



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD-A
PUBLIC NOTICE NO. SAM-2013-00112-GAC

FEBRUARY 25, 2013

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**UPLAND EXCAVATION, BULKHEAD CONSTRUCTION, AND DREDGING IN
CONJUNCTION WITH THE EXPANSION OF A BARGE SERVICING FACILITY ON THREE
MILE CREEK INDUSTRIAL CANAL, MOBILE, MOBILE COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344) and Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403) Please communicate this information to interested parties.

APPLICANT: ELG METALS, INC.
ATTENTION: MR. WILLIAM FISHER
369 RIVER ROAD
McKEESPORT, PENNSYLVANIA 15134

AGENT: THOMPSON ENGINEERING, INC.
ATTENTION: MR. JOHN MCFADYEN
2970 COTTAGE HILL ROAD
SUITE 190
MOBILE, ALABAMA 36606

**LOCATION: INDUSTRIAL CANAL ROAD WEST, MOBILE, MOBILE COUNTY,
ALABAMA**

WATERWAY: THREE MILE CREEK INDUSTRIAL CANAL

WORK: The applicant proposes to expand their current operations by constructing a new 440-foot-long by 100-foot-wide barge dock with a navigation depth of -11.0 feet, mean lower low water (MLLW). An existing sheet-pile bulkhead is proposed to be removed, and the canal fronting the dock is proposed to be dredged to provide the required -11.0 - foot (MLLW) water depth. Approximately 3,200 cubic yards of sand and silty-sand material will be mechanically excavated and deposited/contained on-site by earthen berms and construction "best management practices". After de-watering, the material will be transported to an approved, upland disposal area. The applicant proposes to complete the project in two, 220-linear-foot phases over the five-year life of the authorization. All work is proposed in accordance with the attached plans and drawings.

PROJECT PURPOSE: The overall project purpose is to increase the ELG Metals, Mobile Division, capacity to meet current and future demands for the recycling of raw materials for the stainless steel industry.

The applicant has applied for State water quality (WQ) certification in accordance with Section 401(a)(1) of the Clean Water Act and for coastal zone (CZ) consistency in accordance with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to WQ certification and CZ consistency will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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 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, cultural values, 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 production and in general, the needs and welfare of the people.

The Corps 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 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 need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing. Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would potentially impact approximately 0.12 acre of waterbottoms utilized by various life stages of various marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service and/or U.S. Department of Interior, Fish and Wildlife Service.

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The National Register of Historic Places will be consulted for properties listed in or eligible for the National Register which are known to exist and would be affected by the proposed work. Additional notification will be furnished to the State Historic Preservation Officer via this Public Notice. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service and Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity would result in a "no effect" to listed species, or their critical habitat. This notice and application will be coordinated with the U.S. Fish and Wildlife Service to assess if the proposed activity will affect listed endangered or threatened species or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2013-00112-GAC and should be directed to:

District Commander
U.S. Army Engineer District, Mobile
Post Office Box 2288,
Mobile, Alabama 36628-0001
Attention: Regulatory Division

with a copy to the:

Alabama Department of Environmental Management
4171 Commanders Drive
Mobile, Alabama 36615

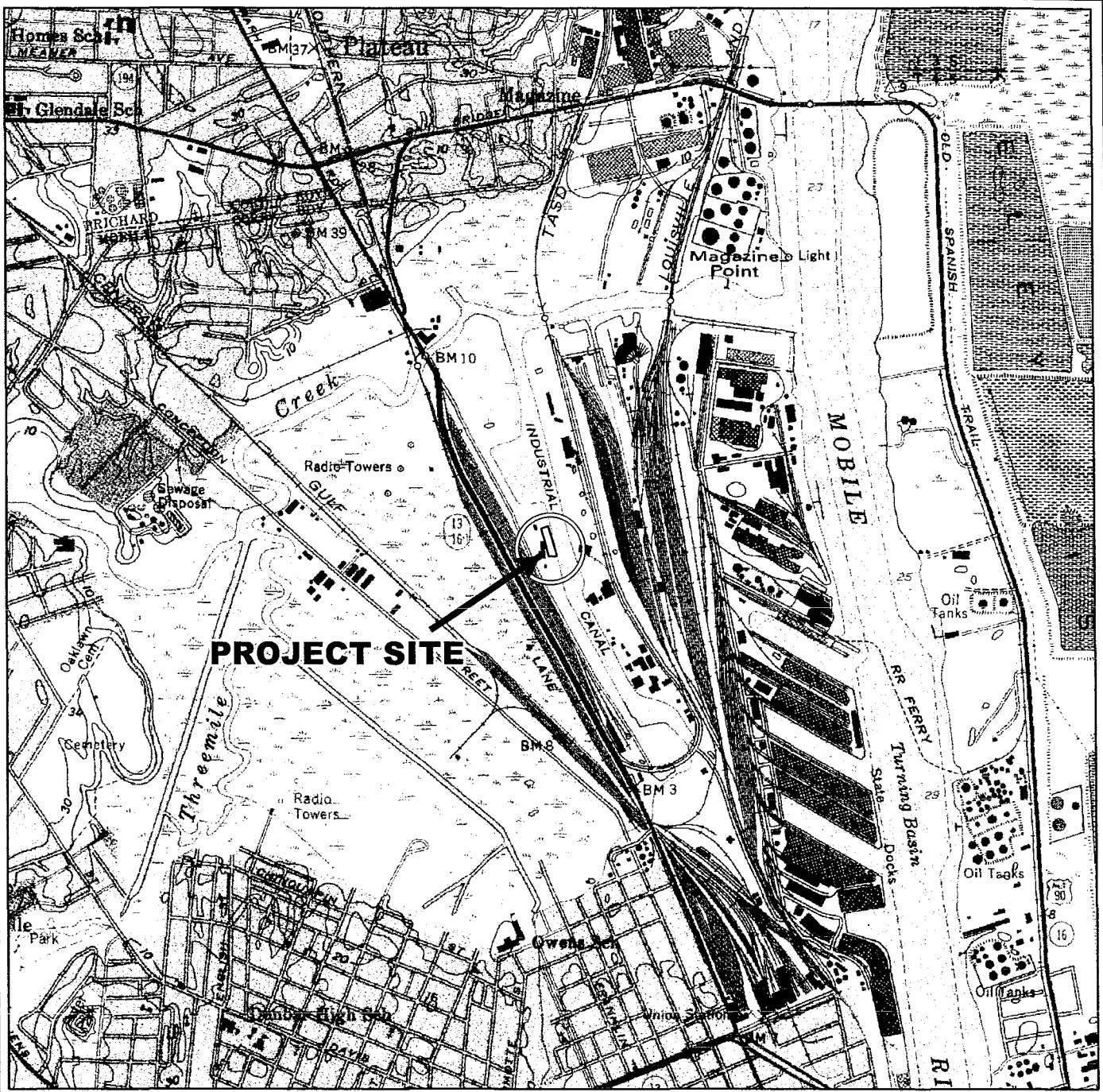
All comments should be received no later than **30 days** from the date of this Public Notice.

If you have any questions concerning this publication, you may contact the project manager via e-mail at glen.a.cunningham@usace.army.mil or telephone number **(251) 690-2658**. Please refer to the above Public Notice number.

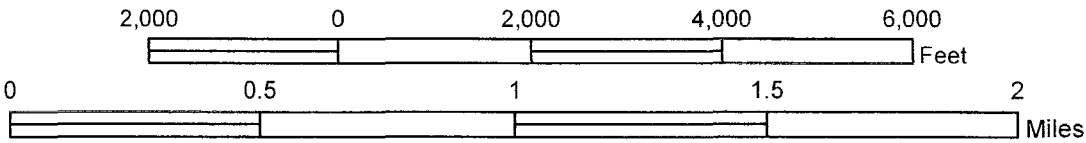
For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



1:24,000



Mobile, Alabama USGS Quadrangle (1982) - Contour Interval 10 Feet

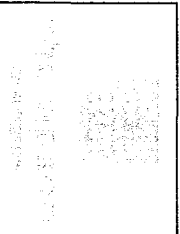
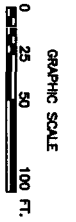
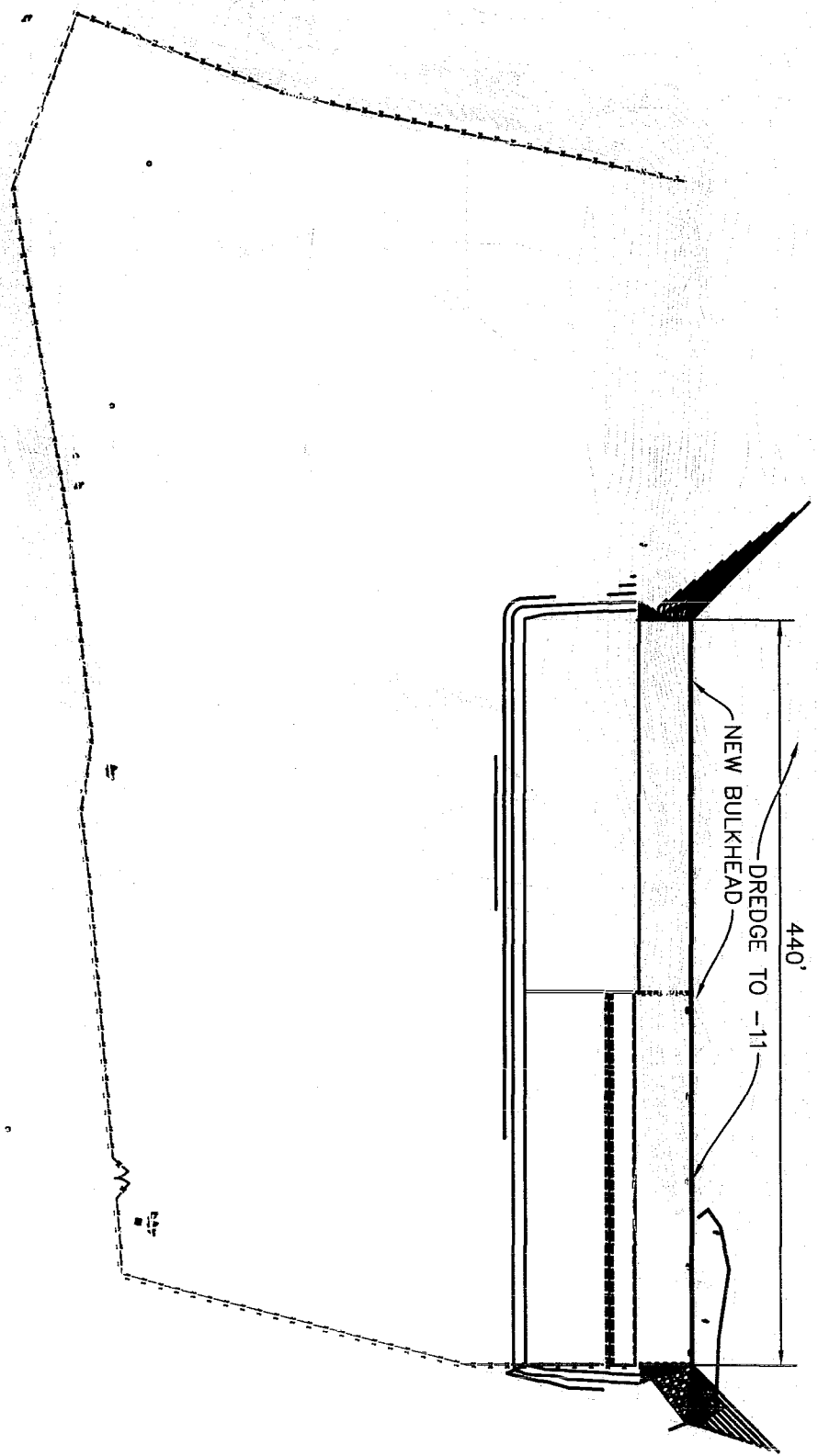
ELG METALS - INDUSTRIAL CANAL
DOCK FACILITY
MOBILE, MOBILE CONTY,
ALABAMA



FIGURE 1
SITE VICINITY MAP

PROJECT NO.:	DATE:
13-2111-0004	NOVEMBER 2012

P:\2013\2111\13-2111-0004 - ELG Metals Industrial Canal Dock\DRAWINGS\WXD\COE_PERMIT_FIG1.mxd

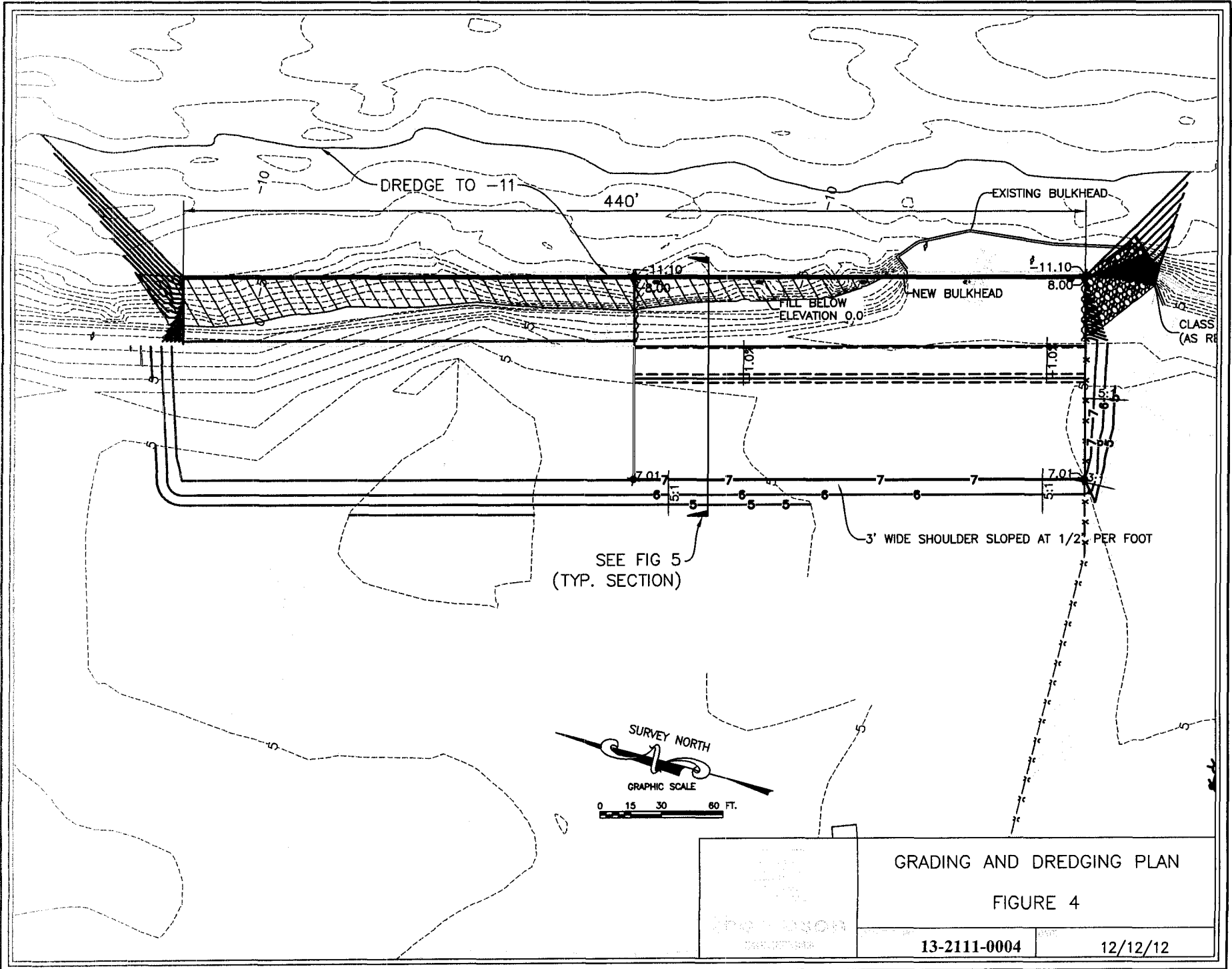


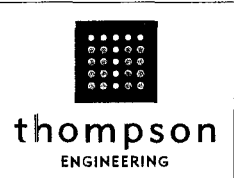
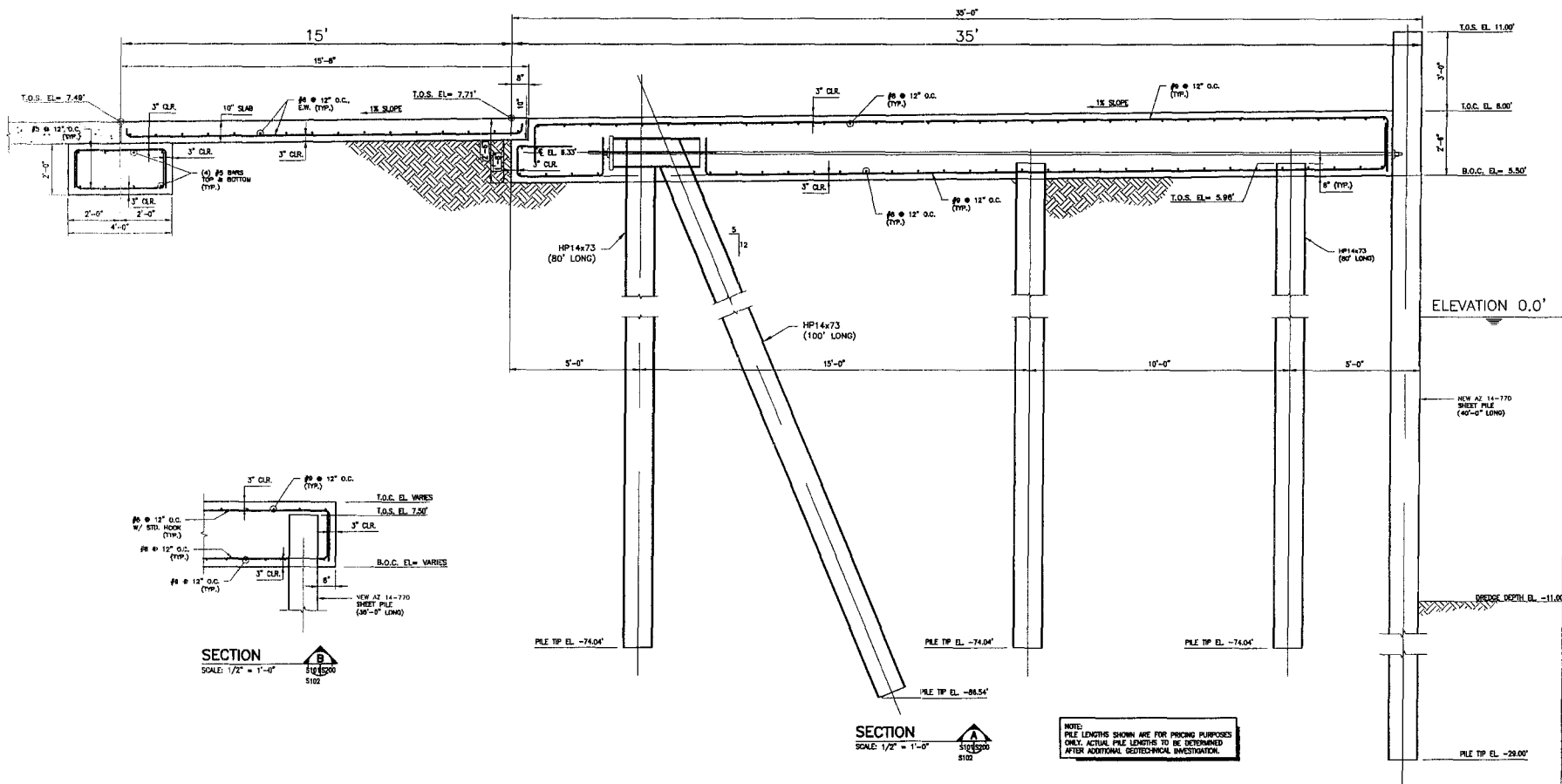
OVERALL SITE

FIGURE 3

13-2111-0004

12/12/12





TYPICAL SECTION

FIGURE 5

PROJECT NO:
13-2111-0004

DATE:
12/12/12