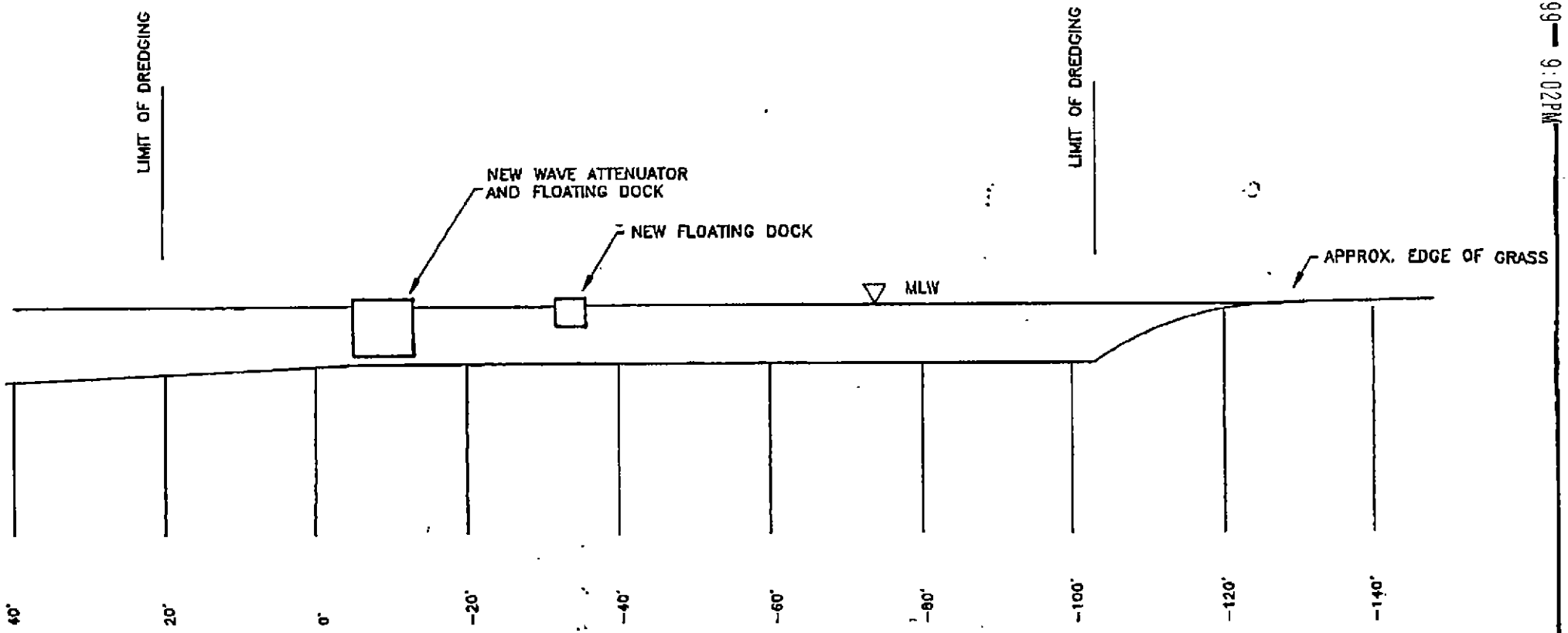
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PROPOSED MARINA
CLEAN HARBORS CO-DP
TREMLEY POINT TERMINAL

SCALE	DRAWING NUMBER	REV.
AS SHOWN	AC-M-2	0

Jun 15 1999 9:00PM P. 5/6
No. 8475



SECTION A-A

Scale: 1" = 20'

4 of 5

REV	DESCRIPTION	DATE
0	ISSUED FOR PERMIT REVIEW	5/10/99

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LINDEN, NEW JERSEY

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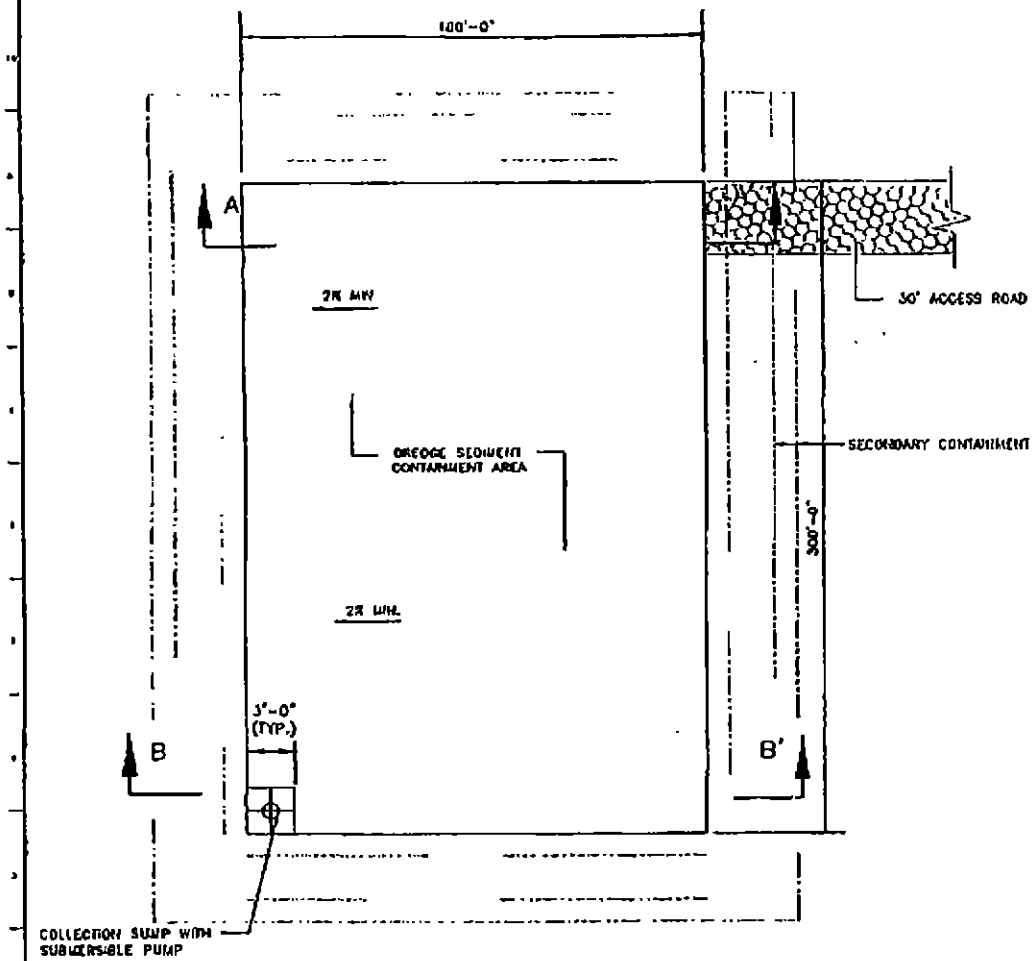
BAYWAY REFINING COMPANY
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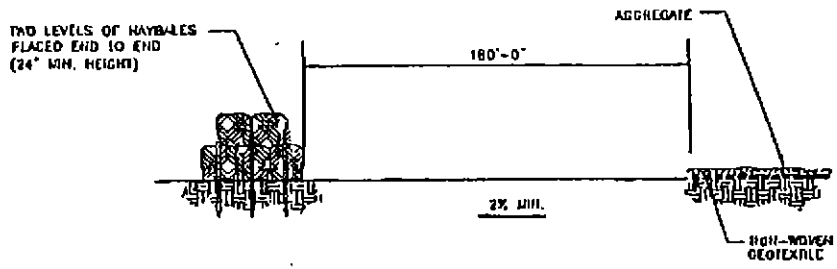
PROPOSED MARINA, SECTION A-A
CLEAN HARBORS CO-OP
TREMLEY POINT TERMINAL

SCALE	DRAWING NUMBER	REV.
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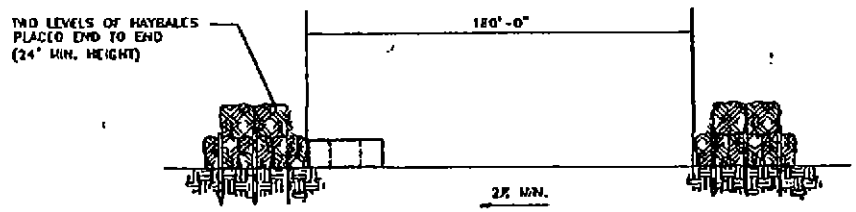
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DREDGE SEDIMENT CONTAINMENT AREA
PLAN VIEW
N.T.S.



SECTION A-A'



SECTION B-B'

NOTE:
CLEAN WATER WILL BE PUMPED TO ARTHUR KILL.

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OHM Remediation Services Corp.	REVISIONS	TOSCO REFINING COMPANY	ENVIRONMENTAL ANALYSIS
			DREDGE SEDIMENT CONTAINMENT AREA PLAN VIEW

Jun 15 1999 9:01PM No. 8475 P. 6/6