



**US Army Corps
of Engineers**
Louisville District ®

Public Notice

Public Notice No.
LRL-2005-1509-b-mad

Open Date:
2 Jul 2014

Close Date:
1 Aug 2014

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Matt Dennis, CELRL-OP-FW
P.O. Box 489
Newburgh, IN 47630
lr.regulatorypubliccomment@usace.army.mil

Phone: 812-842-0647

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the River and Harbor Act of 1899:

APPLICANT: Mr. Keith Brown
Pennyrile Energy, LLC
424 Lewis Hargett Circle, Suite 250
Lexington, KY 40503

LOCATION: Green River Mile 36.2-36.5, 36.0 on the right
descending bank.

Latitude: 37.66639 N
Longitude: 87.41323 W
7.5 Minute Quad: Delaware, KY

PURPOSE: To expand the size of an approved fleeting area
associated with a barge loading facility and
underground coal mine.

DESCRIPTION OF WORK: The proposed work includes the expansion of a
currently approved barge fleeting facility associated with the
Riveredge Mine (LRL-2005-1509 and LRL-2005-1509-a) in McLean County,
KY. The applicant proposes to expand the size of two approved
fleeting areas adjacent to the existing loading facility through the
construction of a total of 8 additional deadmen, which would increase
the cumulative fleeting capacity of the two areas from 4 barges to 20
barges.

The fleeting area downstream of the loading facility at river mile
36.0 is currently approved to fleet two barges in a two wide by one
long configuration, moored by two deadmen on 200-foot centers with a
maximum riverward projection of 90 feet. The applicant proposes to
install one additional deadman at the downstream facility which would
allow for barges to be moored in a two wide by two long configuration.
The maximum riverward projection at normal pool would remain at 90
feet.

The fleeting area upstream of the loading facility at river mile 36.2 is also approved to fleet two barges in a two wide by one long configuration, moored by two deadmen on 200-foot centers with a maximum riverward projection of 90 feet. The applicant proposes to expand this fleeting area upstream from mile 36.2-36.5 through the construction of seven additional deadmen on 200-foot centers. Barges would be held in a two wide by eight long configuration, with a maximum capacity of 16 barges in the upstream fleeting area. The maximum riverward projection of the fleet at normal pool would remain at 90 feet.

The applicant has proposed two deadmen designs which may be used allowing them flexibility as to which they use depending on location. The proposed designs of the deadmen are provided in the public notice attachments. When constructing the deadmen, a traditional access road would not be built, but will use the path of least resistance. Impacts to forested areas would be avoided to the maximum extent practical during deadman construction with a maximum proposed tree removal of 0.5 acre.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES:

The applicant has attempted to avoid and minimize impacts to jurisdictional "Waters of the United States" to the maximum extent practical.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. A mussel survey was conducted on the new proposed fleeting areas. The survey is currently under review by the Corps and coordinating resource agencies.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. An archaeological survey was conducted on the proposed impact area associated with the downstream fleeting. This survey is currently being reviewed by the Corps and coordinating agencies. Parts of the project not cover by this survey have been previously reviewed under

Operations Division
Regulatory Branch (West)
Public Notice No. LRL-2005-1509-b-mad

the Kentucky Department of Natural Resources (KDNR) Permit No. 875-5006 for the Riveredge Mine. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact 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; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. 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.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at

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<http://www.lrl.usace.army.mil/Missions.Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Matt Dennis; CELRL-OP-FS at the address noted above and should refer to the Public Notice Number LRL-2005-1509-b-mad.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2005-1509-b-mad.

Example:

Subject: LRL-2005-1509-b-mad

b) Provide your physical mailing address and telephone number.

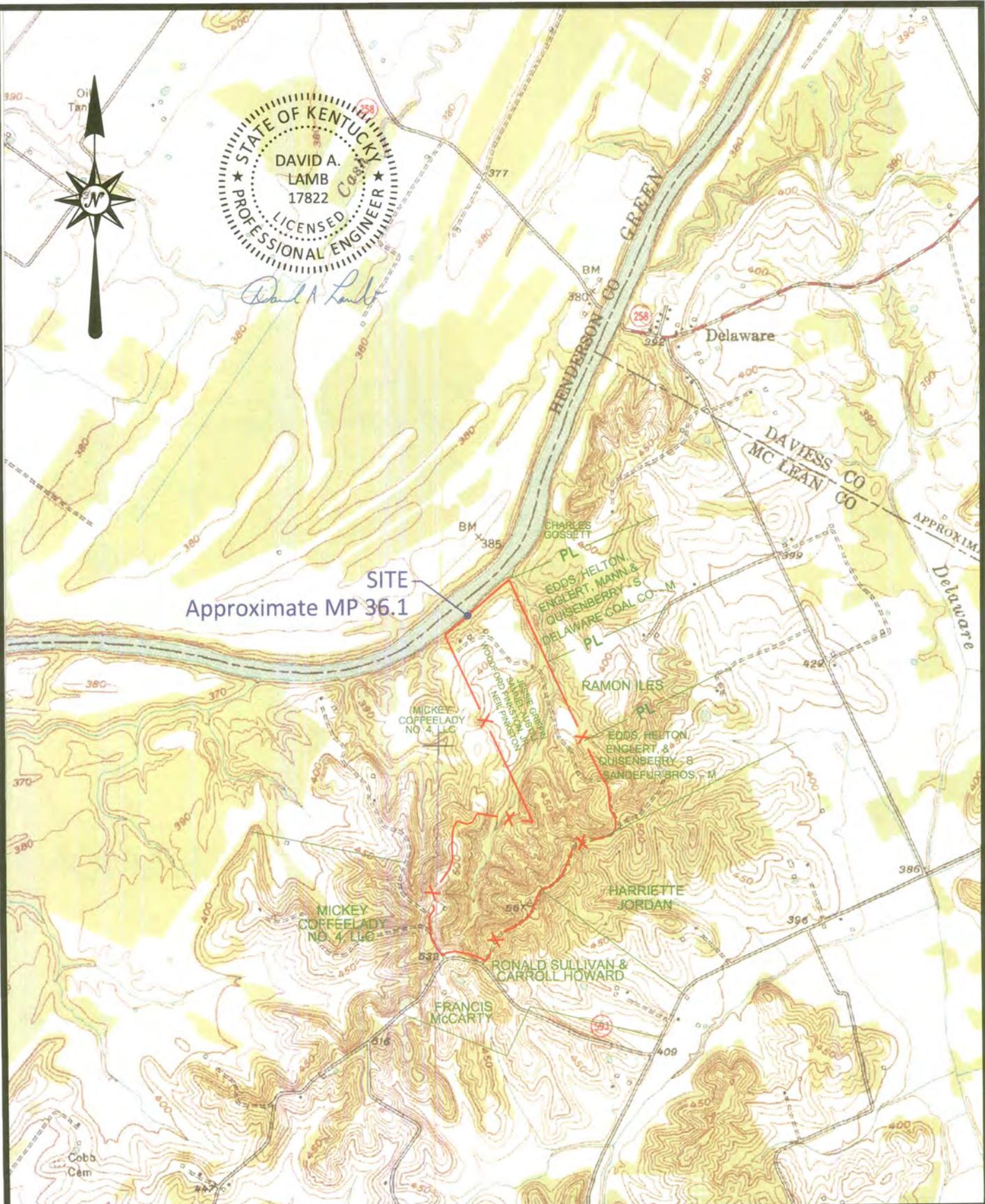
c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



David A. Lamb

SITE
Approximate MP 36.1



LR-2005-1509-B-mad (1 of 6) Pw-B-6051-500E-717



ASSOCIATED ENGINEERS, INC.

Pennyrile Energy, LLC
424 Lewis Hargett Circle, Suite 250 Lexington, KY 40503
SITE VICINITY MAP

Job Number: 12-0084A	Revisions:
Date: 6/12/14	
Scale: 1"=2000'	
Drawn By: D. Lamb	

2740 North Main St. • Madisonville, KY 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789
www.associatedengineers.com



David A. Lamb

APPROXIMATE DISTANCE FROM RIVER BANK TO NAVIGATION CHANNEL @ NORMAL POOL: 160'

BM 385

APPROVED FLEETING AREA
TWO DEADMEN PLACED AT 200' +/- ON CENTERS
MAXIMUM FLEETING OF 2 BARGES WIDE
MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

PROPOSED ADDITIONAL FLEETING AREA
ONE DEADMAN PLACED AT 200' +/- ON CENTERS
MAXIMUM FLEETING OF 2 BARGES WIDE
MAXIMUM FLEETING FOR 2 ADDITIONAL BARGES
MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

EX. CONSTRUCTED LOADING AREA
MAXIMUM TWO ANCHORAGE STRUCTURES
LOADING FACILITY IS COMPOSED OF MAX. 2 WORK BARGES
MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

APPROX. MILE 36.1

APPROVED LOADING AND FLEETING AREA
TWO DEADMEN PLACED AT 200' +/- ON CENTERS
MAXIMUM FLEETING OF 2 BARGES WIDE
MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

SURGE BIN

BELT FROM PLANT
WOODFORD

PROPOSED ADDITIONAL FLEETING AREA
SEVEN DEADMEN PLACED AT 200' +/- ON CENTERS
MAXIMUM FLEETING OF 2 BARGES WIDE
MAXIMUM FLEETING FOR 14 ADDITIONAL BARGES
MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

MICKEY COFFEELADY NO. 4, LLC

CHARLES GOSSETT

EDDS, HELTON, ENGLERT, MANN & QUISENBERRY - S DELAWARE COAL

RAMON I

JESSIE GRIFFIN SAMUEL PINKSTON, JR. NEIL PINKSTON

EDDS ENGLE QUISEN SANDE



ASSOCIATED ENGINEERS, INC.

Pennyrile Energy, LLC

424 Lewis Hargett Circle, Suite 250 Lexington, KY 40503

FLEETING EXPANSION-QUAD

Job Number: 12-0084A

Date: 6/12/14

Scale: 1"=600'

Drawn By: D. Lamb

Revisions:

2740 North Main St. • Madisonville, KY 42431

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LRL-2005-1509-R-mad (2 of 6)



David A. Lamb

APPROXIMATE DISTANCE FROM RIVER BANK TO NAVIGATION CHANNEL @ NORMAL POOL: 160'

APPROVED FLEETING AREA

TWO DEADMEN PLACED AT 200' +/- ON CENTERS
 MAXIMUM FLEETING OF 2 BARGES WIDE
 MAXIMUM RIVERWARD PROJECTION AT NORMAL POOL 90'

PROPOSED ADDITIONAL FLEETING AREA

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 MAXIMUM FLEETING FOR 2 ADDITIONAL BARGES
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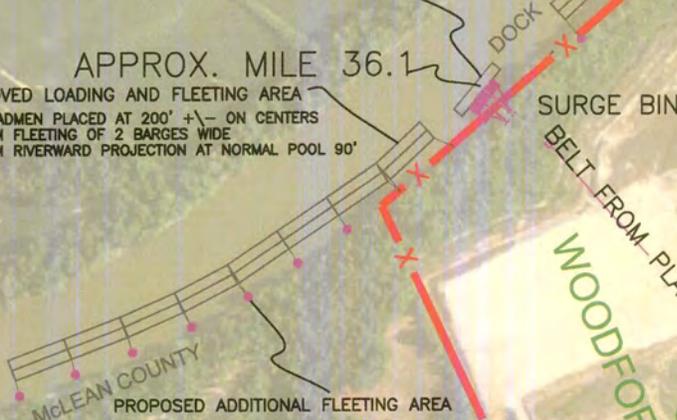
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MICKEY
 COFFEELADY
 NO. 4, LLC

CHARLES
 GOSSETT

EDDS, HELTON,
 ENGLERT, MANN &
 QUISENBERRY - S
 DELAWARE COAL

RAMON I

EDDS
 ENGLE
 QUISEN
 SANDE



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Pennyrile Energy, LLC

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FLEETING EXPANSION-AERIAL

Job Number: 12-0084A

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Scale: 1"=600'

Drawn By: D. Lamb

Revisions:

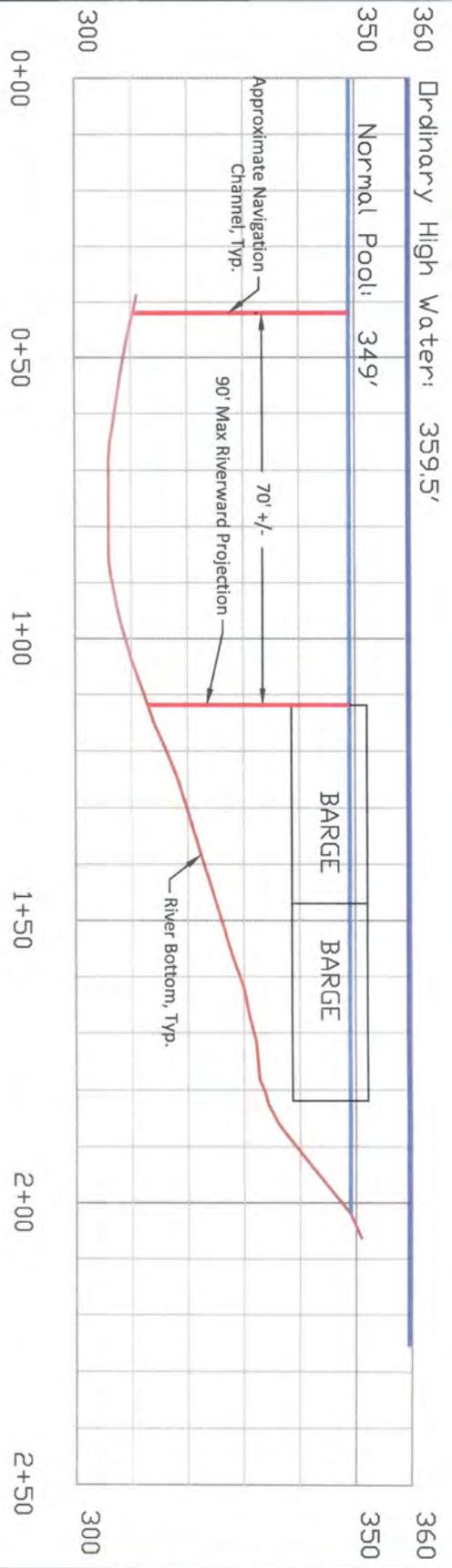
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LRL-2005-1509-B-mod (3 of 6)

(9 of 11) Pw-B-5051-5002-7R1



Typical X-Section
H: 30 V: 30



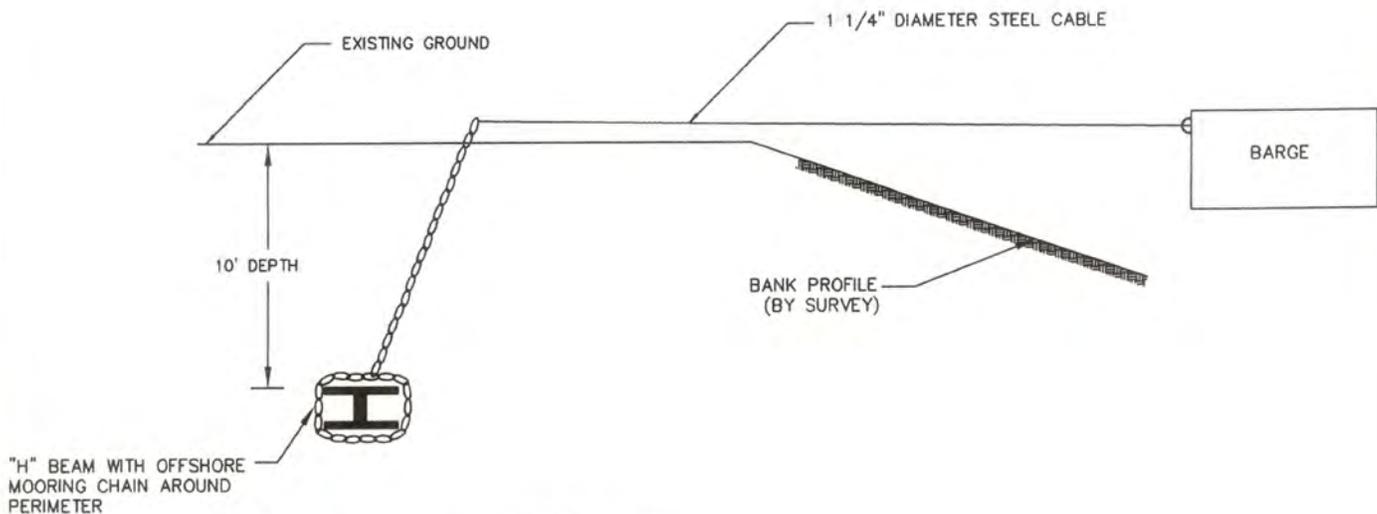
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Job Number: 12-0084A	Revisions:
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LR-2005-1509-B-mod (5 of 6)



DETAIL AT DEADMAN
NOT TO SCALE

STATE OF KENTUCKY
DAVID A. LAMB
17822
Professional Engineer
David A. Lamb
3-24-14

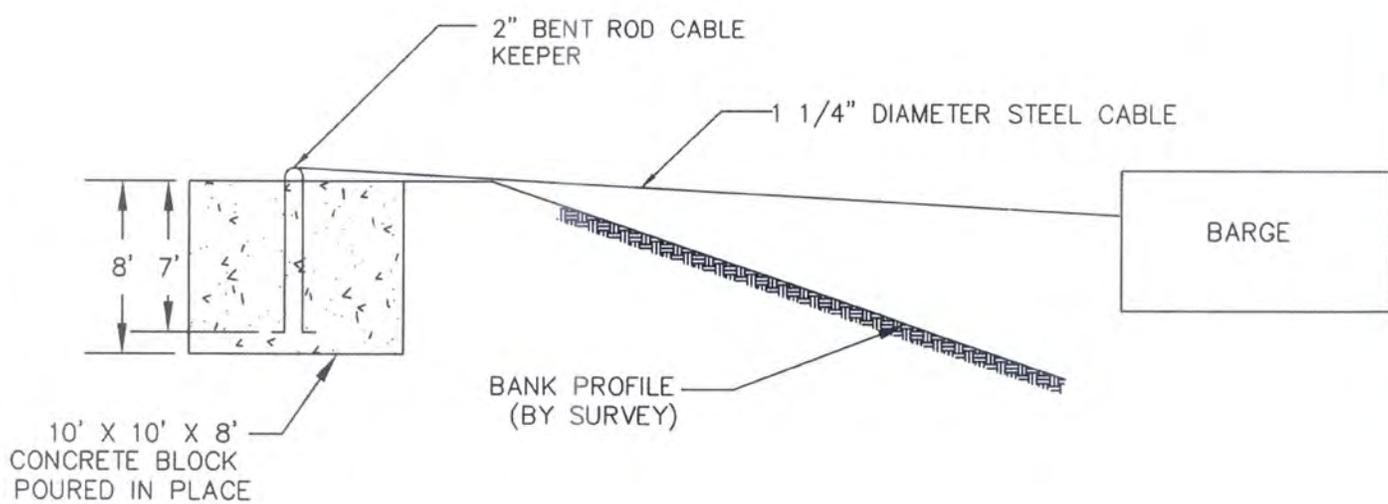
ASSOCIATED ENGINEERS, INC.
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PENNYRILE ENERGY, LLC
RIVEREDGE MINE
DEADMAN DETAIL

SITE IS LOCATED AT MILE 36.1 ON THE GREEN RIVER ON THE RIGHT BANK IN McLEAN COUNTY, KY.

REVISIONS	
AEI JOB #	12-0084
DATE:	03/28/2014
SCALE:	AS NOTED
DRAWN BY:	DAL
CHECKED BY:	

LRL-2005-1509-B - mod (6 of 6)



DETAIL AT DEADMAN
NOT TO SCALE

STATE OF KENTUCKY
 DAVID A. LAMB
 17822
 PROFESSIONAL ENGINEER
David A. Lamb
 3-24-14

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DEADMAN DETAIL

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