



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, ALABAMA 35209

**CESAM-RD-N**  
**PUBLIC NOTICE NO. SAM-2018-00257-APW**

**November 15, 2019**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS**

**STATE OF ALABAMA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED DISCHARGE OF FILL MATERIAL INTO WATERS OF THE UNITED STATES ASSOCIATED WITH THE CLOSURE OF AN ASH TREATMENT POND IN PARRISH, WALKER COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the United States Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT: Alabama Power Company**  
**Attention: Mike Godfrey**  
**Manager Environmental Affairs**  
**Post Office Box 2641**  
**Birmingham, Alabama 35203**

**AGENT: Cahaba Consulting, LLC**  
**Attention: Mr. Carl Hubbert**  
**2645 Buckboard Road**  
**Birmingham, Alabama 35244**

**LOCATION: The proposed project is located in tributaries to Mulberry Fork situated west of Alabama State Route 269 and south of the Mulberry Fork in Parrish, Walker County, Alabama. Specifically, the project boundary is located within Sections 20, 21, 28, and 29 of Township 16 South and Range 6 West. Center coordinates of the project site are 33.63437, -87.18438. The project is located in the Mulberry Fork 8 digit HUC (03160109).**

**PROJECT PURPOSE: As stated by the applicant, "the basic purpose of the proposed project is to permanently close the waste treatment pond at Plant**

Gorgas as required by the CCR Rule”<sup>1</sup>. The USACE has initially determined the basic project purpose is permanent closure of an ash pond.

**PROPOSED WORK:** The applicant is requesting authorization to discharge dredged and/or fill material into waters of the United States (U.S.) in association with the closure of the ash pond at Plant Gorgas. Specifically, the discharge would result in the unavoidable loss of 5,080 linear feet of ephemeral streams and 3,731 linear feet of intermittent streams.

The applicant is proposing to close the ash pond in place by removing coal combustion residuals (CCR) material from the northern half of the pond and consolidating and capping the material in the southern end of the pond. The ash in the southern end of the pond would be dewatered passively by lowering the water through the mechanical dewatering system. The ash from the northern end of the pond would be dredged, pumped, solidified, and placed in the closure area simultaneously while dewatering. An on-site pasting plant would thicken the CCR material. The pasting process would reduce the permeability of the CCR material and bring it to the desired water content so that it would retain form after grading. The resulting paste material would then be transferred to the south end of the pond and stacked and graded. This would relocate the CCR to higher elevations farther away from the river. The existing dam would be partially removed and the northern area of the pond would be reclaimed. The final cap area would comprise approximately 285 acres.

**EXISTING CONDITIONS:** The Plant Gorgas ash pond was originally formed as a rockfill structure across Rattlesnake Creek in 1953. The current crest elevation of the embankment is 395 above mean sea level (AMSL). The normal water surface of the ash pond is at 383 AMSL, and the auxiliary spillway is at 385 feet AMSL. The pond encompasses approximately 420 acres and is regulated under the Alabama Department of Environmental Management’s (ADEM) National Pollutant Discharge Elimination System (NPDES) program and federal and state regulations for the management and disposal of CCR. The watershed surrounding the ash pond is steep and forested, with boulder and rock outcroppings throughout. The upper reaches have some impacts including transmission line rights-of-way and access roads. Historical surface mining has also taken place in some areas of the watershed.

**AVOIDANCE & MINIMIZATION:** The applicant stated the proposed project would avoid 9,404 linear feet of streams within the project boundary. Additionally erosion and sediment controls would be used to reduce or prevent the potential

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<sup>1</sup> In April 2015, the Environmental Protection Agency (EPA) published a final rule regulating the management and disposal of Coal Combustion Residuals (CCR). This rule, entitled “Disposal of Coal Combustion Residuals from Electric Utilities,” was promulgated by the EPA under the solid waste portion (Subtitle D) of the Resource Conservation and Recovery Act (RCRA).

**discharge of suspended solids to downstream waters. All water would be treated by an on-site water treatment system prior to discharge to receiving waters. The USACE has not verified the adequacy of the applicant's avoidance and minimization efforts at this time.**

**ALTERNATIVES: The applicant considered nine alternatives, including the preferred (proposed) alternative. The USACE has not verified the adequacy of the applicant's alternative analysis at this time.**

**COMPENSATORY MITIGATION: The applicant proposes to purchase 20,793 stream credits from an approved mitigation bank.**

**OTHER AUTHORIZATIONS: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a) (1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made.**

**The applicant has submitted a permit application to ADEM Land Division for approval under ADEM's CCR program.**

**The applicant has coverage under the NPDES Construction General Permit No. ALR100000 through ADEM Water Division.**

**The applicant has a permit to discharge treated wastewater under NPDES Individual Industrial Permit AL-0002909.**

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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 use 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 which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The USACE 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 USACE 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.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

**HISTORIC PROPERTIES:** In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. A cultural resource survey has been performed; however, the USACE has not reviewed the report or made a determination of effects to historic properties at this time. Copies of this public notice are being distributed to the State Historic Preservation Officer, Federally-recognized American Indian tribes, and the National Park Service, Division of Archaeological Services for review.

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Species indicates the following species have the potential to occur in the project watershed: Indiana bat, northern long-eared bat, Black Warrior waterdog, flattened musk turtle, Cahaba shiner, Mohr's Barbara's buttons, and white fringeless orchid. An effects determination will be made during the evaluation process, at which time the USACE will initiate consultation with the USFWS, if appropriate. Copies of this public notice are being sent to the USFWS for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number **SAM-2018-00257-APW** and should be directed to the District Engineer, U.S. Army Corps of Engineers, Mobile District, **Attention: Ms. Courtney Shea**, 218 Summit Parkway, Suite 222, Homewood, Alabama 35209, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Post Office Box 301463, Montgomery, Alabama 36130-1463.

**All Comments should be received no later than 30 days from the date of this Public Notice.** If you have any questions concerning this publication, you may contact the project manager via e-mail at **Courtney.M.Shea@usace.army.mil** or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

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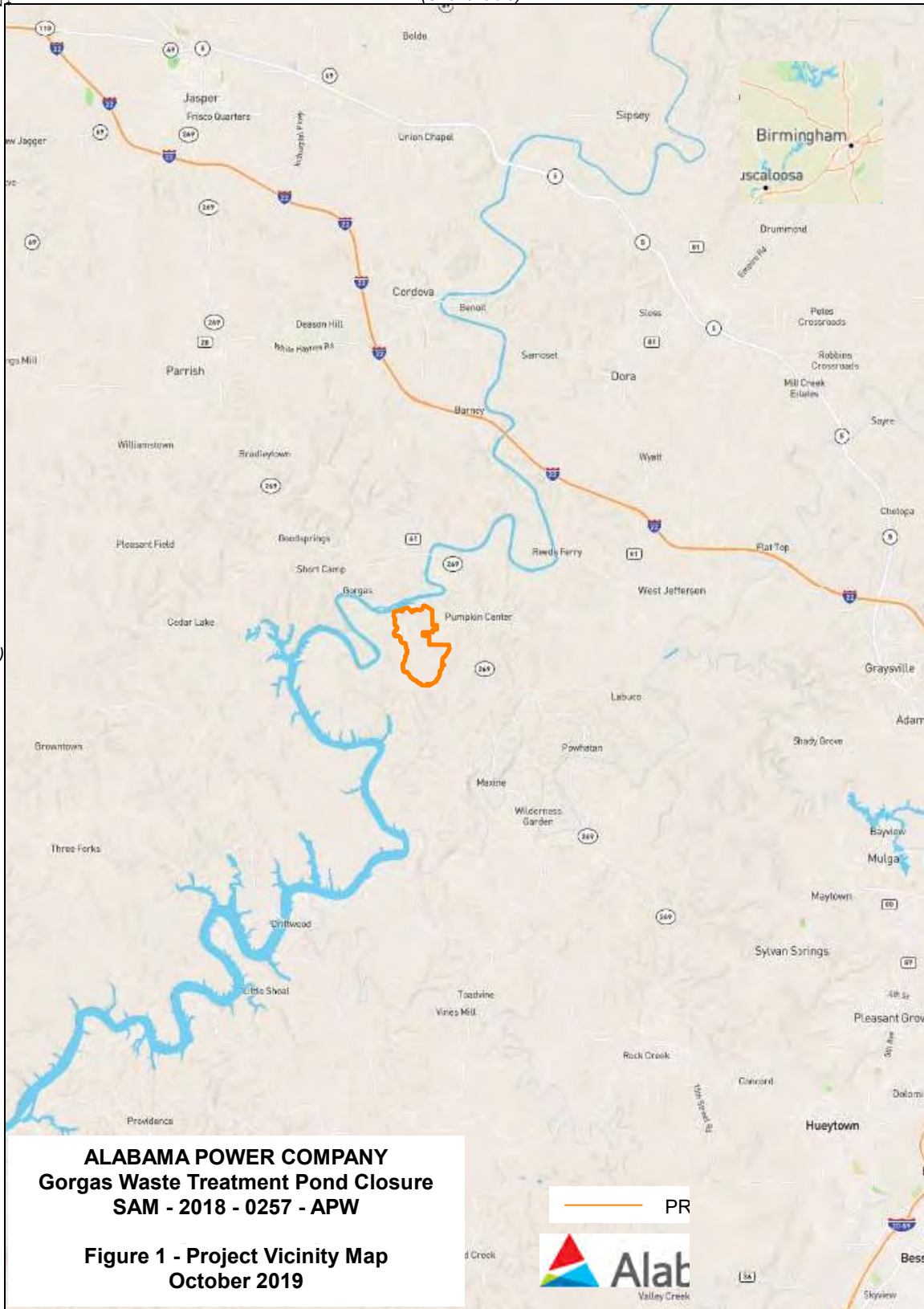


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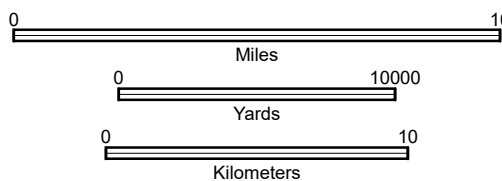
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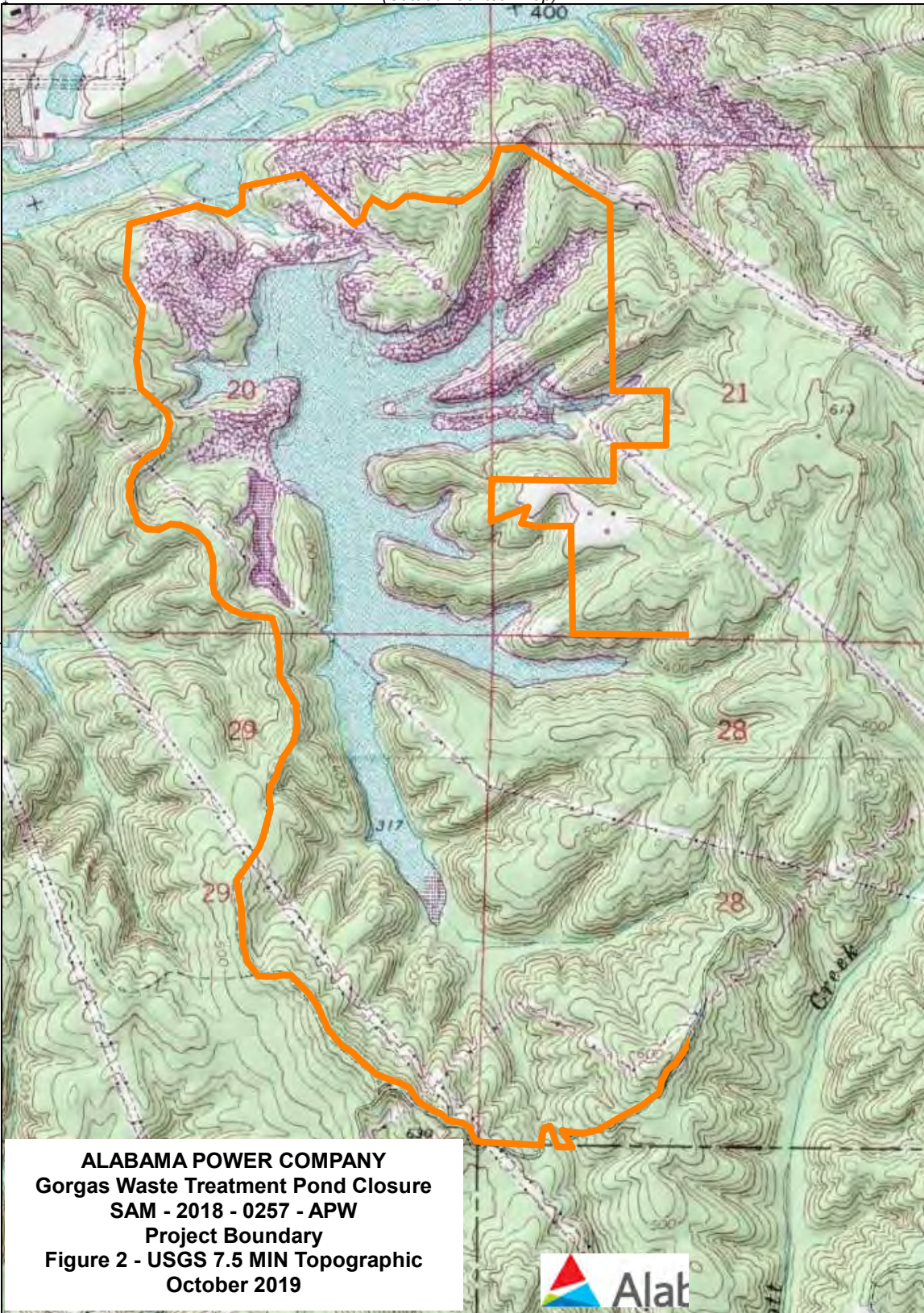
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(Outdoor Contour Map)

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(Outdoor Contour Map)

(Outdoor Contour Map)

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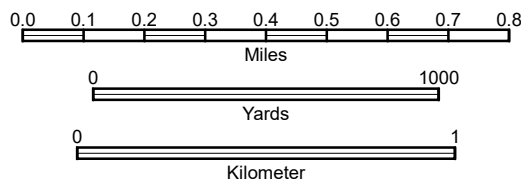
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Declination



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UNKNOWN



(Satellite Image  
(Hybrid Street))



SATELLITE IMAGE (HYBRID STREET)

QUADRANGLE

ALABAMA

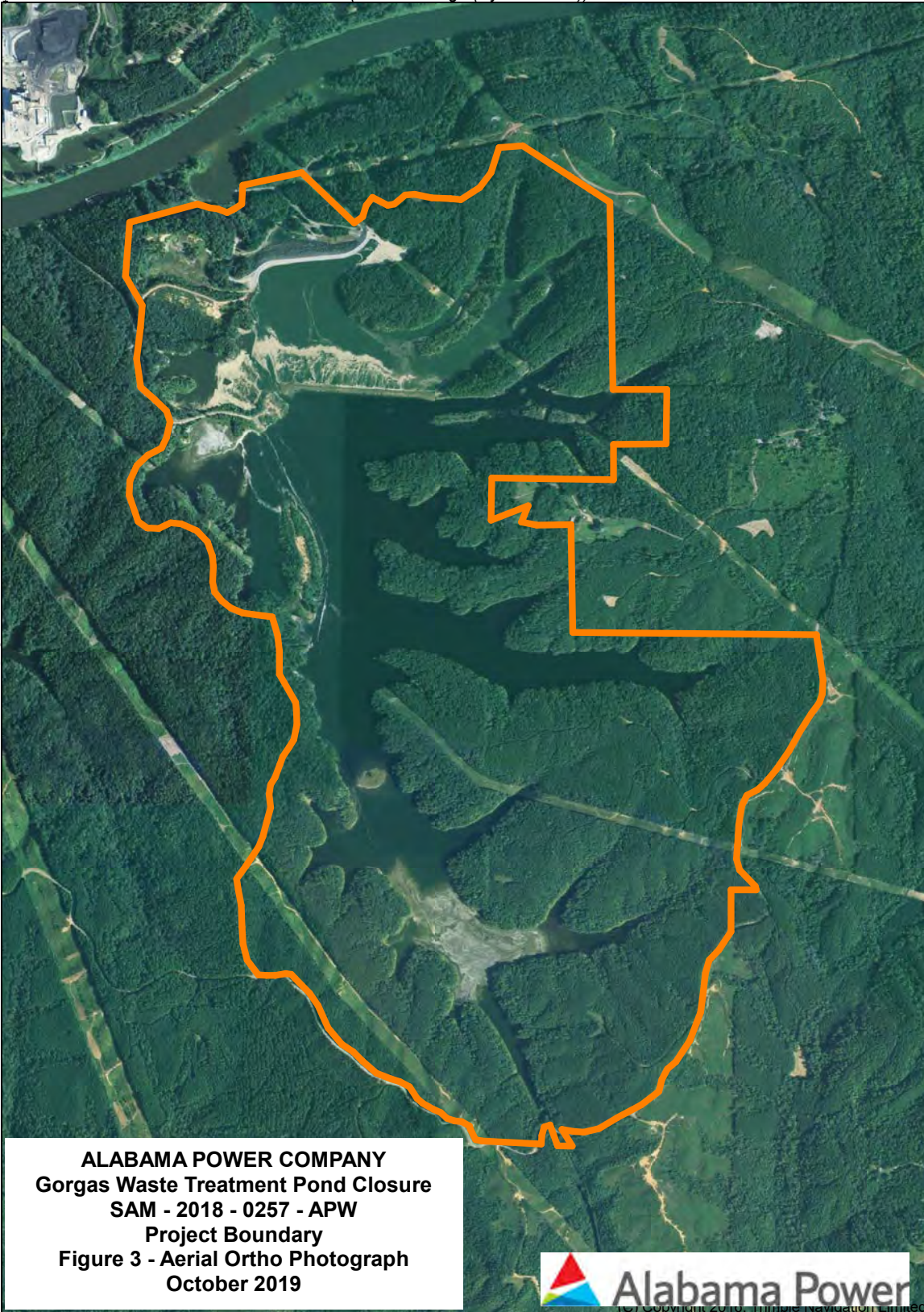
AERIAL PHOTO SERIES

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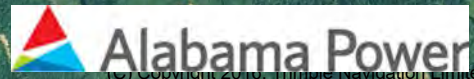
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(Satellite Image  
(Hybrid Street))

(Satellite Image  
(Hybrid Street))

**ALABAMA POWER COMPANY**  
**Gorgas Waste Treatment Pond Closure**  
**SAM - 2018 - 0257 - APW**  
**Project Boundary**  
**Figure 3 - Aerial Ortho Photograph**  
**October 2019**



087° 11' 46.7507" W  
033° 36' 30.7140" N

(Satellite Image (Hybrid Street))  
SCALE 1:20000

Printed: Mon Oct 07, 2019

087° 09' 48.3365" W  
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(Satellite Image  
(Hybrid Street))

(Satellite Image  
(Hybrid Street))

Produced by Trimble Terrain Navigator Pro  
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Declination



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Yards

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Kilometer

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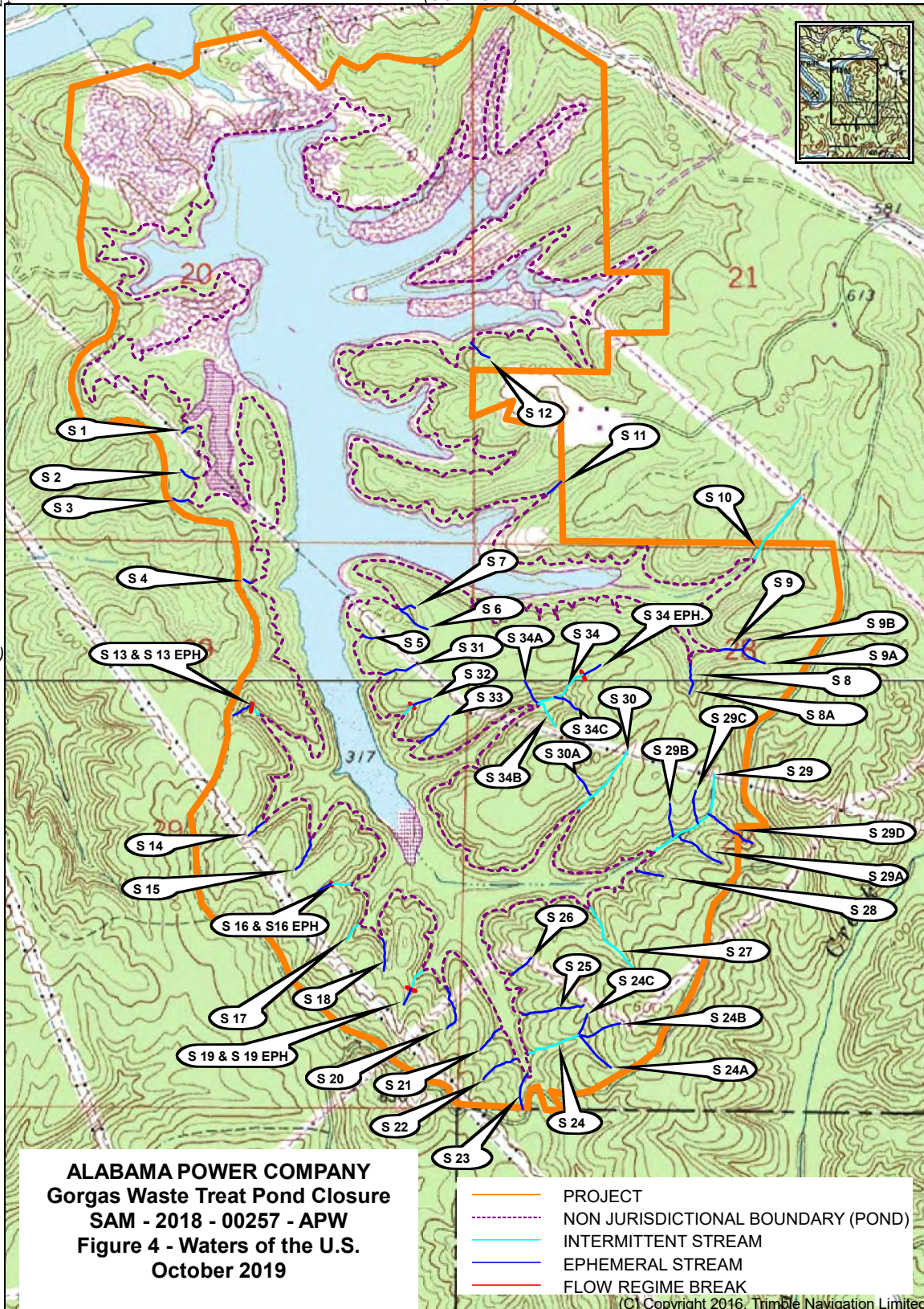
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(CORDOVA)

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(PARRISH)

(DORA)



033° 36' 29.3088" N  
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(GILMORE)

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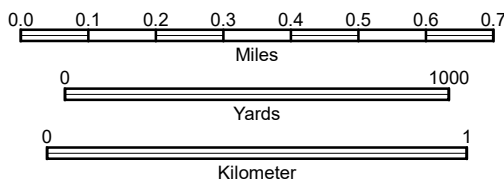
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Declination



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SPRINGS)

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JAN 1, 1983



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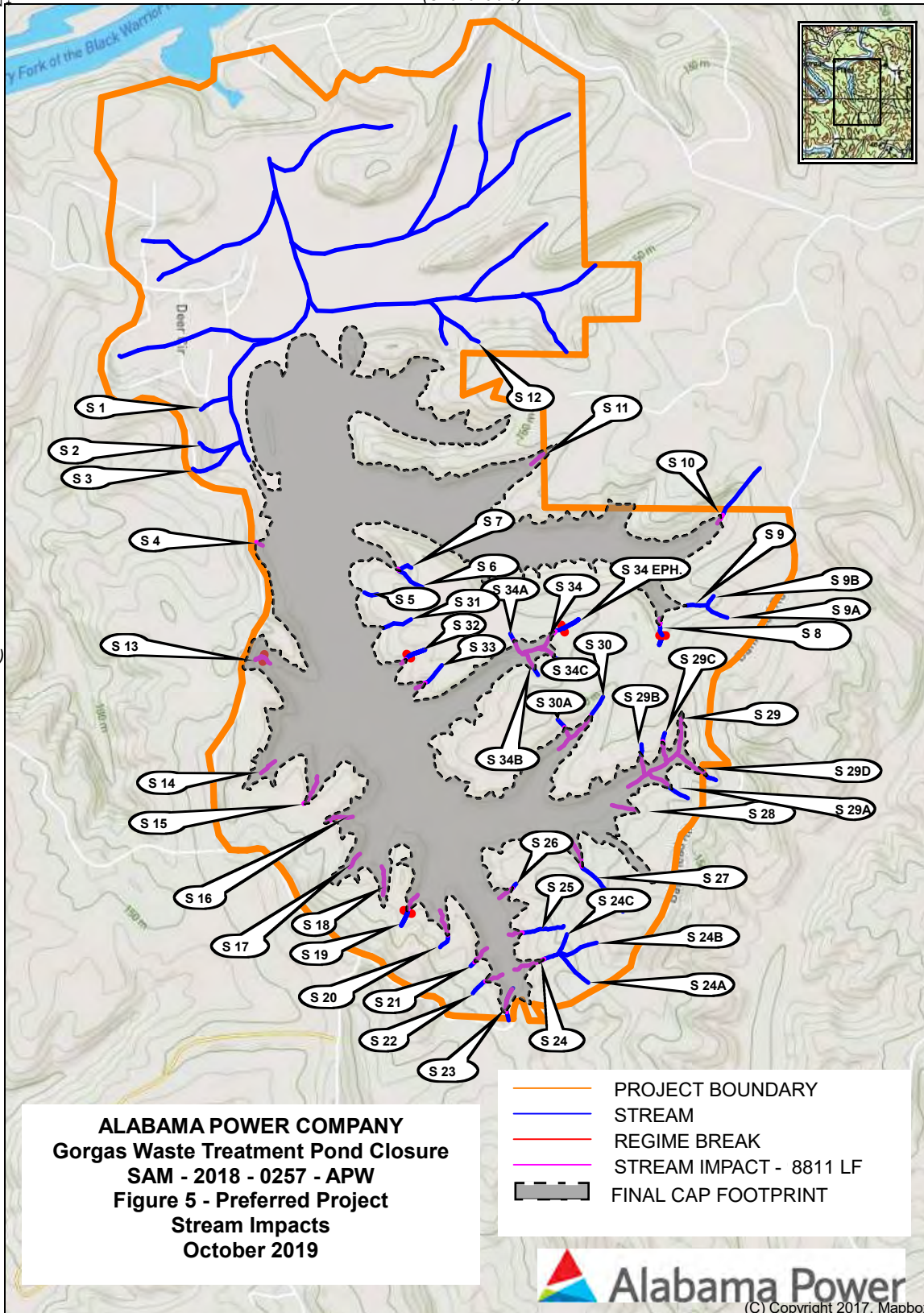


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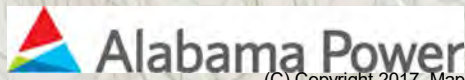


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**ALABAMA POWER COMPANY**  
**Gorgas Waste Treatment Pond Closure**  
**SAM - 2018 - 0257 - APW**  
**Figure 5 - Preferred Project**  
**Stream Impacts**  
**October 2019**

- PROJECT BOUNDARY
- STREAM
- REGIME BREAK
- STREAM IMPACT - 8811 LF
- FINAL CAP FOOTPRINT



033° 36' 17.2961" N  
087° 11' 42.7431" W

(C) Copyright 2017, Mapbox  
Printed: Fri Oct 11, 2019  
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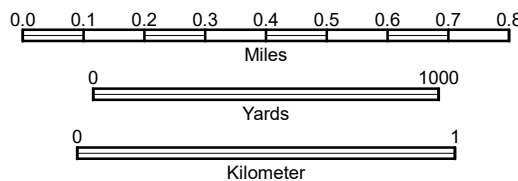
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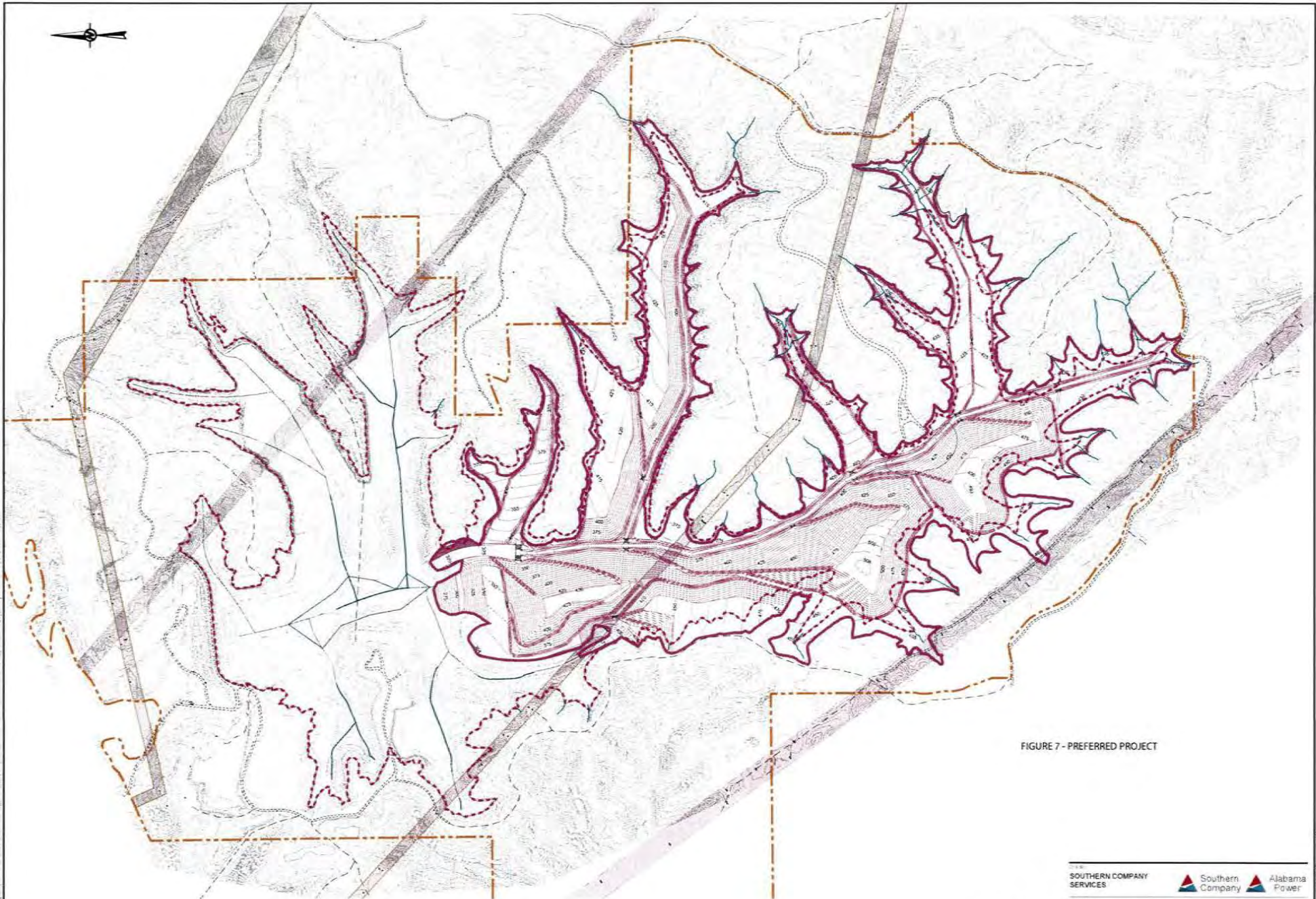


FIGURE 7 - PREFERRED PROJECT





PROJECT:  
 PLANT GORGAS  
 ASH POND CLOSURE  
 FOOTPRINT OPTIMIZATION

PROPOSED CLOSURE GRADING PLAN 7D  
 TOP OF LINER GRADES

DATE:	09/17/2019
DESIGNED BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	09/17/2019



1789648

09/17/2019

**DRAFT**  
**NOT FOR**  
**CONSTRUCTION**