

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

# Public Notice

In reply refer to Public Notice No.

**000046206-1**

Issuance Date:

**22 December 2005**

Stream:

**Ohio River MP388 to MP391**

Closing Date:

**21 January 2006**

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 and Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application.

**APPLICANT:** Dayton Power and Light  
1065 Woodman Drive  
Dayton, Ohio 45432

**LOCATION:** The proposed project is located along the right descending bank of the Ohio River between Ohio River Miles 388 and 391 at the existing Killen Electric Generating Station near Manchester, Adams County, Ohio. Latitude 38° 41' 31.3" / Longitude 83° 28' 49.9"

**DESCRIPTION OF PROPOSED WORK:** The applicant is requesting authorization for impacts to the Ohio River associated with implementation of an Air Quality Control (AQC) project at the existing coal-fired Killen Electric Generating Station. The applicant has indicated the proposed AQC project would include the construction and operation of a wet-limestone based Flue Gas Desulfurization (FGD) System. The applicant has indicated the AQC program is necessary to maintain compliance with existing and anticipated regulatory mandates, including the United States Environmental Protection Agency's recently promulgated Clean Air Interstate Rule and Clean Air Mercury Rule.

Operation of the new FGD system would require significant quantities of limestone reagent. Gypsum would be produced as a byproduct of the FGD system. The applicant proposes to transport the limestone and gypsum via barges on the Ohio River. To implement this program, the applicant is requesting authorization for the installation of additional barge mooring cells, a new limestone unloader and a new gypsum loader. The applicant is also proposing to perform initial dredging and maintenance dredging within the mooring areas. Details of the proposed modifications are included below.

Mooring Cells: The attached Table 1 is a list of the existing and proposed mooring cells at the Killen Station. Implementation of the proposal would include the installation of twenty-two 22-foot diameter mooring cells, which would be used to support the new gypsum loader, the proposed limestone unloader and an expanded mooring area for full and empty barges. A 40-foot diameter cell would be installed for the gypsum loader. The new cells would consist of circular steel sheet piling driven into the river bottom. The cells would be backfilled with stone or sand.

The applicant also proposes to enlarge five existing 16-foot diameter cells by driving a new 22-ft circular sheet pile shell into the river bottom surrounding the existing cell. The space between the existing cell and the new cell would be filled with clean crushed stone or sand and capped with concrete.

Limestone Unloader & Gypsum Loader: The proposal would also include the installation of a new limestone unloader. The proposed limestone unloader system would consist of a barge-mounted clamshell crane, hopper, and conveyor. Approximately 200 linear feet of riprap would be placed beneath the proposed conveyor to prevent erosion. The proposed gypsum loader would be moored using the new 40' cell described above. The gypsum would be loaded onto the barges using a shuttle conveyor arrangement with a telescopic chute.

Dredging: Construction and maintenance of the facility would include dredging within the Ohio River. Construction of the proposal would include the initial dredging of approximately 61,883 cubic yards of material. Dredged material would be disposed of within an existing on-site ash pond.

Under the current application, the applicant is also requesting authorization to perform periodic maintenance dredging within the existing and expanded mooring area. If permitted, the proposed dredging operation would be approved for a period of 10 years. The dredging activity would be on an as-needed basis, but not more often than once every five years. The applicant anticipated a maximum of 40,000 cubic yards would be removed during any single dredging event. Material dredged from the river would be placed within the existing ash pond within the Killen Station and would be unloaded in a manner to prevent its reentry into the river. The purpose of the work is to provide adequate drafting depths to allow the continued use of the facility.

The applicant has indicated a maximum of 200 barges per year (an average of 4 per week) of limestone would be delivered to the facility and a maximum of 300 barges per year (an average of 6 per week) of gypsum would be offloaded. Mooring of full and empty barges would not exceed a four-wide arrangement. A five-wide arrangement would be used in emergency situations. The maximum river extension of the facility with a five-wide arrangement would be 350-ft from the normal pool shoreline.

Implementation of the proposal would include the placement of 8,121 cubic yards of fill material and 1,964 tons of sheet piling below the ordinary high water mark of the Ohio River. Plans of the proposal 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 certification from the Ohio Environmental Protection Agency.

**HISTORIC & CULTURAL RESOURCES:** The National Register of Historic Places (NRHP) has been consulted and it has been determined the Killen Station contains a burial mound listed on the National Register of Historic Places (Site 33-AD-28). This NRHP-listed site is within an upland area of the Killen Station property and is protected by existing fencing. Given the location and condition of this historic site and the nature of the proposal our office has determined implementation of the proposal will have no adverse effect on this site.

Based on the results of this investigation, no additional cultural resources investigations were recommended. Upon review of this information, our office has determined the proposed project would have no effect on properties eligible for the National Register of Historic Places. A copy of this public notice will be furnished to the State Historic Preservation Office for their review. Comments concerning archaeological sensitivity of the project area should be based on collected data.

**THREATENED & ENDANGERED SPECIES:** This project is located within the known or historic range of the Indiana bat (E); running buffalo clover (E); sheepsnose mussel (C) and timber rattlesnake (PC).

Implementation of the proposal would include the removal of wooded areas along the Ohio River. The applicant has indicated these wooded areas do not contain suitable habitat for the Indiana bat; therefore, our office has determined the proposal is not likely to adversely affect this species. Based on the location and conditions of the project area, our office has determined the proposed project is not likely to adversely affect running buffalo clover. Implementation of the proposal would not impact habitat suitable for the timber rattlesnake; therefore, our office has determined implementation of the proposal would have no effect on this species.

The proposal would impact areas that may contain suitable habitat for the sheepsnose mussel. The applicant has indicated they will be conducting a mussel survey for this proposal. This survey would be designed and conducted in consultation with the U.S. Fish and Wildlife Service (USFWS). The results of this survey will be used to determine if the proposal would affect the this species.

This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which 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.

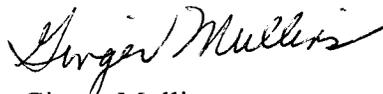
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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. 000046206-1  
502 8<sup>th</sup> 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. Susan A. Fields of my staff at 304-399-5210.



Ginger Mullins  
Chief, Regulatory Branch

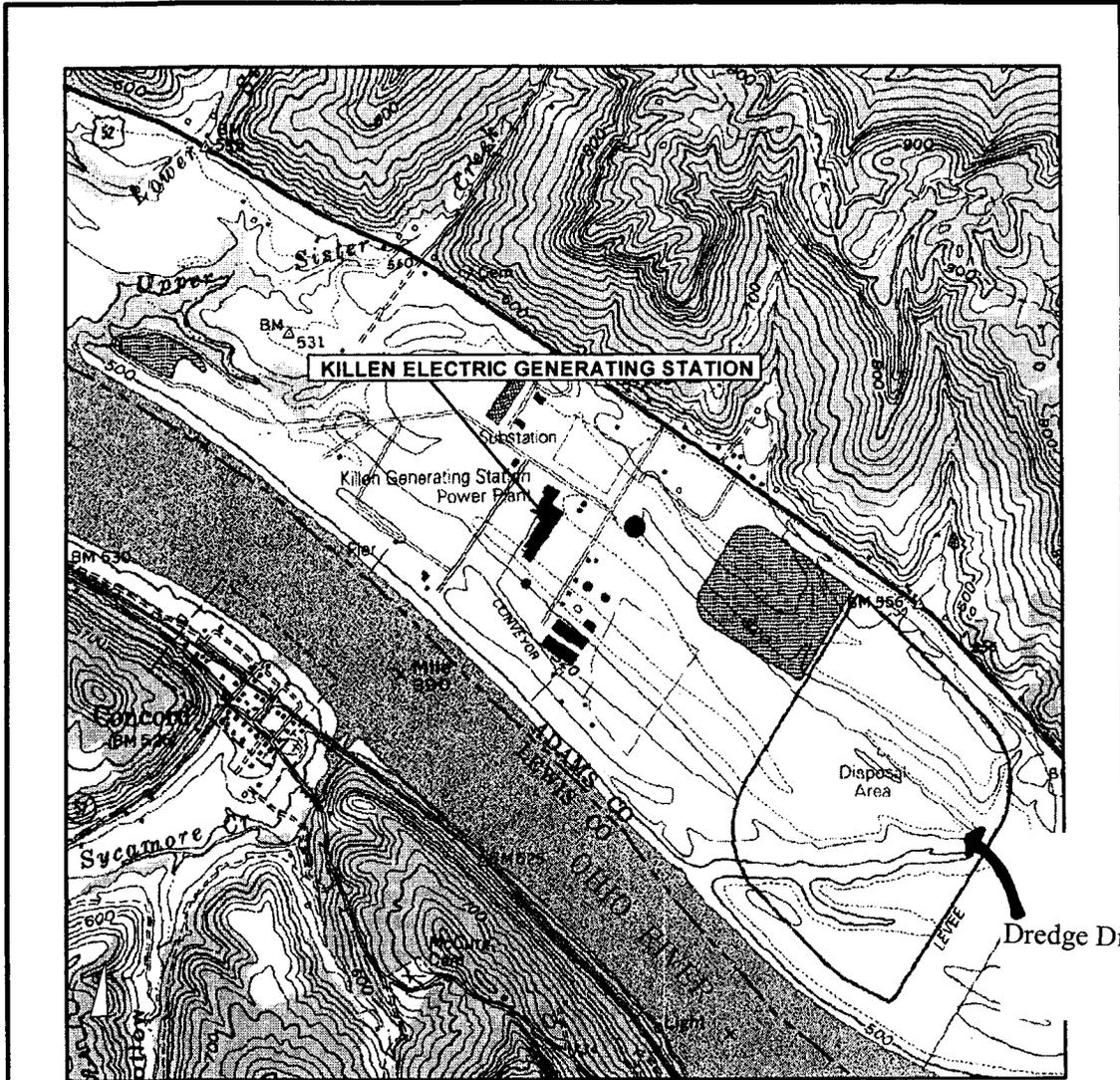
(O,K)

Table 1 – Summary of Existing and Proposed Mooring Cells

Cell Number	Existing/New	Diameter (ft.)
1W	Existing <sup>1</sup>	16
2W	Existing <sup>1</sup>	16
3W	Existing <sup>1</sup>	16
4W	Existing <sup>1</sup>	16
5W	Existing <sup>1</sup>	16
6W	New <sup>2</sup>	22
6WA	New	22
6WB	New	22
6WC	New	22
7W	Existing <sup>1</sup>	16
8W	New <sup>2</sup>	22
9W	New <sup>2</sup>	22
Unnumbered	New	40
10W	New <sup>2</sup>	22
11W	New <sup>2</sup>	22
12W	Existing <sup>1</sup>	16
13W	Existing <sup>1</sup>	16
14W	Existing <sup>1</sup>	16
15W	New	22
16W	New	22
17W	New	22
18W	New	22

Cell Number	Existing/New	Diameter (ft.)
1E	Existing <sup>1</sup>	16
2E	Existing <sup>1</sup>	16
3E	Existing <sup>1</sup>	16
4E	Existing <sup>1</sup>	16
5E	Existing <sup>1</sup>	16
6E	Existing <sup>1</sup>	16
7E	Existing <sup>1</sup>	16
8E	Existing <sup>1</sup>	16
9E	Existing <sup>1</sup>	16
10E	Existing <sup>1</sup>	16
11E	Existing <sup>1</sup>	16
12E	Existing <sup>1</sup>	16
13E	Existing <sup>1</sup>	16
14E	Existing <sup>1</sup>	16
15E	Existing <sup>1</sup>	16
16E	Existing <sup>1</sup>	16
17E	Existing <sup>1</sup>	40
18E	Existing <sup>1</sup>	40
19E	New	22
20E	New	22
21E	New	22
22E	New	22
23E	New	22
24E	New	22
25E	New	22
26E	New	22
27E	New	22
28E	New	22
29E	New	22
30E	New	22
31E	New	22
32E	New	22
33E	New	22

- 1) No modifications to these cells are proposed.
- 2) New 22' diameter cell over existing 16' diameter cell



Base Map Source: USGS 7.5 Minute Topographic Map (Concord, Manchester Island).

**AIR QUALITY CONTROL PROJECT  
LOCATION MAP**



**KILLEN ELECTRIC  
GENERATING STATION  
Dayton Power & Light**

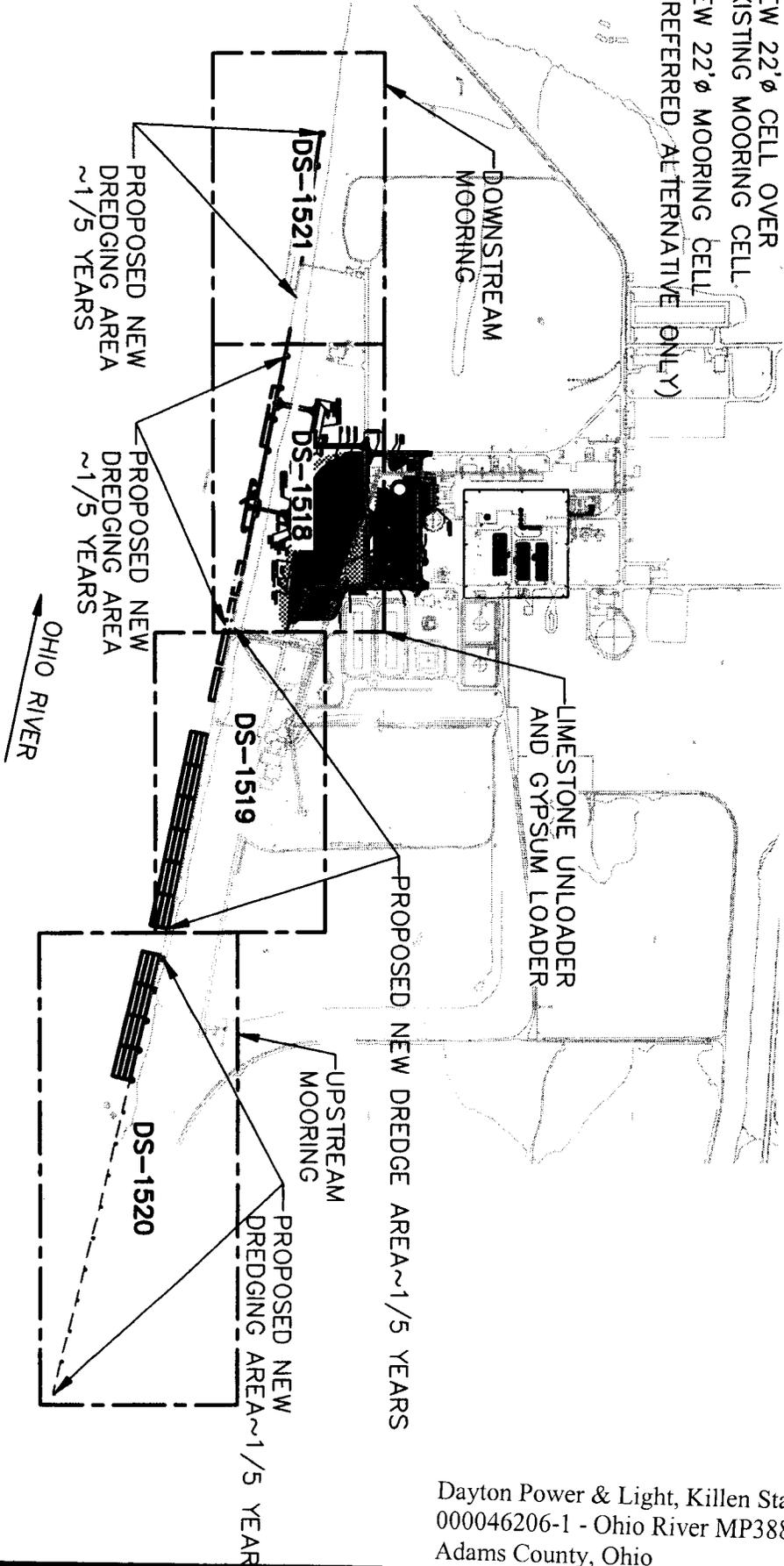


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**LEGEND**

- ⊗ NEW 40' Ø CELL
- ⊕ NEW 22' Ø CELL
- EXISTING 16' Ø CELL
- NEW 22' Ø CELL OVER EXISTING MOORING CELL
- ⊙ NEW 22' Ø MOORING CELL (PREFERRED ALTERNATIVE ONLY)



Dayton Power & Light, Killen Station  
 000046206-1 - Ohio River MP388 to MP391  
 Adams County, Ohio  
 Overall Plan View, Drawing Key, & Dredging Limits  
 Sheet 2 of 8

C	12/05/05	ISSUED FOR PERMIT	JSB	JWD	JLG	A	09/15/05	ISSUED FOR PERMIT	JSB	JWD	JLG	
B	11/05/05	ISSUED FOR PERMIT	JSB	JWD	JLG	NO	DATE	REVISIONS AND RECORD OF ISSUE	DRN	DES	CHK	PDE
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 CORPORATION

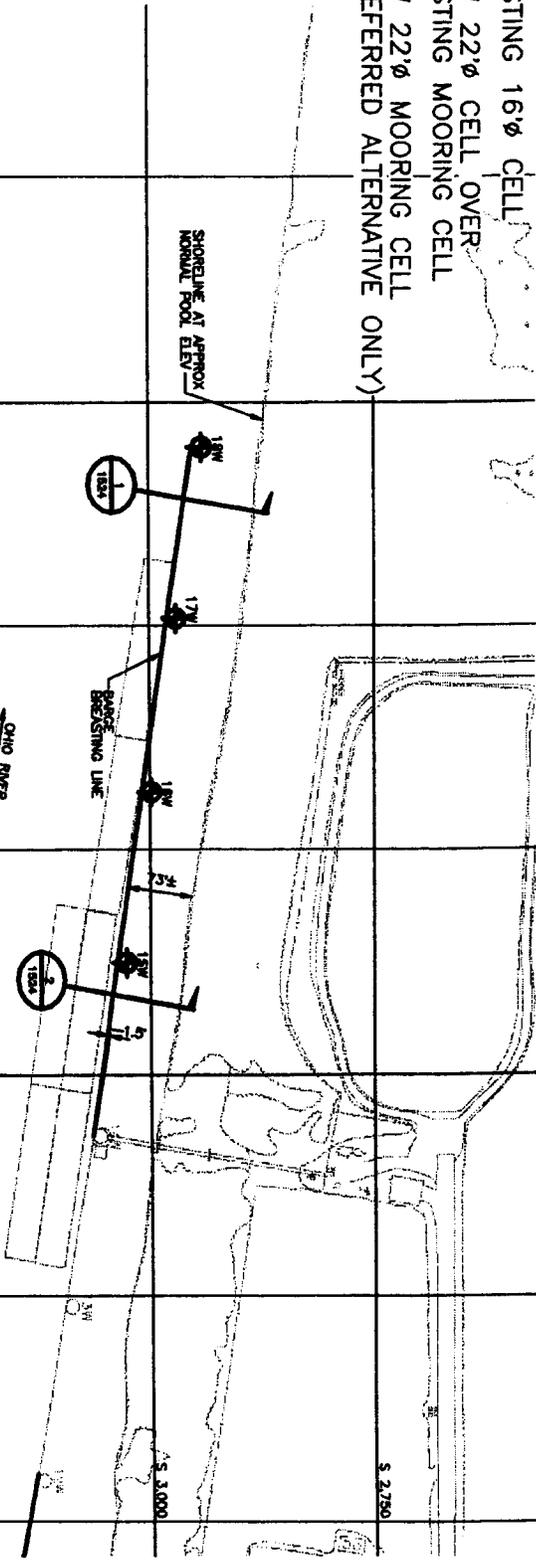
DP&L KILLEN GEN. STATION  
 FLUE GAS DESULFURIZATION PROJECT

PROJECT DRAWING NUMBER  
 139228-DS-1517E

REV  
 C

ENGINEER	JWD	DRAWN	JSB
CHECKED	DATE		
RIVER STRUCTURE - EXISTING AND NEW DREDGE AREAS		CODE	AREA

- LEGEND**
- ⊗ NEW 40' CELL
  - ◆ NEW 22' CELL
  - EXISTING 16' CELL
  - NEW 22' CELL OVER EXISTING MOORING CELL
  - NEW 22' MOORING CELL (PREFERRED ALTERNATIVE ONLY)



C	11/01/05	ISSUED FOR PERMIT	JSBJWD	JLG	A	05/31/05	ISSUED FOR PERMIT	SLSJWD	JLG
B	08/10/05	ISSUED FOR PERMIT	SLSJWD	JLG	NO	DATE	REVISIONS AND RECORD OF ISSUE	DRN	DES

W 12,750	W 12,500	W 12,250	W 12,000	W 11,750	W 11,500	W 11,250
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PROJECT	DRAWING NUMBER	REV
DP&L KILLEN GEN. STATION FLUE GAS DESULFURIZATION PROJECT	139228-DS-1521	C

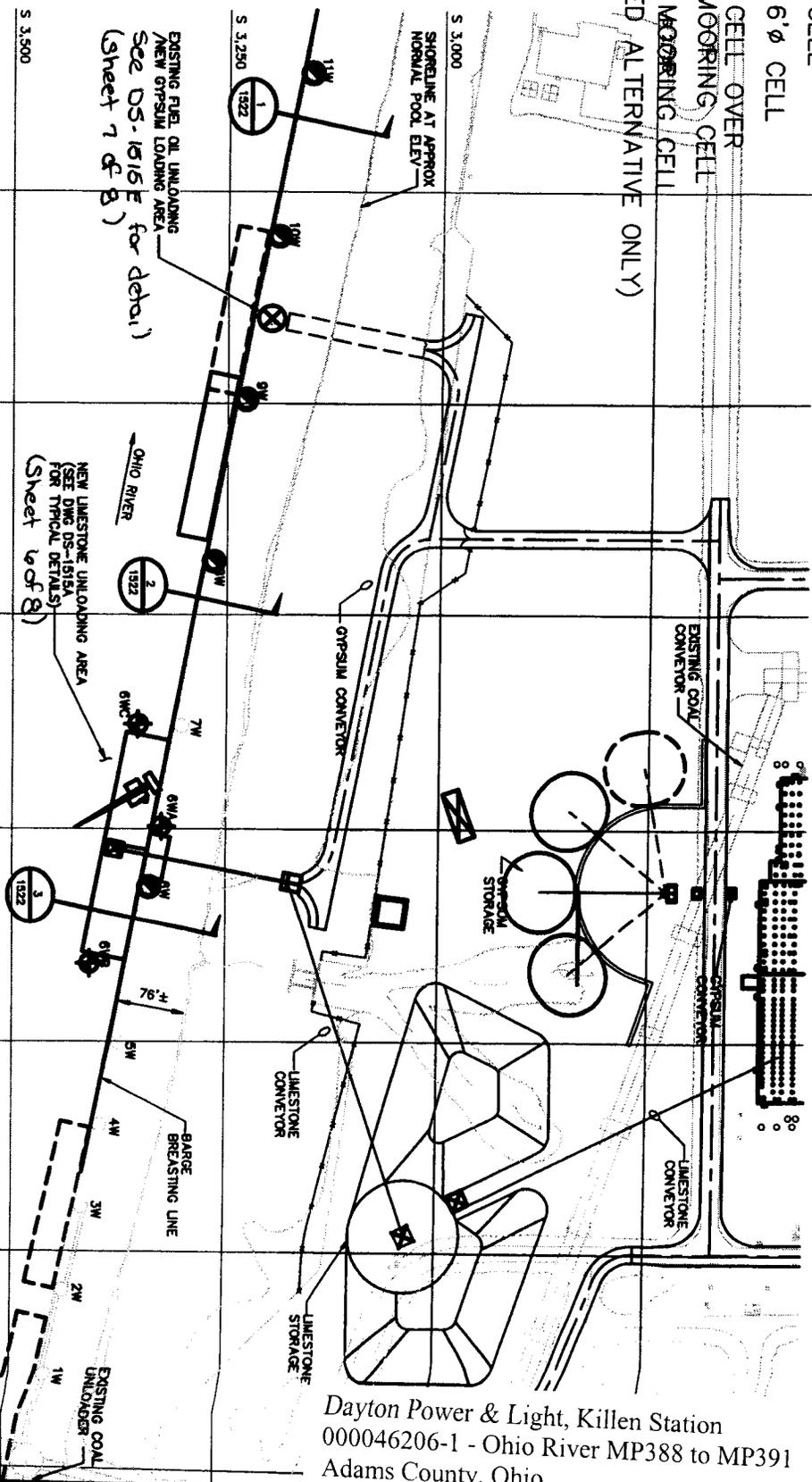
**BLACK & VEATCH CORPORATION**

ENGINEER JWD DRAWN SLS  
 CHECKED DATE

RIVER STRUCTURE - ARRANGEMENT PLAN

CODE AREA

- LEGEND**
- ⊗ NEW 40' Ø CELL
  - ⬠ NEW 22' Ø CELL
  - EXISTING 16' Ø CELL
  - NEW 22' Ø CELL OVER EXISTING MOORING CELL
  - NEW 22' Ø MOORING CELL (PREFERRED ALTERNATIVE ONLY)



EXISTING FUEL OIL UNLOADING / NEW GYPSUM LOADING AREA  
 See DS-1515E for detail  
 (Sheet 7 of 8)

NEW LIMESTONE UNLOADING AREA  
 (SEE DWG DS-1515A FOR TYPICAL DETAILS)  
 (Sheet 4 of 8)

Dayton Power & Light, Killen Station  
 000046206-1 - Ohio River MP388 to MP391  
 Adams County, Ohio  
 Detailed Plan View - Limestone & Gypsum Mooring Areas  
 Sheet 4 of 8

F	11/01/05	ISSUED FOR PERMIT	JSB	JWD	JLG	G	12/05/05	ISSUED FOR PERMIT	JSB	JWD	JLG
H	12/12/05	ISSUED FOR PERMIT	JSB	JWD	JLG	NO	DATE	REVISIONS AND RECORD OF ISSUE	DRN	DES	CHK
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**BLACK & VEATCH**  
 CORPORATION

DP&L KILLEN GEN. STATION  
 FLUE GAS DESULFURIZATION PROJECT

PROJECT DRAWING NUMBER  
 139228-DS-1518

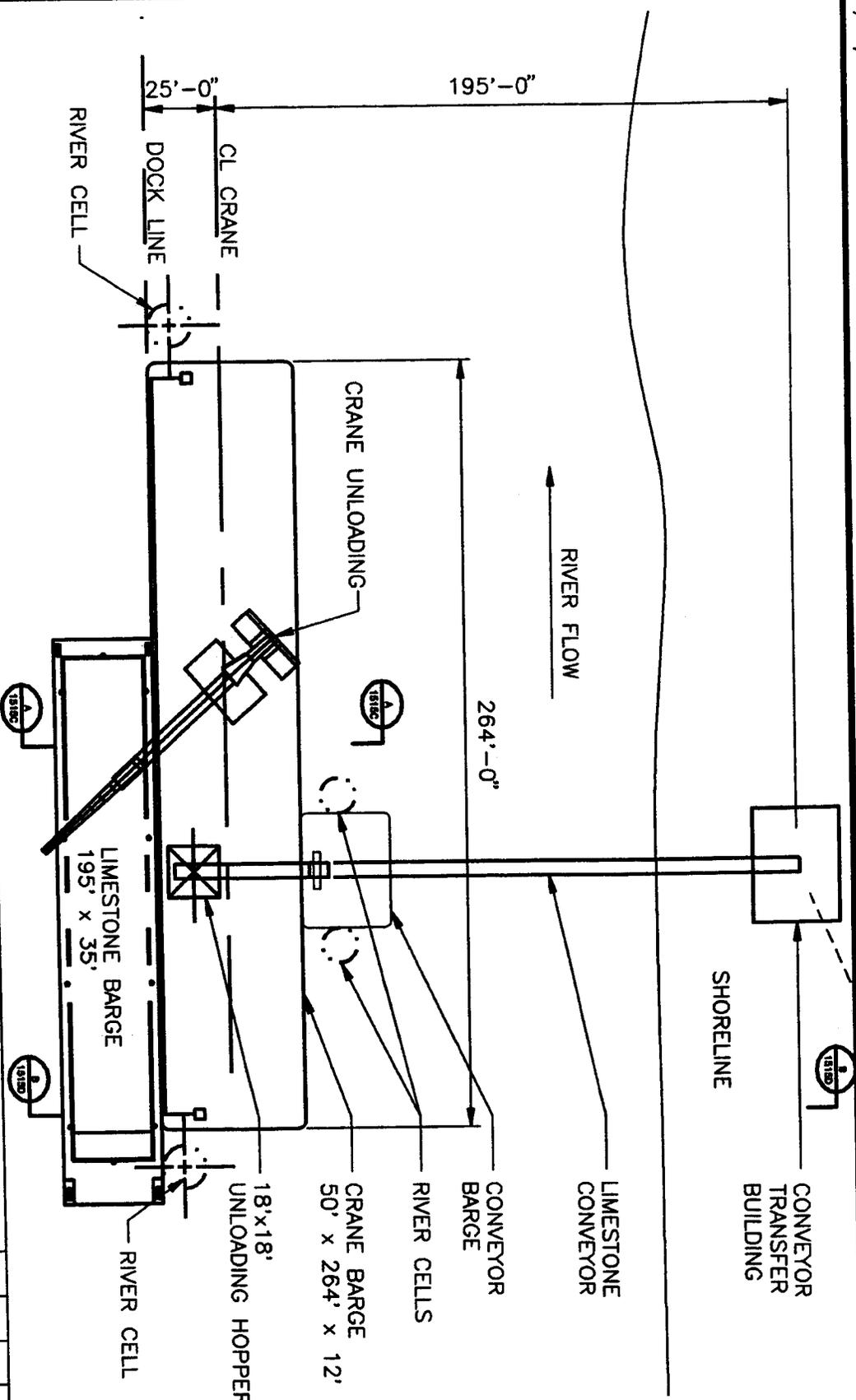
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RIVER STRUCTURE - ARRANGEMENT  
 PLAN

CODE  
 AREA



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C	07/08/05	ISSUED FOR PERMIT	SLS JWD	JLG	D	08/23/05	ISSUED FOR PERMIT	W/S JWD	JLG
B	05/31/05	ISSUED FOR PERMIT	SLS JWD	JLG	NO		REVISIONS AND RECORD OF ISSUE	DRN DES	CHK PDE

<b>BLACK &amp; VEATCH CORPORATION</b>		<b>DP&amp;L KILLEN GEN. STATION</b> FLUE GAS DESULFURIZATION PROJECT	
ENGINEER	JWD	DRAWN	KVD
CHECKED		DATE	

PROJECT	139228-DS-1515A	DRAWING NUMBER	
CODE		AREA	
GENERAL ARRANGEMENT	PLAN VIEW		

Dayton Power & Light, Killen Station  
 000046206-1 - Ohio River MP388 to MP391  
 Adams County, Ohio  
 Detailed Plan View - Limestone Unloader  
 Sheet 6 of 8



