



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

Public Notice

Public Notice No.
LRL-2012-277-jea

Open Date:
15 Apr 2016

Close Date:
16 May 2016

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Jane Archer, CELRL-OPF-S, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: (502) 315-6682

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act:

APPLICANT: Waste Services of the Bluegrass LLC
259 West Short Street, Suite 325
Lexington, Kentucky 40507

AGENT: Cornerstone Environmental Group
2456 Fortune Drive, Suite 170
Lexington, Kentucky 40509

LOCATION: Wetlands, and unnamed perennial, intermittent and ephemeral tributaries of West Fork Eagle Creek and Wolf Branch on an approximately 262-acre site located within the Lower Kentucky River Watershed near Georgetown in Scott County, Kentucky.

Latitude: 38.34777° N
Longitude: -84.546333° W
7.5 Minute Quad: Delaplain, Kentucky

PURPOSE: To expand the existing Central Kentucky Landfill for additional onsite waste disposal to meet the projected future needs.

DESCRIPTION OF WORK: The applicant proposes to expand the existing Central Kentucky waste disposal area. The proposed expansion of the landfill would permanently fill 412 linear feet of perennial streams, 180 linear feet of intermittent streams, and 3,618 linear feet of ephemeral streams as well as 0.266 acre of wetlands. Additionally, the applicant proposes to construct two sediment control ponds and expand the existing west sediment control pond. The northeast sediment control pond would impact 700 linear feet of intermittent stream and 127 feet of ephemeral streams. The southeast sediment pond would impact 785 linear feet of intermittent and 240 linear feet of ephemeral streams. The expansion of the existing west sediment control pond would impact 173 linear feet of perennial and 205 linear

feet of ephemeral streams. The two proposed sediment control structures and the existing west sediment pond are in jurisdictional waters. A total of approximately 259 cubic yards of fill material would be placed within "waters of the United States (U.S.)".

The proposed 40.27-acre waste disposal area is located adjacent to the existing 32.80-acre landfill. An additional 46.71 acres would overlap the existing demolition debris landfill. The proposed work consists of construction of the landfill base with a synthetic liner system overlain by a leachate collection layer and then a protective stone layer. A municipal solid waste liner (MSW) would be constructed over the existing, constructed demolition debris (CDD) waste footprint and the existing MSW and CDD/piggy back units would be combined into a single waste disposal unit and then filled to final grade with waste. In addition, support features such as haul roads, and stormwater infrastructure would be constructed. The borrow area would be cleared and grubbed as cover material is required for linear construction, cover material, and capping the waste. Berms and ditches would be constructed to retain all water onsite within the borrow area. Best management practices would be used to minimize sediment leaving the borrow area.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The total amount of "waters of the U.S." located on the site includes 1,768 linear feet of perennial streams, 10,721 linear feet of intermittent streams, 43,869 linear feet of ephemeral streams and 0.366 acre of wetlands. The applicant proposes to avoid impacts to 49,918 linear feet of stream and 0.07 acre of wetlands.

The applicant proposes to mitigate for the stream and wetland impacts by payment of an in-lieu fee to the Kentucky Department of Fish and Wildlife Stream and Wetland Mitigation Trust Fund. Monies paid to this fund are used to undertake stream and wetland restoration projects in the vicinity of the proposed impacts. It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Kentucky Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from the Kentucky Energy and Environment Cabinet Division of Water (KDOW).

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. Based on available information, the proposed activity will not destroy or

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endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

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. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, 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. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

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

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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 <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Ms. Jane Archer, CELRL-OPF-S at the address noted above and should refer to the Public Notice Number LRL-2012-277-jea.

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-2012-277-jea.

Example:

Subject: LRL-2012-277-jea

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.

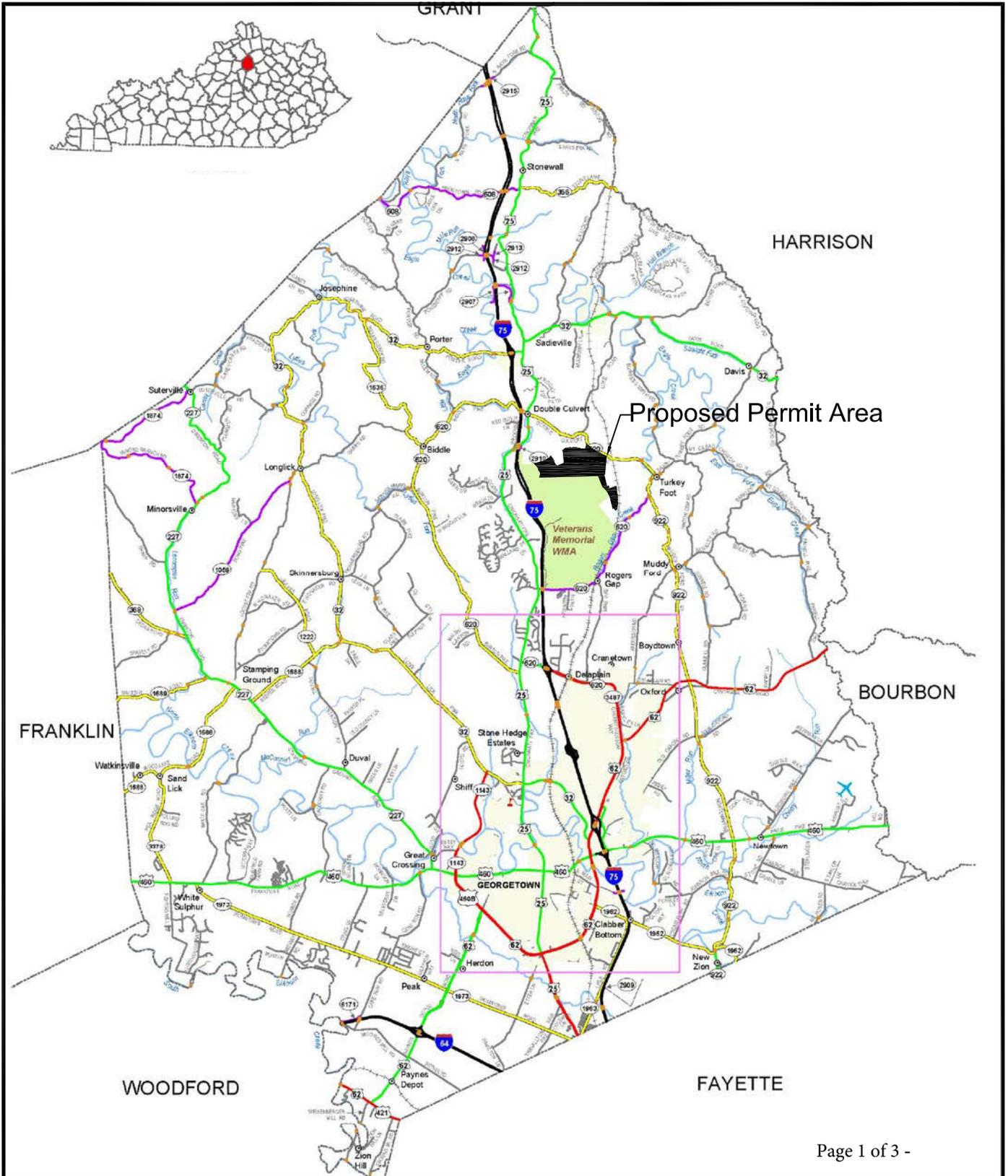


FIGURE: Landfill Expansion Area Vicinity Map <i>(Scott County map obtained from transportation.ky.gov/planning)</i>	
CO. PROJECT NAME: Central KY Landfill	APPLICANT: Waste Services of the Bluegrass LLC
COE ID NO.: LRL-2012-277 -	SCALE: Not to Scale

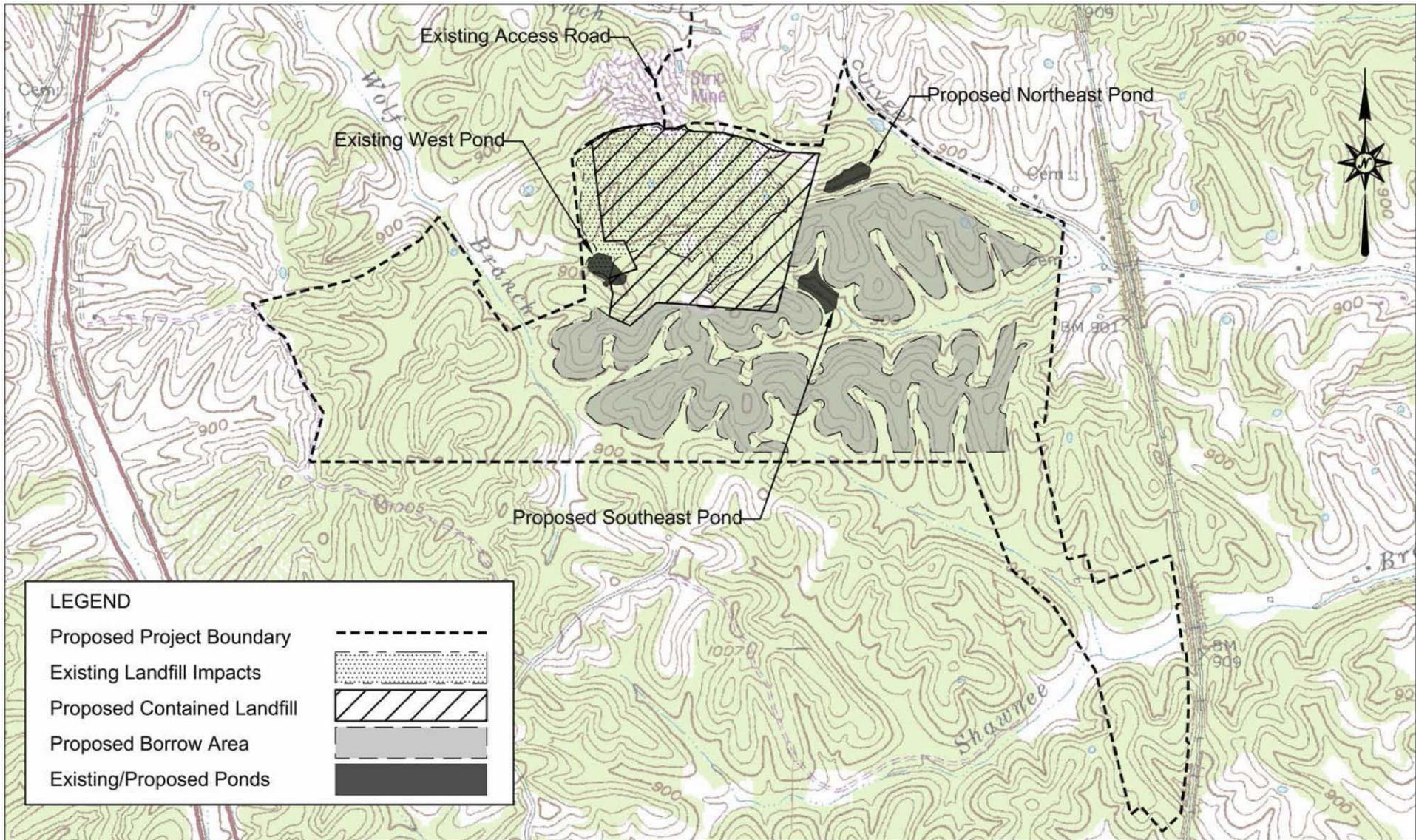


FIGURE: Project Location Map
(Excerpted from the Delaplain, KY 7.5' USGS Quadrangle)

PROJECT NAME: Central Kentucky Landfill	APPLICANT: Waste Services of the Bluegrass LLC
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ACE ID NO: LRL 2012-277	DATE: 3/21/2016	SCALE: 1"=1500'	MAP PAGE: Page 2 of 3 -
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SHEET REFERENCE

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Sheet 4 of 6	Sheet 5 of 6	Sheet 6 of 6

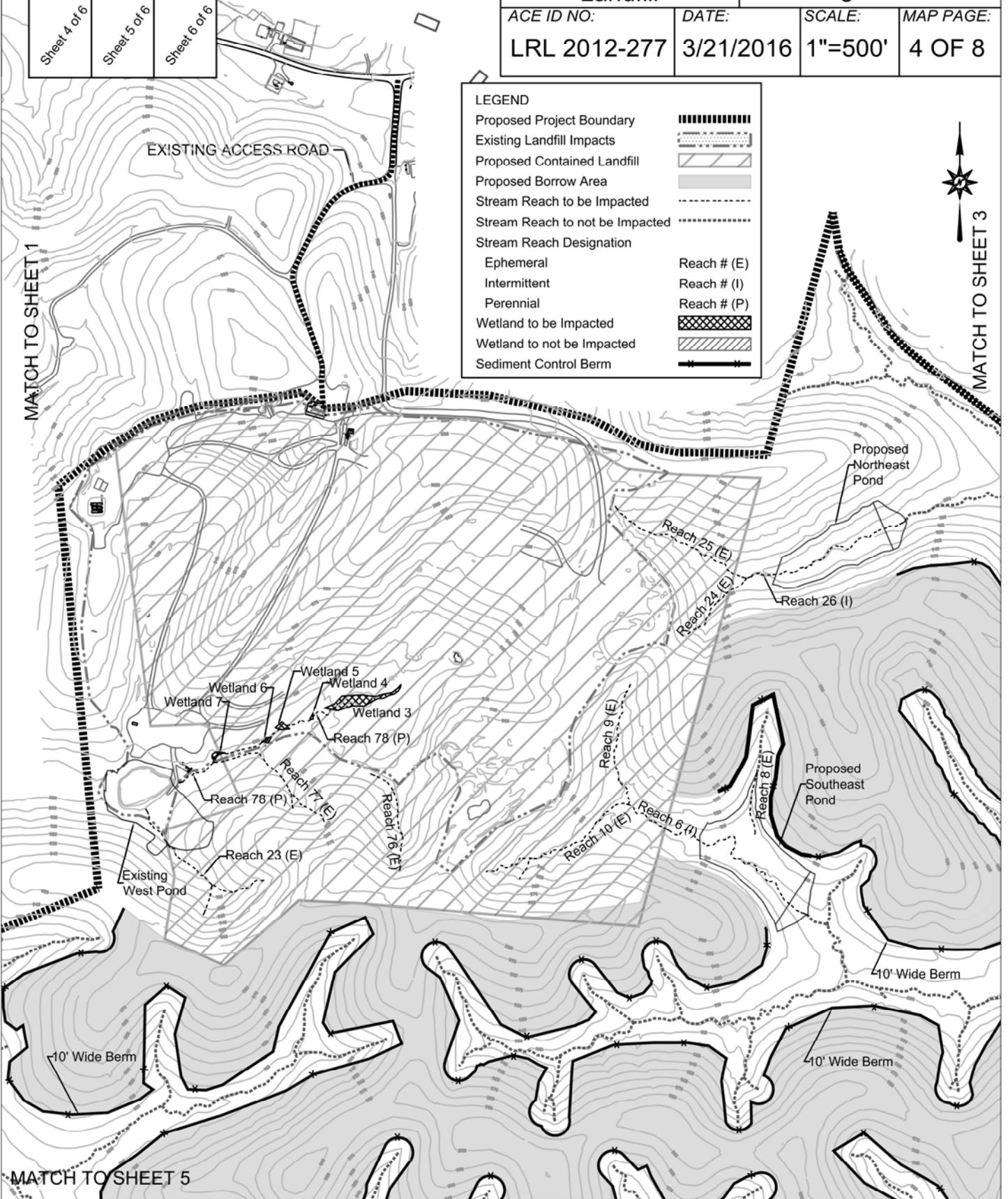
EcoSource, Inc.

FIGURE:

Site Map (Sheet 2 of 6)

PROJECT NAME: Central Kentucky Landfill		APPLICANT: Waste Services of the Bluegrass LLC	
ACE ID NO: LRL 2012-277	DATE: 3/21/2016	SCALE: 1"=500'	MAP PAGE: 4 OF 8

LEGEND	
Proposed Project Boundary	
Existing Landfill Impacts	
Proposed Contained Landfill	
Proposed Borrow Area	
Stream Reach to be Impacted	
Stream Reach to not be Impacted	
Stream Reach Designation	
Ephemeral	Reach # (E)
Intermittent	Reach # (I)
Perennial	Reach # (P)
Wetland to be Impacted	
Wetland to not be Impacted	
Sediment Control Berm	



MATCH TO SHEET 5