



**U S Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to Public Notice No.

2006-00026-OHR

Issuance Date:

March 21, 2008

Stream:

Ohio River – MP 334.1

Closing Date:

April 21, 2008

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO 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.

APPLICANT: B.F. Iron & Metal
PO Box 1838
Ashland, KY 41105-1838

LOCATION: The project area is located in jurisdictional waters of the United States in the Ohio River watershed. The proposed barge cleaning and repair facility is located on the right descending bank of the Ohio River, 334.1 miles downstream of Pittsburgh, Pennsylvania and south of County Road 1A in Ironton, Lawrence County, Ohio.

DESCRIPTION OF PROPOSED WORK: The applicant proposes to place fill material into waters of the United States in association with the construction of a barge cleaning and repair facility. A slipway would be constructed to allow dry docking of barges for cleaning and repair. The barges would move along concrete slides and a hoisting winch system would provide the mechanism for obtaining barges from the river.

Concrete runners would be constructed along 450 linear feet of the riverbank and would be utilized in removing barges from the river. No fill material would be placed below the ordinary high water elevation of 516.0 in association with this construction activity. The applicant proposes no fleeting or mooring of barges, as each barge would be hoisted onto land for cleaning and/or repair upon arrival. No more than two barges would be delivered at a time and would maneuvered adjacent to the facility in preparation for hoisting. A dock would be constructed just upstream of the slipway and would be utilized to dry-dock barges for cleaning and/or repair. This dock would extend 75 linear feet riverward and would extend 320 linear feet along the riverbank. This structure would be constructed of sheet piling and would be backfilled with ODOT Type B riprap. A total of 3,700 cubic yards of fill material would be placed below the ordinary high water mark of the river in association with dock construction activities.

An additional 131 linear feet of an unnamed tributary to the Ohio River would be impacted in association with two road crossings. These crossings would provide access to the facility from County Road 1A. The applicant has not proposed mitigation in association with this proposal.

ATTACHMENTS: Plans of the proposed work are attached to this notice.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain that certification from the Ohio Environmental Protection Agency.

HISTORIC & CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be sent to the Ohio Historic Preservation Office (OHPO) for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

THREATENED & ENDANGERED SPECIES: This project is located within the known or historic range of the Indiana bat (Endangered); pink mucket pearly mussel (E); running buffalo clover (E); sheepsnose (Candidate); snuffbox (Species of Concern); and timber rattlesnake (SC).

Based on the project location and habitat availability on-site, it has been determined this proposal would have no affect on the Indiana bat, the running buffalo clover, or the timber rattlesnake.

Based on the project location, it has been determined this proposal may affect, but is not likely to adversely affect, the pink mucket pearly mussel, the sheepnose, and the snuffbox.

This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have whether any listed or proposed to be listed endangered or threatened species may be present in the area that would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST: Any person who has an interest, which may be adversely affected by the issuance of a permit, may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

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 proposal, must be balanced against its reasonably foreseeable detriments. All factors that 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, 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, considerations of property ownership and, in general, the needs and welfare of the people. In addition, 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. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

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 need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

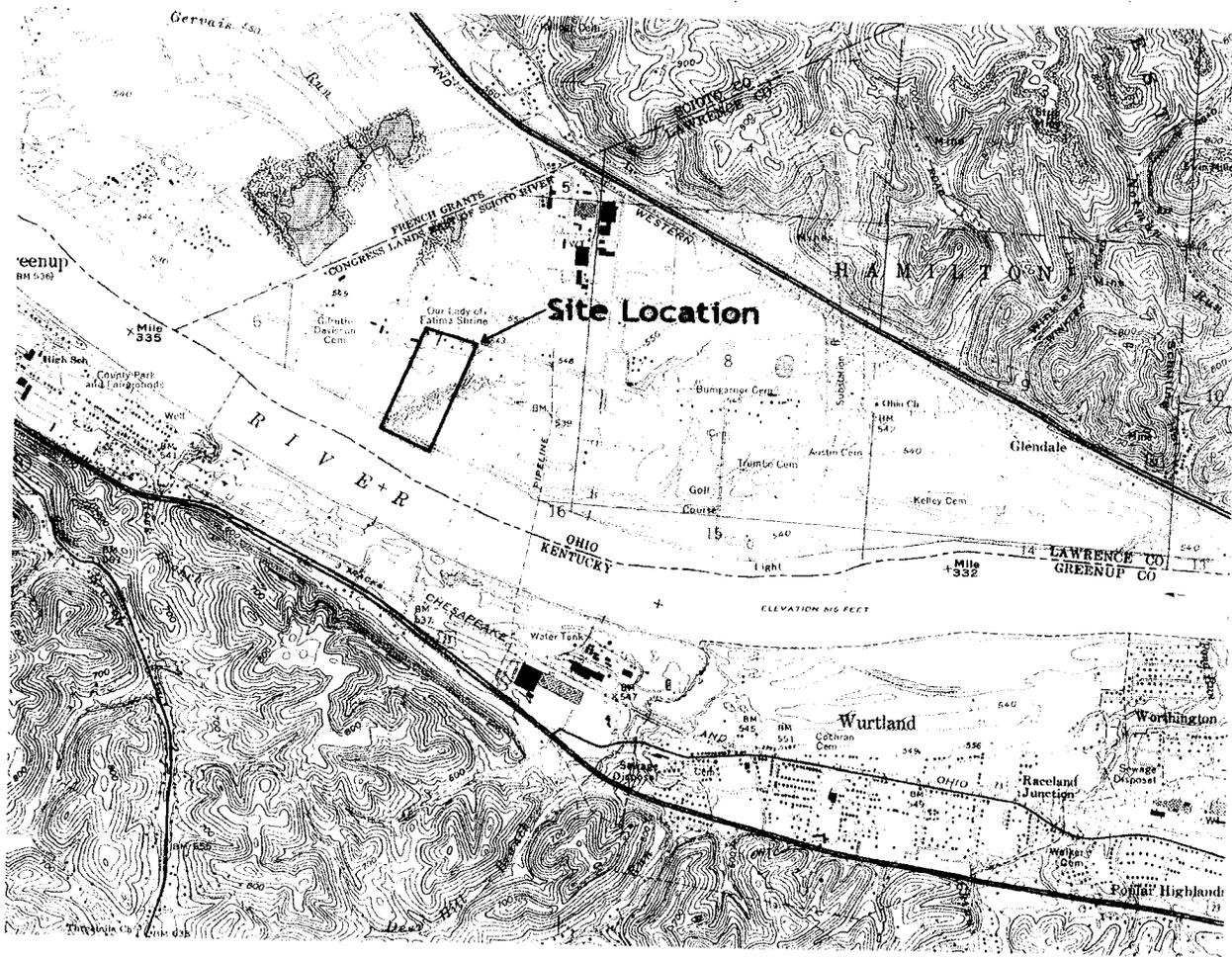
U.S. Army Corps of Engineers
ATTN: CELRH-OR-F **Public Notice No. 2006-00026-OHR**
502 8th Street
Huntington, West Virginia 25701-2070

Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please call Ms. Desiree L. Hann at 304-399-5210.

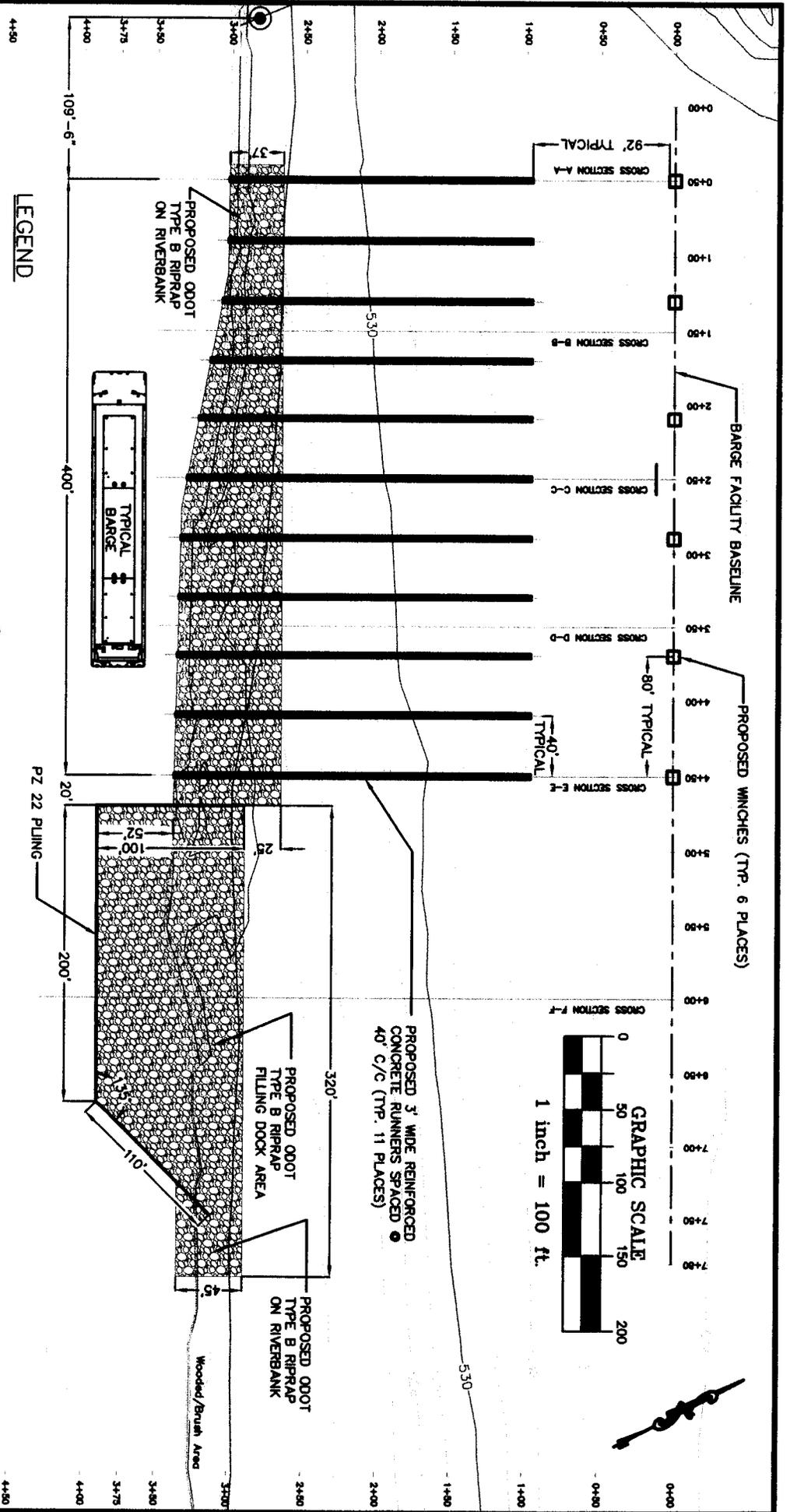


Ginger Mullins
Chief, Regulatory Branch

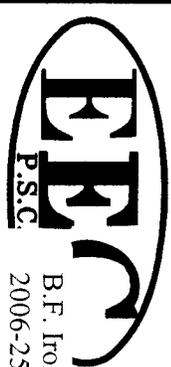
(O, KY)



B.F. Iron & Metal
 2006-25-OHR – UN Trib Ohio River
 Lawrence County, Ohio
 Location Map
 Figure 1 of 12



- LEGEND**
- PROPERTY MONUMENT FOUND
 - EDGE OF BRUSHLINE
 - PROPOSED RIPRAP



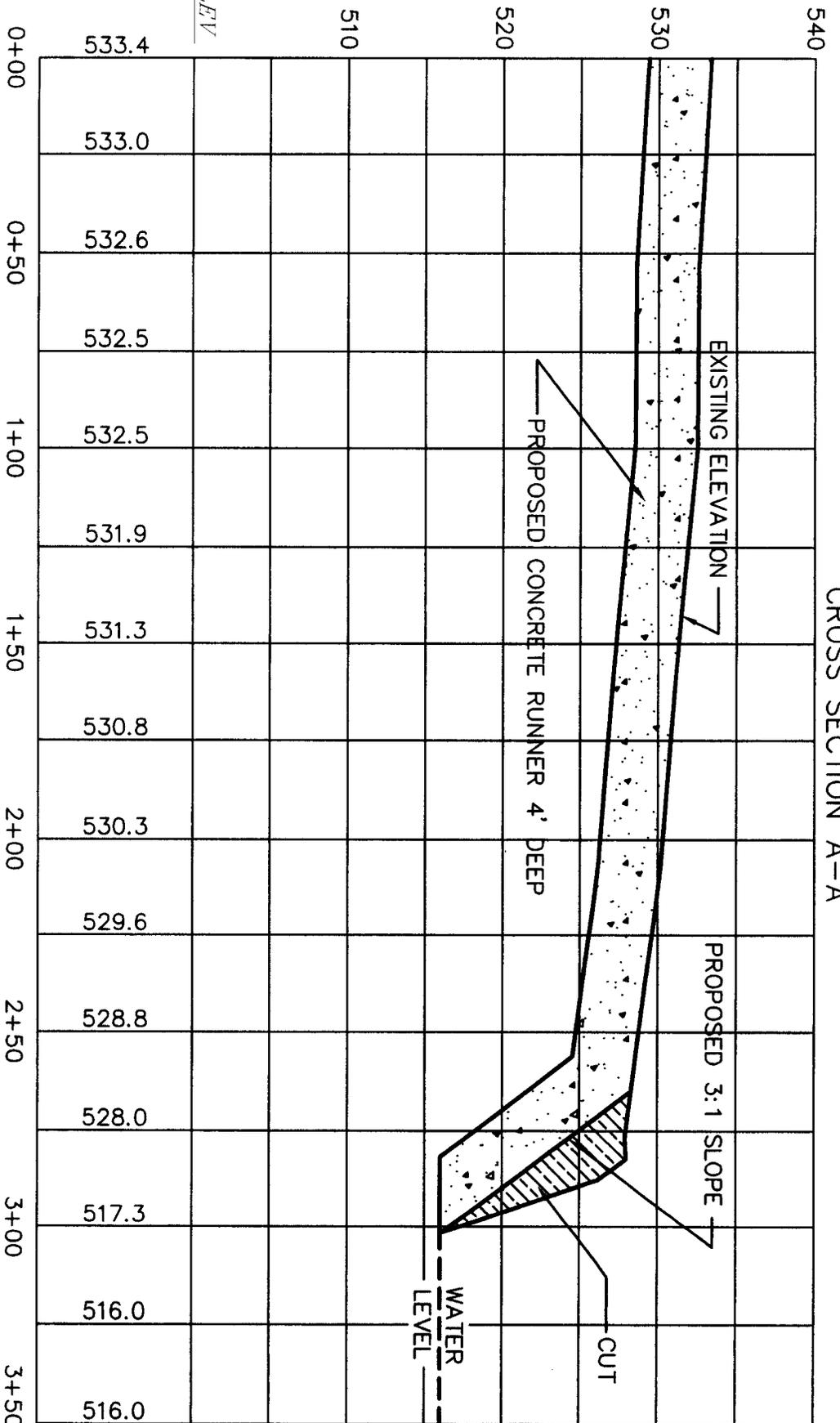
ETA ENGINEERING CONSULTANTS, P.S.C.
 COMPLETE ENGINEERING DESIGN

B.F. Iron & Metal
 2006-25-OHR - UNTRIB Ohio River
 Lawrence County, Ohio
 Plan view - barge cleaning and repair facility
 Figure 3 of 12

CADD FILE

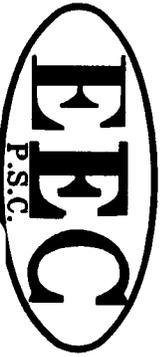
PLAN VIEW	
PROPOSED BARGE SCRAPPING AND REPAIR FACILITY B.F. IRON & METAL INC. LAWRENCE COUNTY, OHIO	
DRAWN: JTH	SCALE: 1"=100'
RATIO: 1:1	DATE: 5-4-07
DWG. # B10AS06-0001-C003	AFE #
	EEC JOB #: B10AS06-001

CROSS SECTION A-A



HORZ.: 1"=40' VERT.: 1"=10'
SCALE

DAYUM ELEV
500.00



ETA ENGINEERING CONSULTANTS, P.S.C.
COMPLETE ENGINEERING, DESIGN
AND CONSULTING SERVICES

5802 BROWN LANE

PHONE: 608-739-8905

CADD FILE

B.F. Iron & Metal
2006-25-OHR - UNTri Ohio River
Lawrence County, Ohio

CROSS SECTION A-A
PROPOSED BARGE SCRAPPING AND REPAIR FACILITY

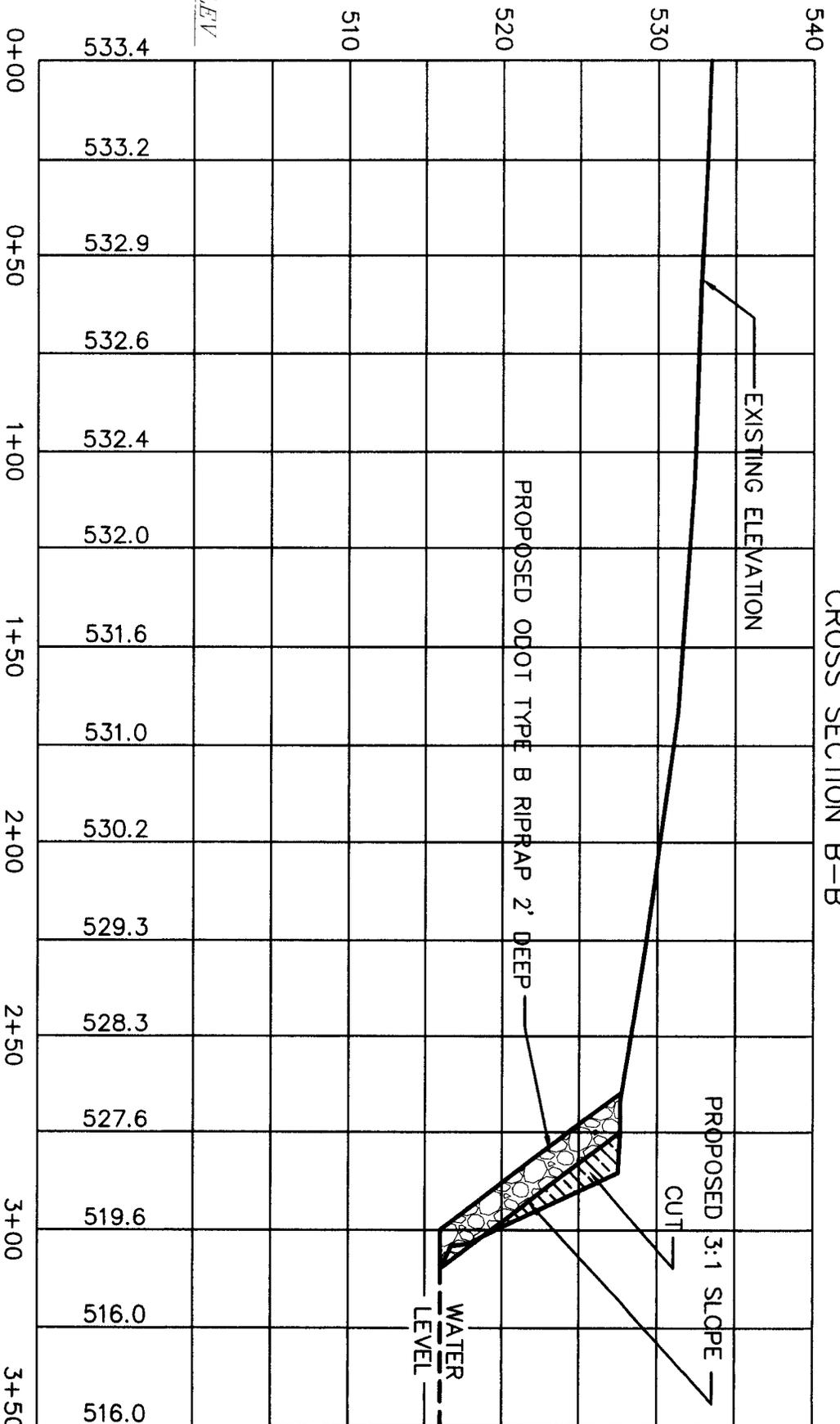
B.F. IRON & METAL INC.
LAWRENCE COUNTY, OHIO

DRAWN: JTH SCALE: AS NOTED AFE #

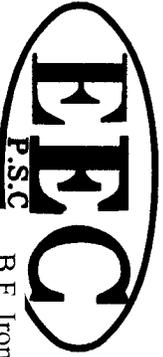
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DWG. # B10AS06-0001-C004

CROSS SECTION B-B



HORZ.: 1"=40' VERT.: 1"=10'
SCALE



EFC ENGINEERING CONSULTANTS, P.S.C.
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AND CONSULTING SERVICES

B.F. Iron & Metal
2006-25-OHR – UNTrib Ohio River
Lawrence County, Ohio

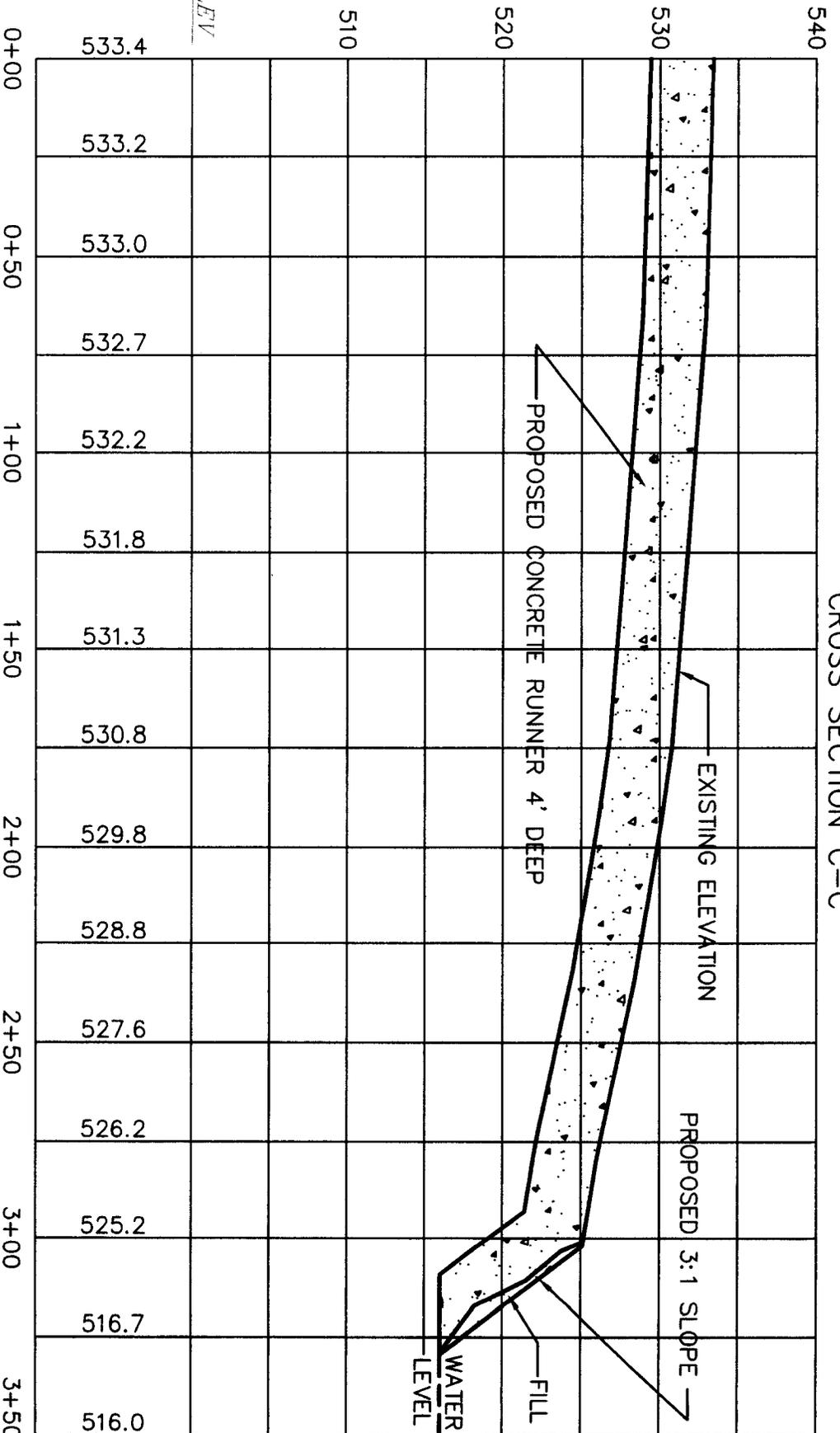
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CROSS SECTION B-B

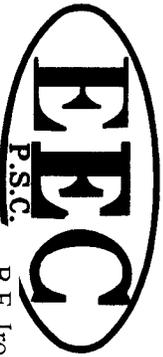
PROPOSED BARGE SCRAPING AND REPAIR FACILITY
B.F. IRON & METAL INC.
LAWRENCE COUNTY, OHIO

DRAWN: JTH	SCALE: AS NOTED	AFE #
RATIO: 1:1	DATE: 5-4-07	ECC JOB #: B10AS06-001
DWG. #	B10AS06-0001-C005	

CROSS SECTION C-C



SCALE
 HORZ.: 1"=40' VERT.: 1"=10'



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 AND CONSULTING SERVICES

CADD FILE

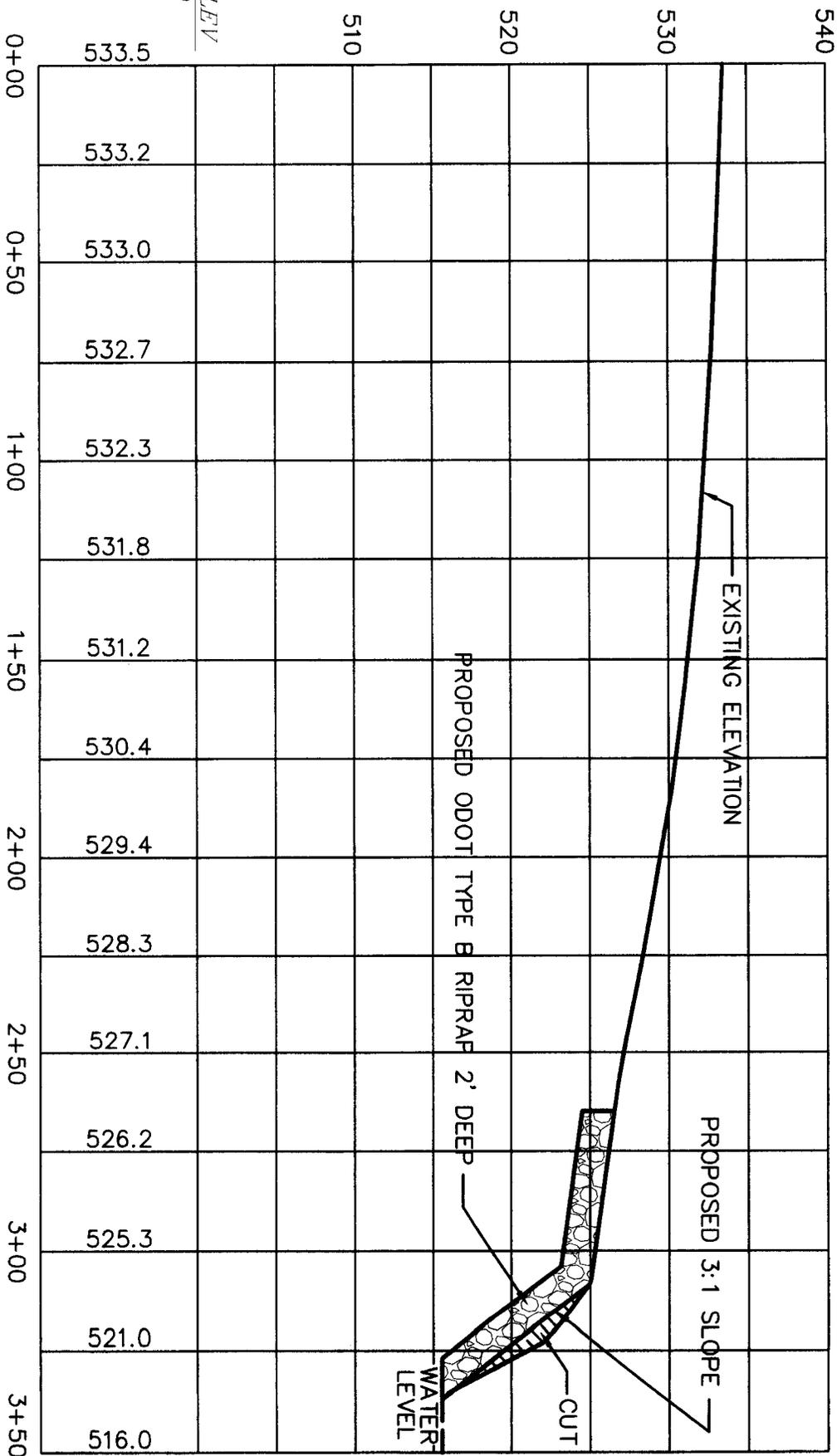
B.F. Iron & Metal
 2006-25-OHR - UNTri Ohio River
 Lawrence County, Ohio

Cross-section view of concrete runners (3 of 4)
 Figure 6 of 12

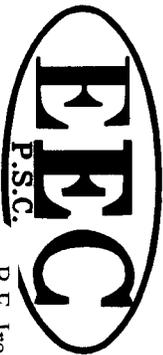
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DWG. #		B10AS06-0001-C006			

CROSS SECTION C-C
 PROPOSED BARGE SCRAPPING AND REPAIR FACILITY
 B.F. IRON & METAL INC.
 LAWRENCE COUNTY, OHIO

CROSS SECTION D-D



HORZ.: 1"=40' VERT.: 1"=10'
SCALE



EIA ENGINEERING CONSULTANTS, P.S.C.
COMPLETE ENGINEERING, DESIGN
AND CONSULTING SERVICES

5802 BROWN LANE

PHONE: 806-739-8805

CADD FILE

B.F. Iron & Metal

2006-25-OHR - UNTrib Ohio River
Lawrence County, Ohio

CROSS SECTION D-D
PROPOSED BARGE SCRAPPING AND REPAIR FACILITY

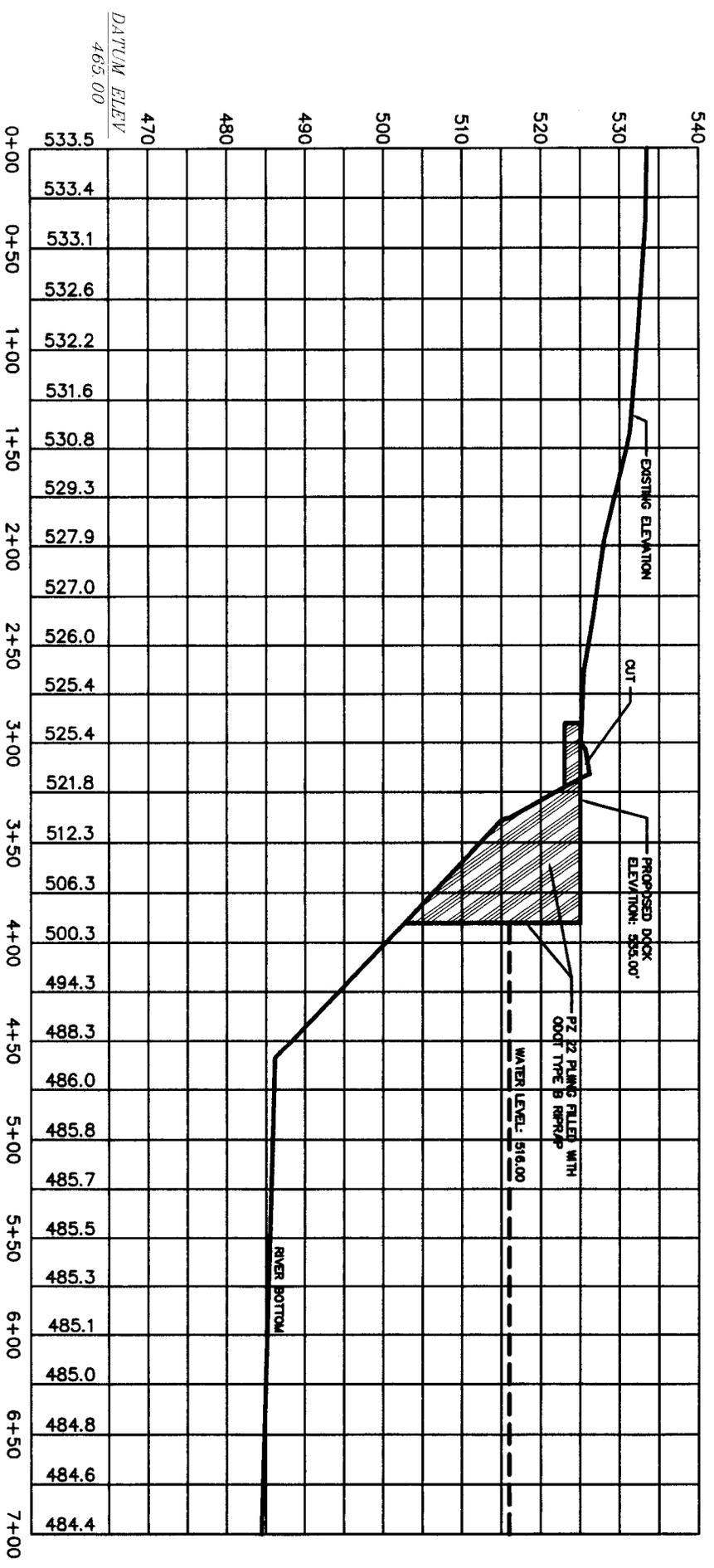
B.F. IRON & METAL INC.
LAWRENCE COUNTY, OHIO

DRAWN: JTH SCALE: AS NOTED AFE #

RATIO: 1:1 DATE: 5-4-07 EEC JOB #: B10AS06-001

DWG. # B10AS06-0001-C007

CROSS SECTION F-F



HORZ.: 1"=80' VERT.: 1"=20'

SCALE



ETA ENGINEERING CONSULTANTS, P.S.C.
 COMPLETE ENGINEERING, DESIGN

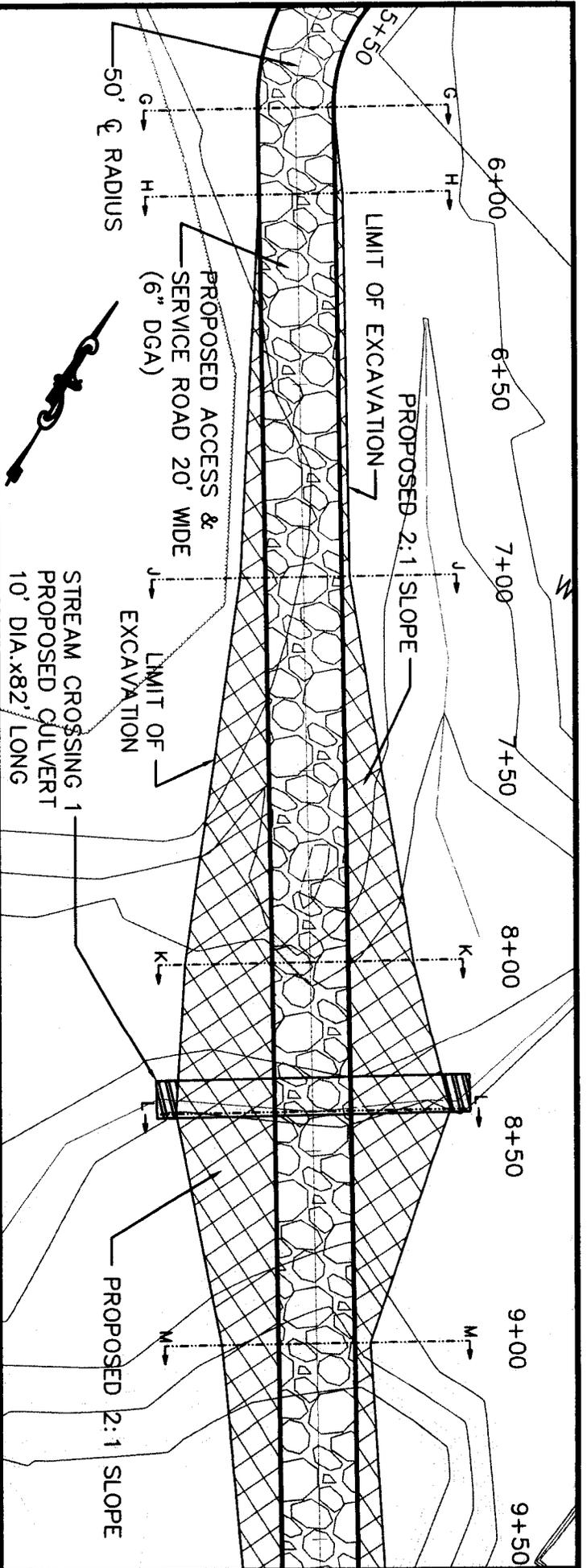
B.F. Iron & Metal
 2006-25-OHR -- UNTri Ohio River
 Lawrence County, Ohio

CADD FILE

Figure 8 of 12

CROSS SECTION F-F
 PROPOSED BARGE SCRAPPING AND REPAIR FACILITY
 B.F. IRON & METAL INC.
 LAWRENCE COUNTY, OHIO

DRAWN: JTH	SCALE: AS NOTED	AFE #
RATIO: 1:1	DATE: 5-4-07	ECC JOB #: B10AS06-001
DWG. #	B10AS06-0001-C009	



- LEGEND**
- EDGE OF WOODED/BRUSH AREA
 - EXISTING CENTERLINE OF DITCH
 - SURVEY CONTROLPOINT
 - PROPERTY MONUMENT FOUND
 - PROPOSED ACCESS & SERVICE ROAD
 - PROPOSED CUT/FILL AREA

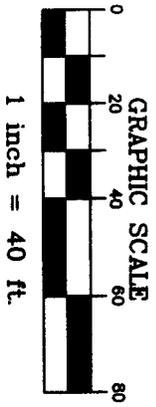
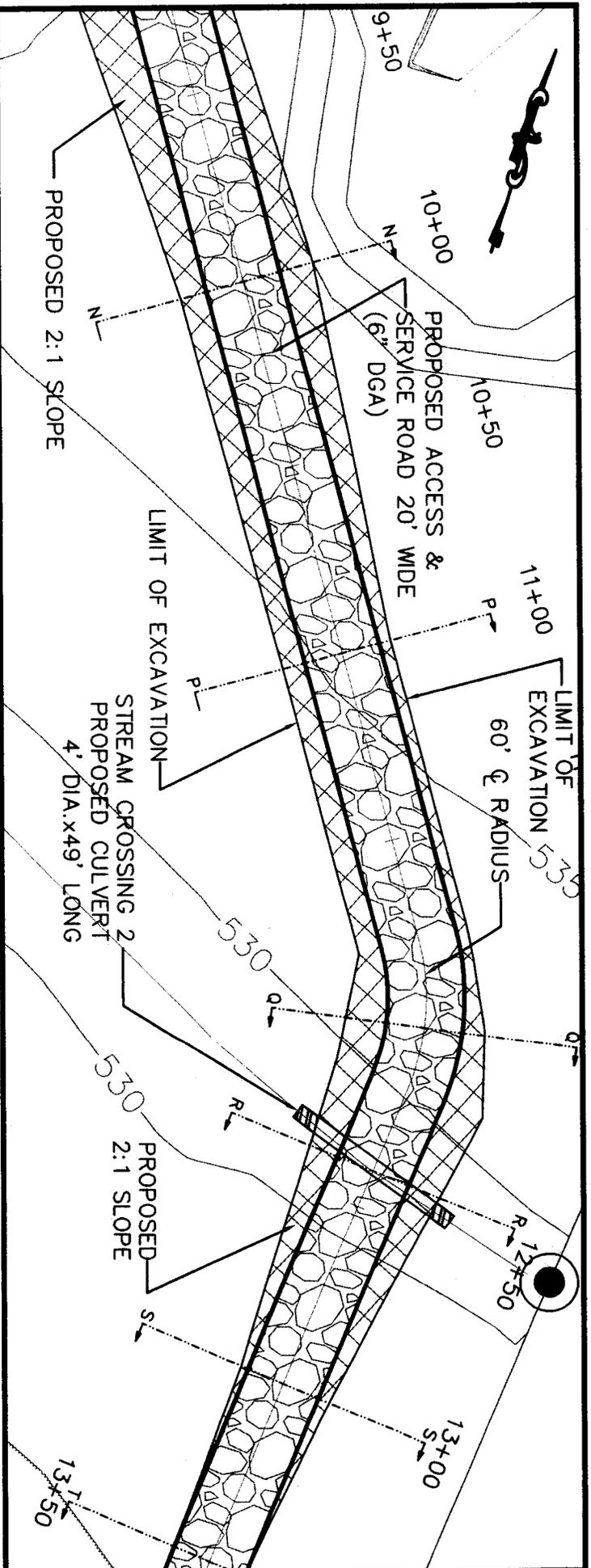


ETA ENGINEERING CONSULTANTS, P.S.C.
 COMPLETE ENGINEERING DESIGN

B.F. Iron & Metal
 2006-25-OHR - UNTrib Ohio River
 Lawrence County, Ohio
 Plan view stream crossing 1
 Figure 9 of 12

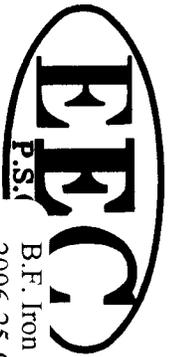
CADD FILE

PLAN VIEW ACCESS & SERVICE ROAD STREAM CROSSING 1 B.F. IRON & METAL INC. LAWRENCE COUNTY, OHIO			
DRAWN: JTH	SCALE: 1"=40'	AFE #	
RATIO: 1:1	DATE: 5-4-07	ECC JOB #:	B10AS06-001
DWG. #	B10AS06-0001-C010		



LEGEND

EDGE OF WOODED/BRUSH AREA	
EXISTING CENTERLINE OF DITCH	
SURVEY CONTROLPOINT	
PROPERTY MONUMENT FOUND	
PROPOSED ACCESS & SERVICE ROAD	
PROPOSED CUT/FILL AREA	



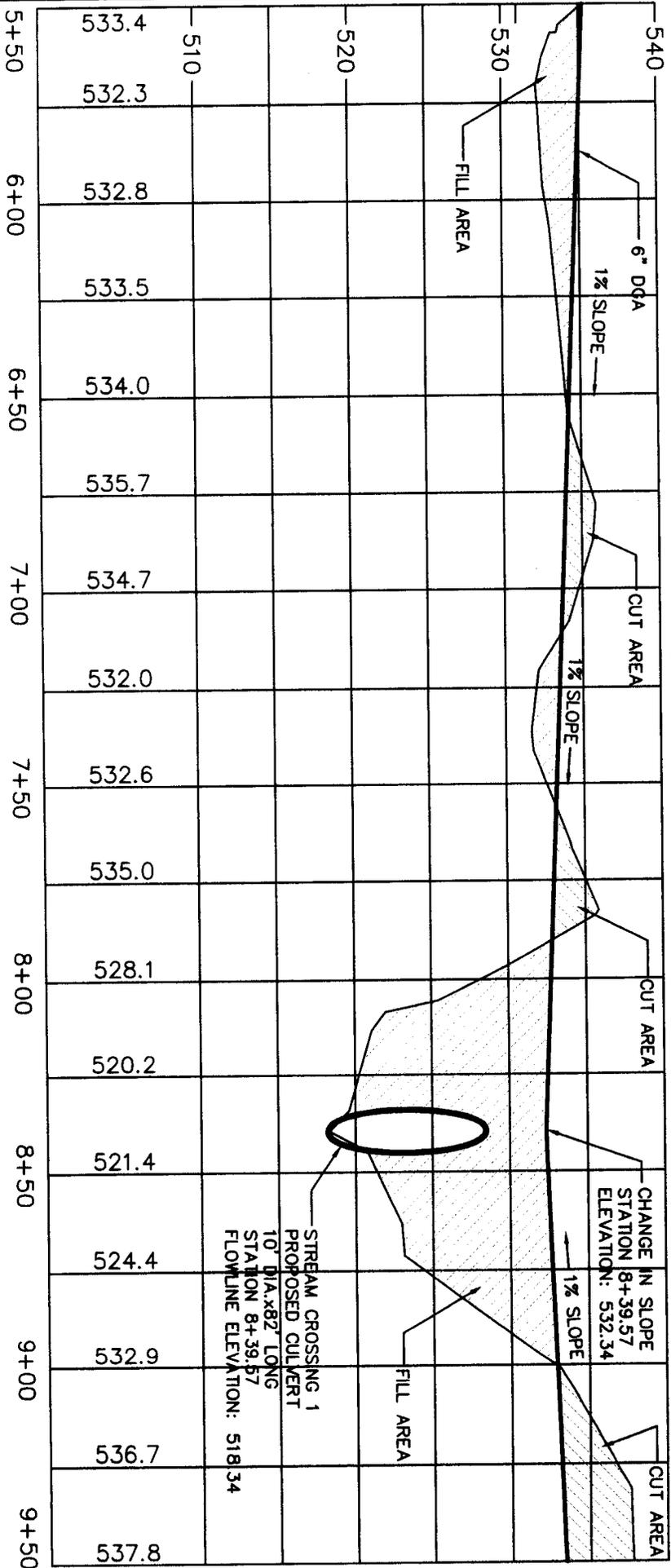
ETA ENGINEERING CONSULTANTS, P.S.C.
COMPLETE ENGINEERING, DESIGN
AND CONSULTING SERVICES

B.F. Iron & Metal
2006-25-OHR - UNtrib Ohio River
Lawrence County, Ohio
Plan view stream crossing 2
Figure 10 of 12

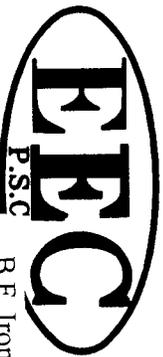
CADD FILE

PLAN VIEW	
ACCESS & SERVICE ROAD STREAM CROSSING 2	
B.F. IRON & METAL INC. LAWRENCE COUNTY, OHIO	
DRAWN: JTH	SCALE: 1"=40'
RATIO: 1:1	DATE: 5-4-07
DWG. # B10AS06-0001-C011	ECC JOB #: B10AS06-001

ACCESS & SERVICE ROAD PROFILE
STATION 5+50 THRU 9+50



SCALE
HORZ.: 1"=40' VERT.: 1"=10'



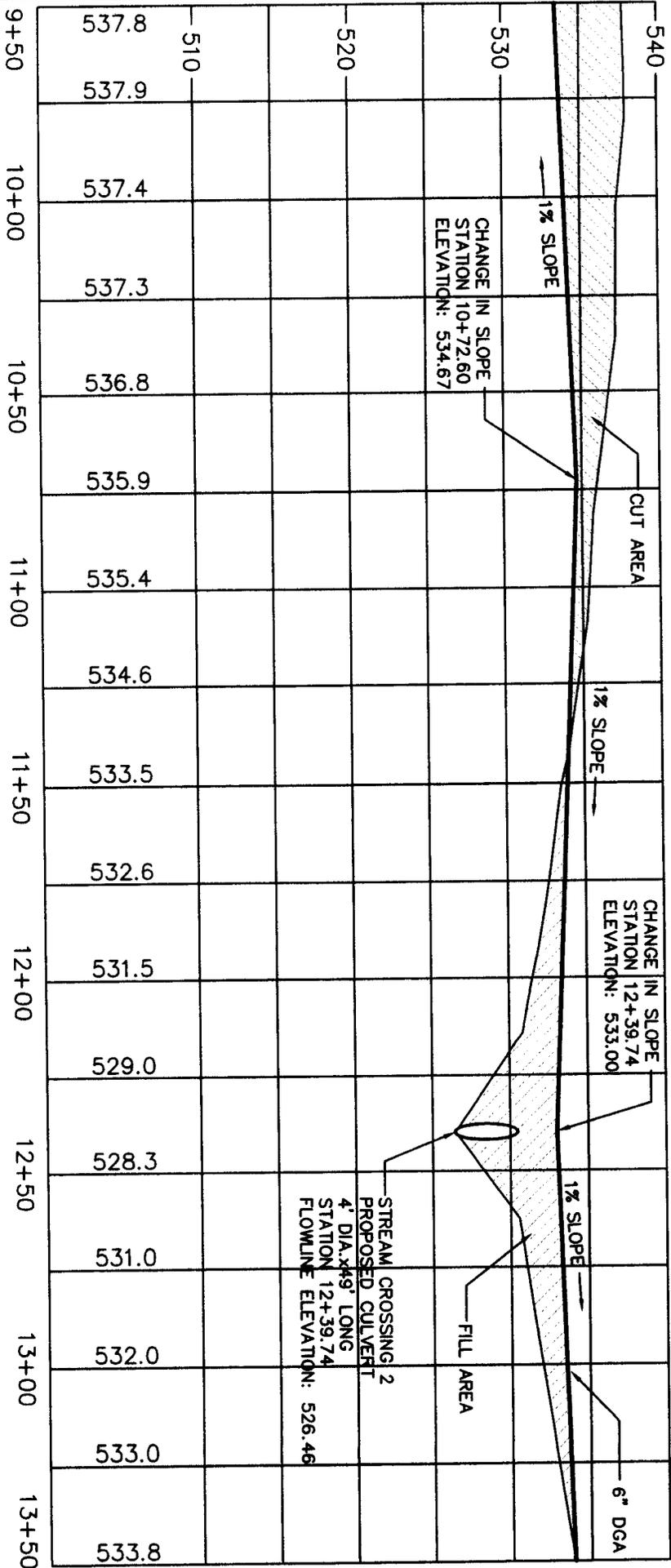
ETA ENGINEERING CONSULTANTS, P.S.C.
COMPLETE ENGINEERING, DESIGN
AND CONSULTING SERVICES

CADD FILE

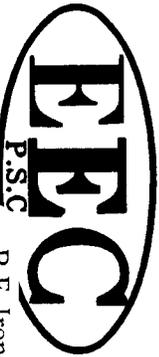
B.F. Iron & Metal
2006-25-OHR – UNTrib Ohio River
Lawrence County, Ohio
Profile of stream crossing 1
Figure 11 of 12

PROFILE – STATION 5+50 THRU 9+50	
ACCESS & SERVICE ROAD STREAM CROSSING	
B.F. IRON & METAL INC.	
LAWRENCE COUNTY, OHIO	
DRAWN: JTH	SCALE: AS NOTED
RATIO: 1:1	DATE: 5-4-07
DWG. #	B10AS06-0001-C012
AFC #	
ECC JOB #:	B10AS06-001

ACCESS & SERVICE ROAD PROFILE
STATION 9+50 THRU 13+50



SCALE
HORIZ.: 1"=40' VERT.: 1"=10'



ETA ENGINEERING CONSULTANTS, P.S.C.
COMPLETE ENGINEERING, DESIGN
AND CONSULTING SERVICES

B.F. Iron & Metal
2006-25-OHR - UNTrib Ohio River
Lawrence County, Ohio

CADD FILE

PROFILE - STATION 9+50 THRU 13+50
ACCESS & SERVICE ROAD STREAM CROSSING

B.F. IRON & METAL INC.
LAWRENCE COUNTY, OHIO

DRAWN: JTH	SCALE: AS NOTED	A/E #
RATIO: 1:1	DATE: 5-4-07	EEC JOB #: B10AS06-001
DWG. #	B10AS06-0001-C013	