



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

# Public Notice

Public Notice No.  
LRL-2014-417-mdh

Open Date:  
22 Apr 2016

Close Date:  
23 May 2016

Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Michael Hasty, CELRL-OPF-S, Rm 752  
P.O. Box 59  
Louisville, Kentucky 40201-0059

Phone: 502-315-6676

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

**APPLICANT:** Kentucky Power dba American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215

**AGENT:** URS Corporation  
525 Vine Street, Suite 1800  
Cincinnati, Ohio 45202

**LOCATION:** 28 ephemeral, 10 intermittent and 2 perennial stream channels, 3 wetlands and 1 open-water located on the 1,825-acre Big Sandy Power Plant located near the City of Louisa in Lawrence County, Kentucky.

Latitude: 38°-10'-48" (N)  
Longitude: 82°-37'-59" (W)  
7.5 Minute Quad: Fallsburg and Prichard, KY

**PURPOSE:** Coal ash storage pond closure.

**DESCRIPTION OF WORK:** The applicant plans to decommission its Big Sandy Plant, located on the west bank of the Big Sandy River in Lawrence County, Kentucky, converting it to a natural gas facility in 2016. As a result, the applicant would no longer need to wet-sludge coal ash waste at the nearby Big Sandy Fly Ash Pond (Pond). Per federal regulations for wet coal combustion residue (CCR) impoundments, the applicant plans to close the Pond by capping the ash in place.

As a result of this proposal, 3,218 linear feet of forty (40) stream channels and 0.29 acres of three (3) wetlands and 0.01 acres of one (1) open water would be impacted. The 40 stream channels are comprised of 28 ephemeral channels (1,413 linear feet), 10 intermittent channels (1,125 linear feet) and 2 perennial channels (680 linear feet).

Specifically, the existing fly ash pond would be graded and filled as part of a cap system. To install this system, 70.4 cubic yards of earthen material (on-site excavated) would be used to fill 2,376 linear feet of 38 stream channels outside the normal pool elevation of the Pond (i.e., the cap system would raise the grade of the existing Pond and extend into the lower reaches of these channels). Further, the Pond's existing dam and saddle dam would be excavated and

replaced, resulting in 0.29 acre of impacts to three (3) wetlands and 842 linear feet of two (2) stream channels. An estimated 150.9 cubic yards of earthen material and concrete would be used to fill these waters. Finally, through the excavation of borrow material needed for the cap system, 0.1 acre of one (1) open-water would be impacted (see *Figures 1-2, attached*).

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant also considered two other design alternatives, both of which would have resulted in increased impacts to "waters of the United States (U.S.)"; therefore, through the evaluation of these alternatives, the applicant was able to minimize impacts to "waters of the U.S." However, to achieve the stated purposes, additional avoidance and minimization measures were not considered practicable by the applicant.

To mitigate for the remaining unavoidable stream impacts, the applicant proposes on-site permittee responsible mitigation through the creation of 10,450 linear feet of intermittent stream channel. Further, 7,250 linear feet of ephemeral stream channel would be restored (see *Figure 3*). With regard to the proposed impacts to wetlands, the applicant proposes on-site permittee responsible wetland mitigation through the preservation of five (5) wetlands totaling 1.32 acres located along Blane Creek (see *Figure 3*).

In addition, the applicant proposes a monitoring plan with performance standards, a maintenance plan and a long term management plan including a site protection instrument and financial assurances. Additional information on the details of the mitigation plan or the proposal in general may be obtained by request from this office.

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 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.

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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 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 C.F.R. 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 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.aspzx>. All comments regarding this proposal should be addressed to Mr. Michael Hasty, CELRL-OPF-S at the address noted above and should refer to the Public Notice Number LRL-2014-417-mdh.

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-2014-417-mdh.

Example:

Subject LRL-2014-417-mdh

b) Provide your physical mailing address and telephone number.

c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto: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.



**LEGEND**

-  AEP Property Boundary
-  Big Sandy Plant Boundary
-  State Boundary



Scale in Feet

BASE MAP SOURCE:  
 ArcGIS Online World Imagery  
 Fallsburg, KY; Prichard, KY  
 7.5' USGS Topographic Quadrangles

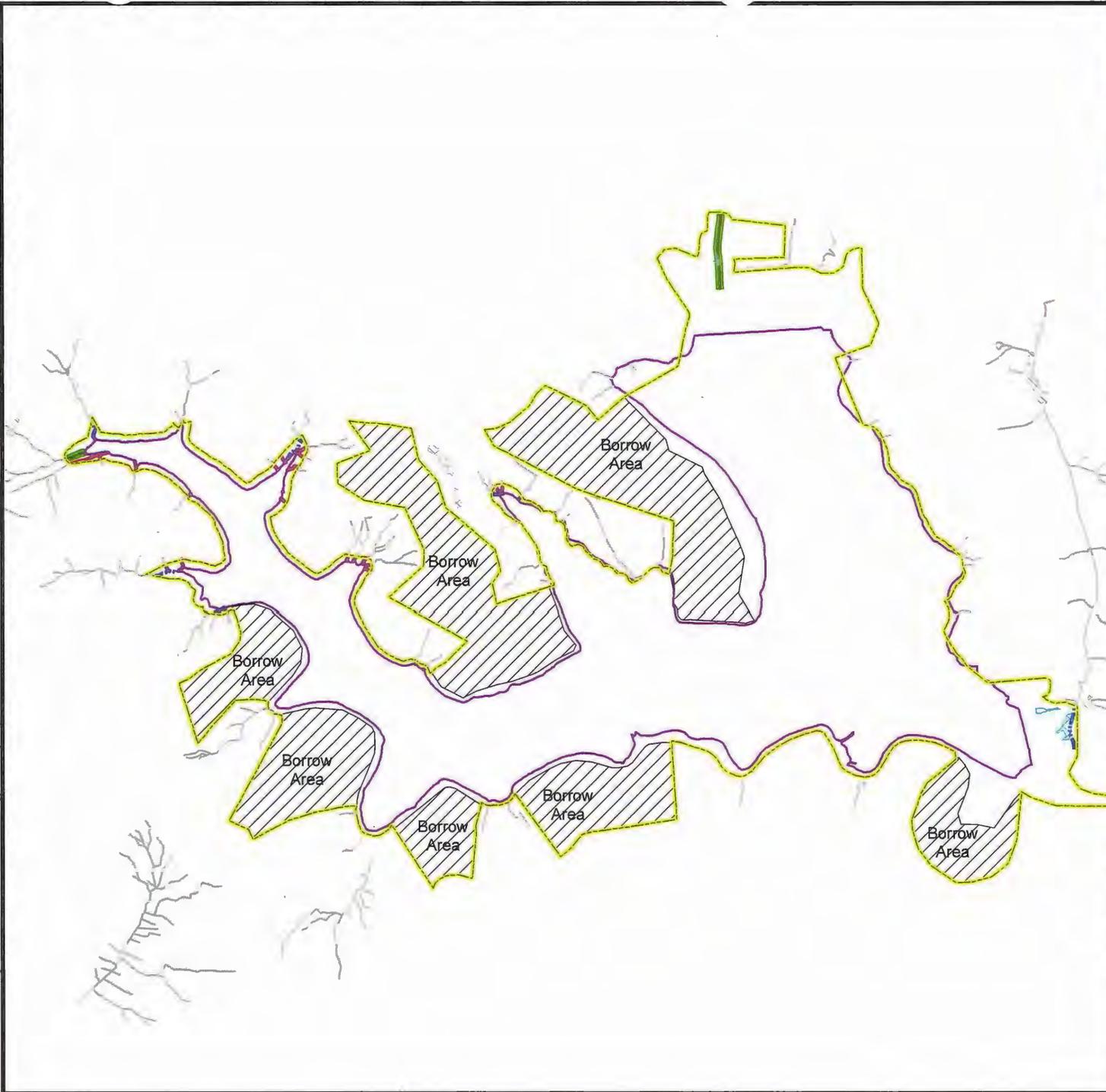


Big Sandy Fly Ash  
 Pond Closure

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 Figure 1

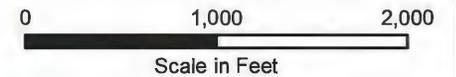
OVERVIEW MAP





**LEGEND**

-  Project Limit of Disturbance
-  Permitted Fly Ash Pond Boundary (Non-Jurisdictional)
-  Borrow Area
-  Impacted Wetland
-  Avoided Wetland
-  Impacted Pond
-  Impacted Ephemeral Stream
-  Impacted Intermittent Stream
-  Impacted Perennial Stream
-  Avoided Steam Segment

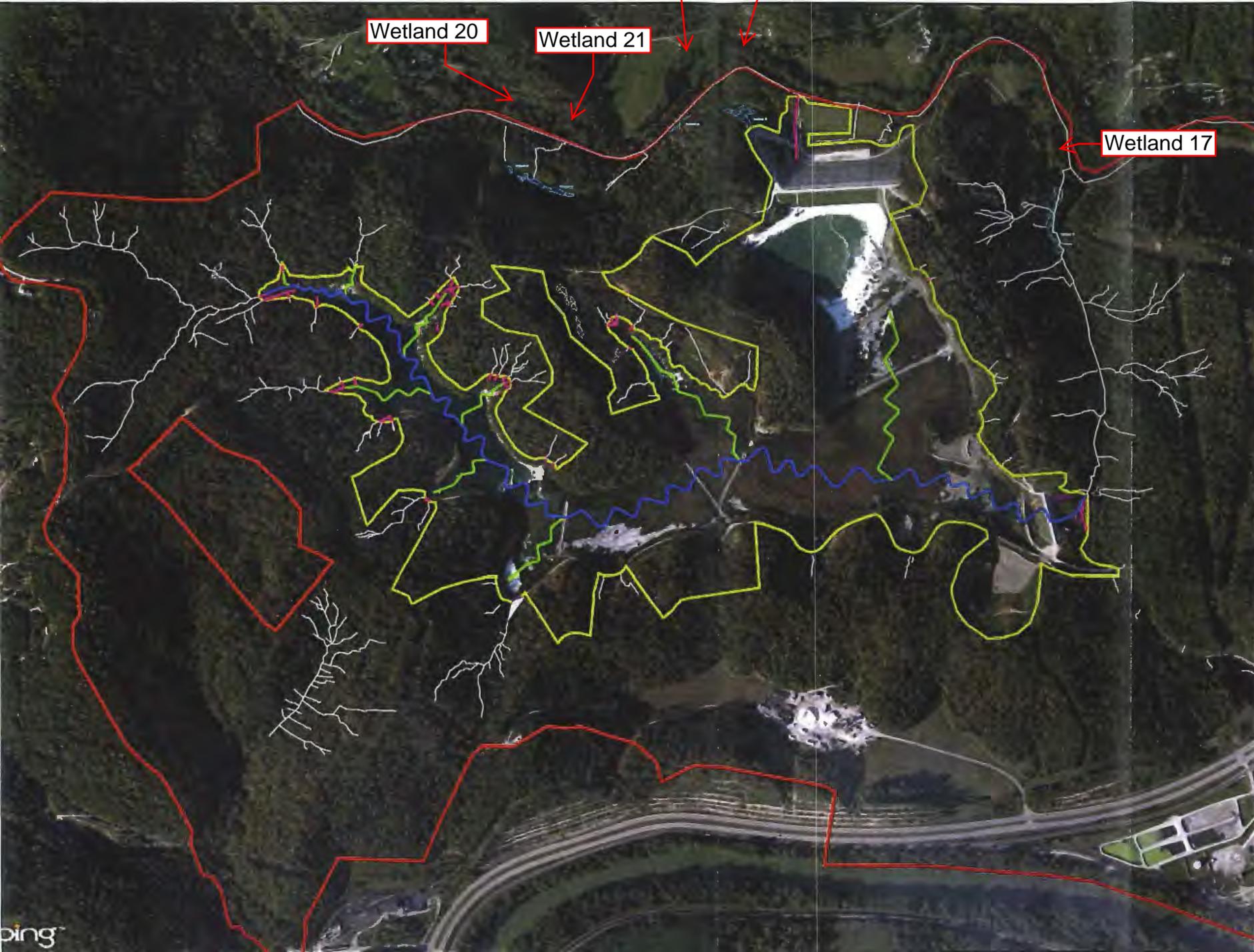


Big Sandy Fly Ash  
Pond Closure

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Figure 2

WETLAND AND STREAM  
MITIGATION IMPACT MAP





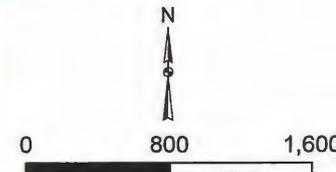
Wetland 20

Wetland 21

Wetland 17



- Legend**
- AEP Property Boundary
  - Project Limit of Disturbance
  - Impacted Stream
  - Delineated Stream Not For Mitigation
  - Wetland Impacted
  - Delineated Wetland Not For Mitigation
  - Impacted Pond
  - Delineated Pond Not For Mitigation
- Stream Mitigation Type**
- Restoration Stream-Intermittent
  - Restoration Stream-Ephemeral
- Wetland Mitigation Type**
- Preservation Wetland



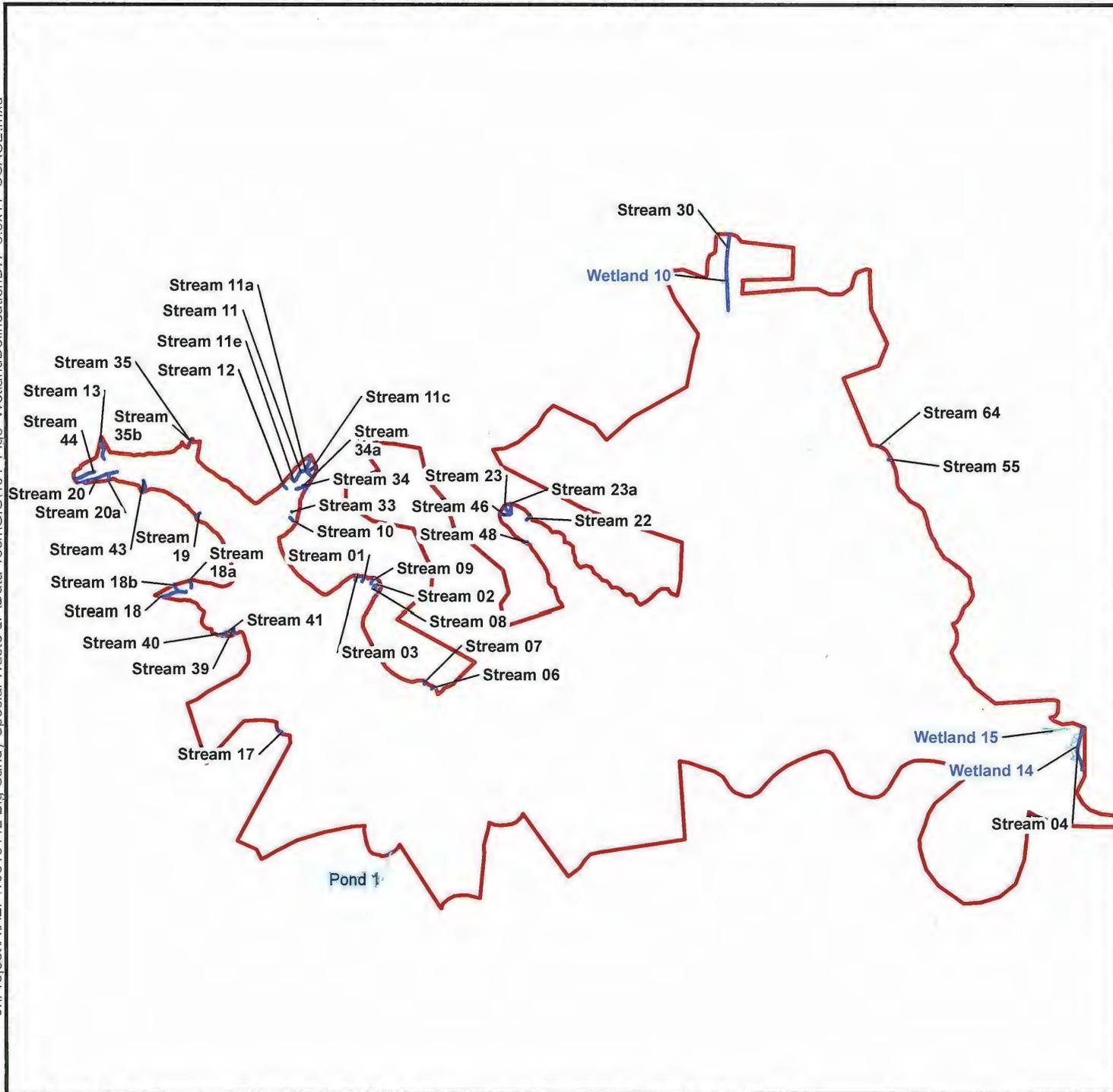
BASE MAP SOURCE:

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Figure 3

**AEP** Big Sandy Fly Ash Pond Closure

FIGURE 04  
WETLAND AND STREAM  
MITIGATION PLAN MAPS

JOB NO. 13815142 **URS**



**LEGEND**

- Project Limit of Disturbance
- Delineated Wetland
- Delineated Pond
- Delineated Stream

0 1,000 2,000  
Scale in Feet

N



Big Sandy Fly Ash  
Pond Closure

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Figure 4  
WHITE BACKGROUND MAP

