

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2017-120

NOTICE DATE:
June 23, 2017

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
July 22, 2017



Public Notice

U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT:

Gerdau Ameristeel U.S., Inc.
Attn: William Ownby
P.O. Box 10848
Jackson, TN 38308
(731) 423-5274

AGENT:

Brophy-Heineke & Associates, Inc.
Attn: Jennifer Morrison
2978 Shelby Street
Bartlett, TN 38134
(901) 373-3289

PURPOSE: The applicant proposes to construct a sediment basin in association with the expansion of an existing non-hazardous materials landfill. The Gerdau Ameristeel facility includes a private landfill which has been in operation since 1984. The landfill has reached capacity and needs to be expanded. The proposed landfill expansion will continue to contain only non-hazardous materials.

LOCATION: The Gerdau Ameristeel facility is located at 801 Gerdau Drive in Jackson, Tennessee, and the proposed expansion area is located west of the existing facility in Madison County, Tennessee, with approximate center coordinates of 35.73139° N/ -88.81968° W, as shown on Attachments 1 & 2.

DESCRIPTION OF WORK: A 0.824 acre forested wetland was identified within the footprint of the proposed facility expansion. The proposed footprint of the landfill will be located 200 feet away from the wetland, however, the proposed sediment basin would result in impacts to the 0.824 acre forested wetland. (Attachments 3 & 4)

AVOIDANCE/MINIMIZATION: According to the applicant, they have investigated other alternatives which would require fewer extensive impacts to wetlands. According to the applicant, based on cost, logistics, and/or environmental concerns, there are no feasible off-site or on-site alternatives that would avoid or minimize impacts to wetlands and allow the applicant's project purpose to be met. The applicant has submitted an alternatives analysis and the Memphis District will evaluate it under the 404(b)(1) Guidelines.

MITIGATION: The applicant has provided a proposed wetland mitigation plan for an on-site in-kind enhancement by reforesting 3.3 acres of herbaceous wetlands. (Attachment 5) This will provide compensation at a mitigation ratio of 4:1 for the proposed loss of the 0.824 acre of wetlands. The Memphis District will evaluate the plans against the project impacts prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The applicant is required to request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers

permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: The Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and Whorled Sunflower (*Helianthus verticillatus*) are listed as endangered or threatened by U.S. Fish and Wildlife Service in Madison County. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants or their critical habitat will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the 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 project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; federally recognized 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.

PUBLIC HEARING: 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 a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice.

This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Damon McDermott using the information below:

U.S. Army Engineer District - Memphis
ATTN: Damon McDermott
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: robert.d.mcdermott@usace.army.mil
Phone: (901) 544-0732
Fax: (901) 544-0211

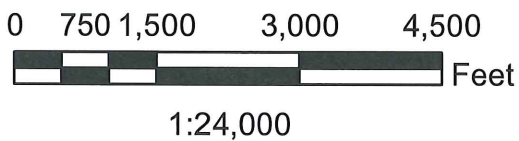
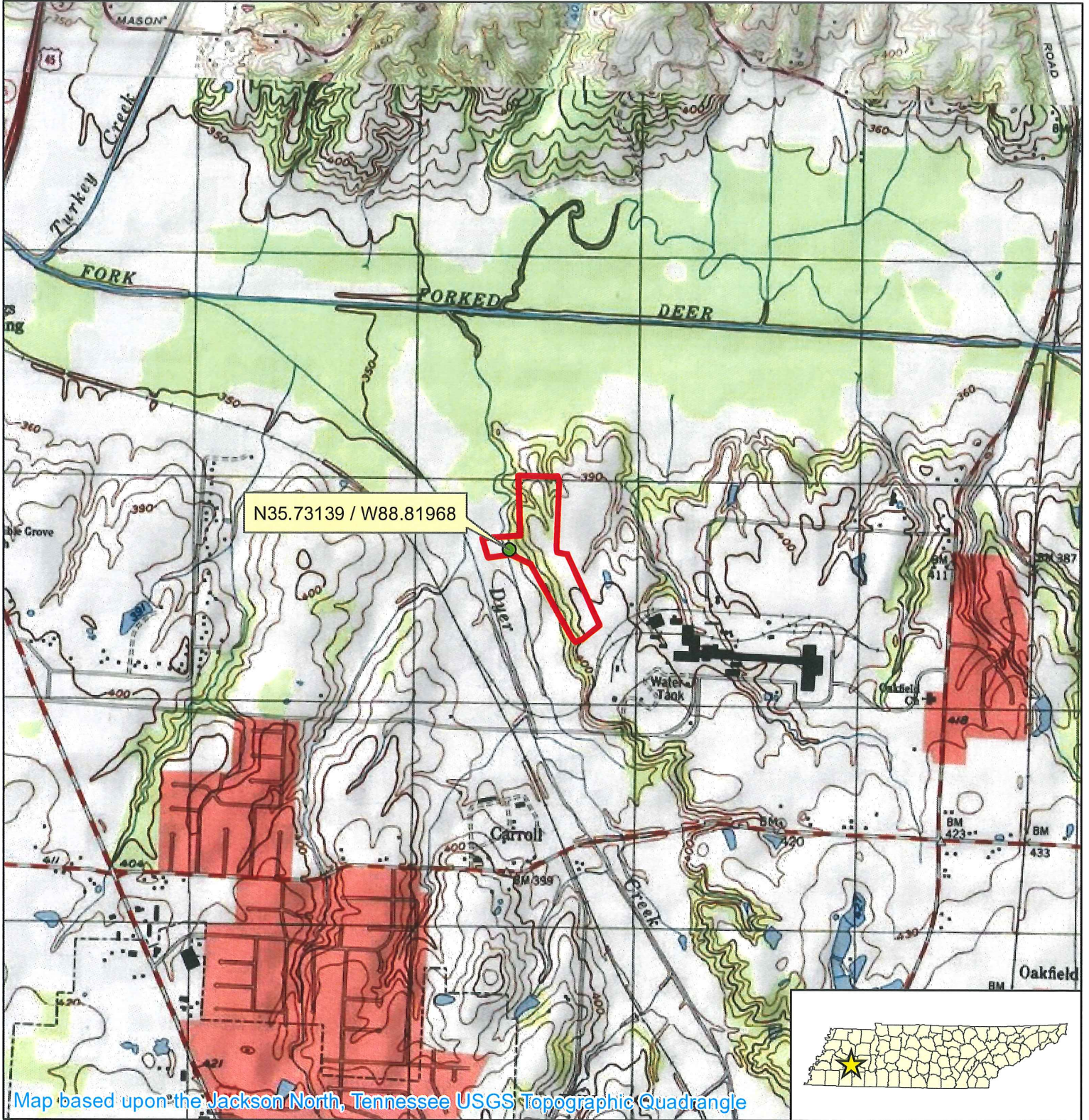
Comments may be sent via mail or E-mail. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the "Pending IP" tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

Gregg W. Williams
Chief
Regulatory Branch

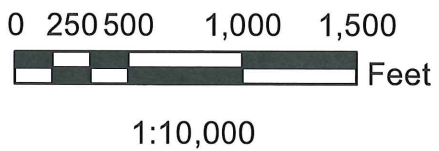
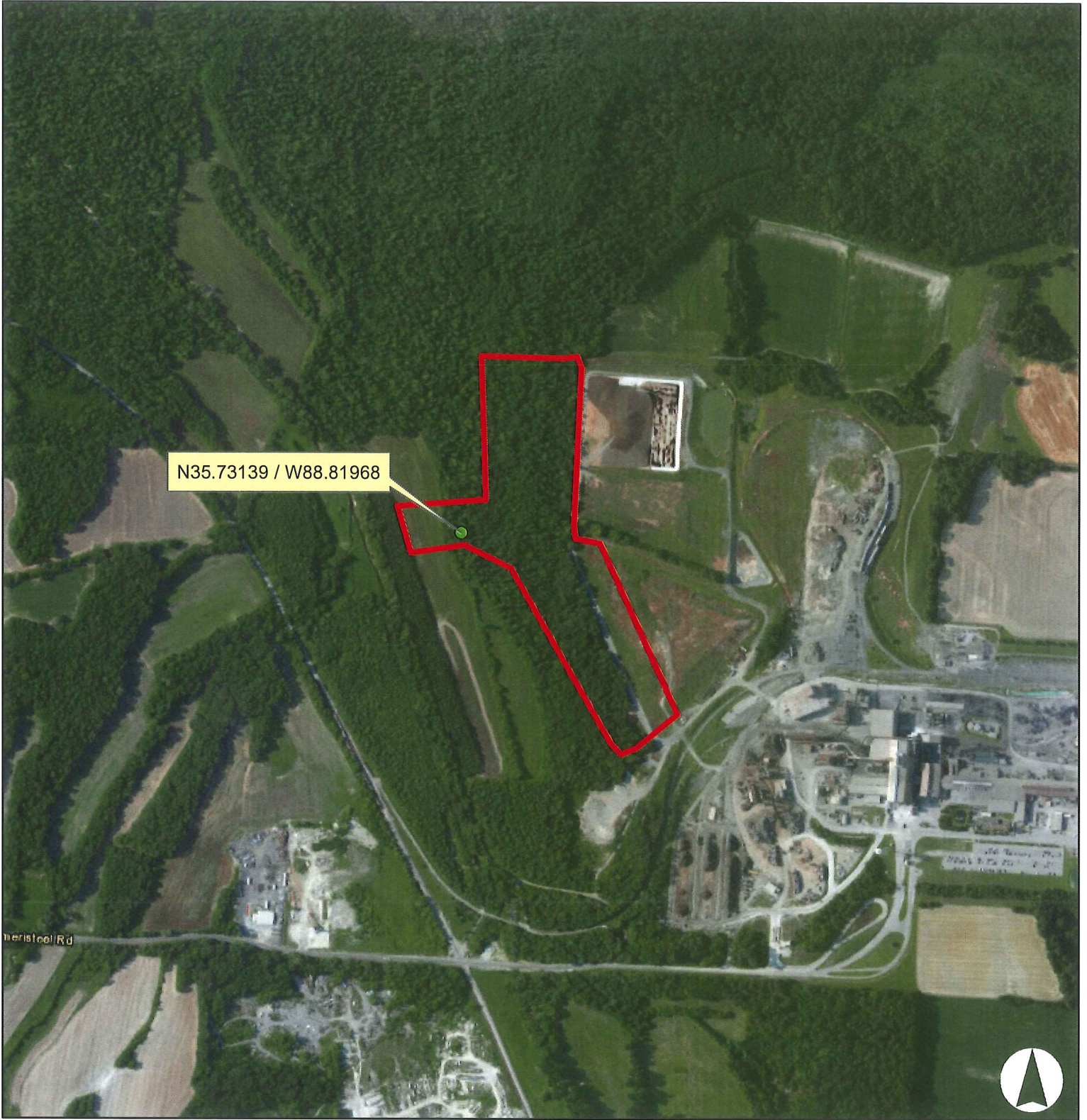
Attachments

Gerdau Landfill Expansion Site Location Map



Attachment 1

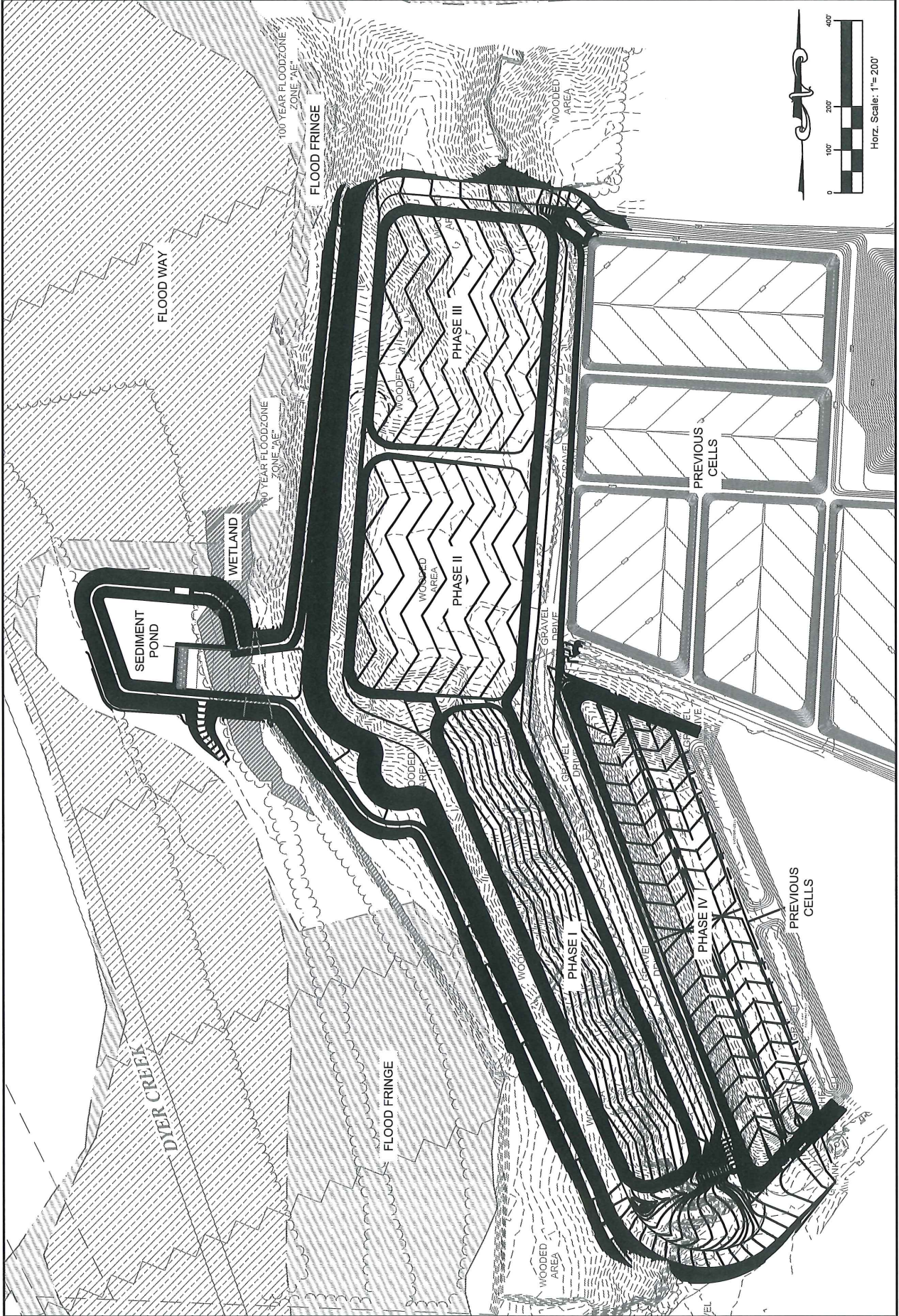
Gerdau Landfill Expansion Site Location Map



Legend

 Project Area

 Attachment 2

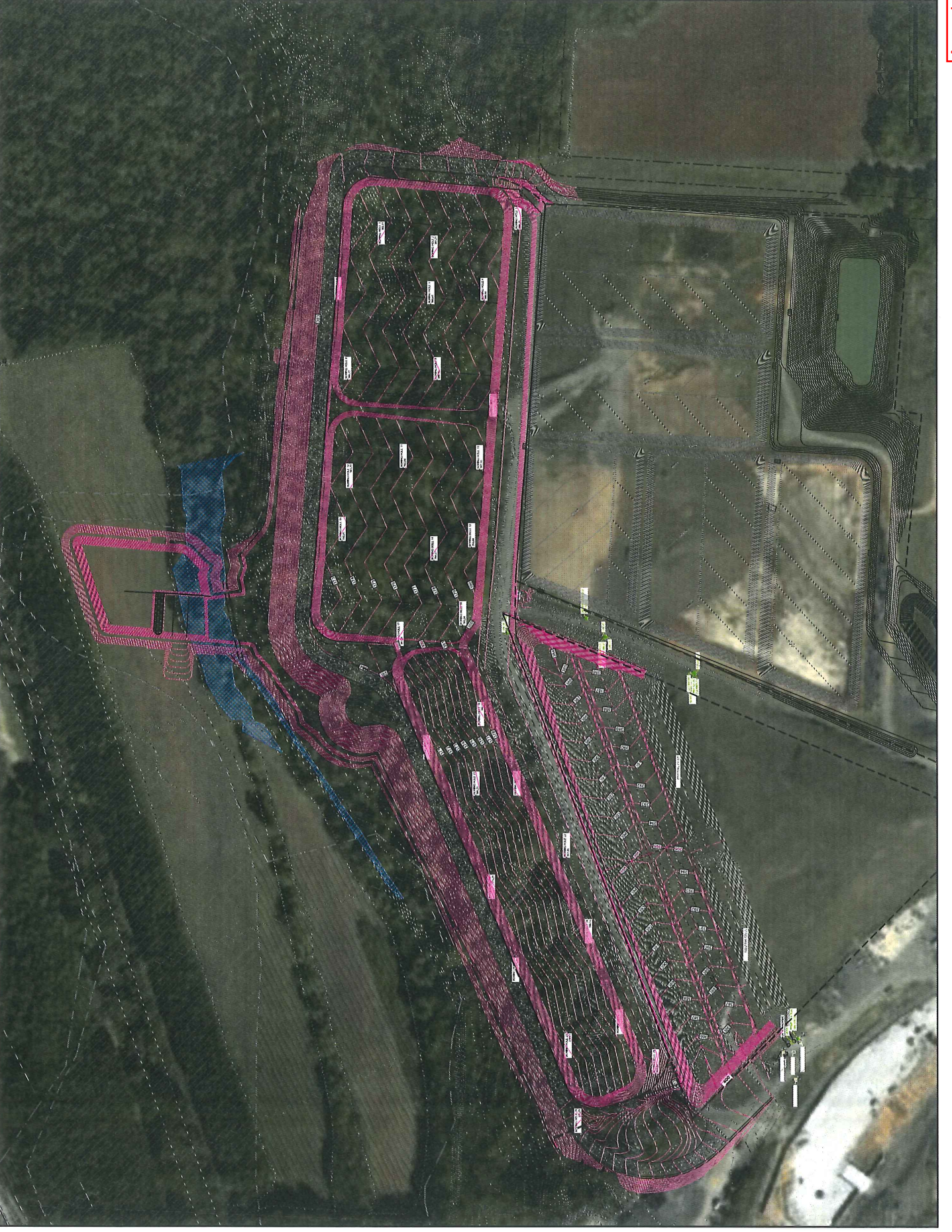


Initial Grading - Overall
Class II Solid Waste Disposal Facility
for
Major Modification
Gerdau Long Steel North America
Jackson, Tennessee

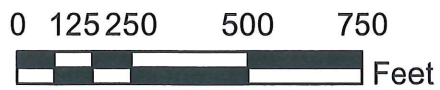
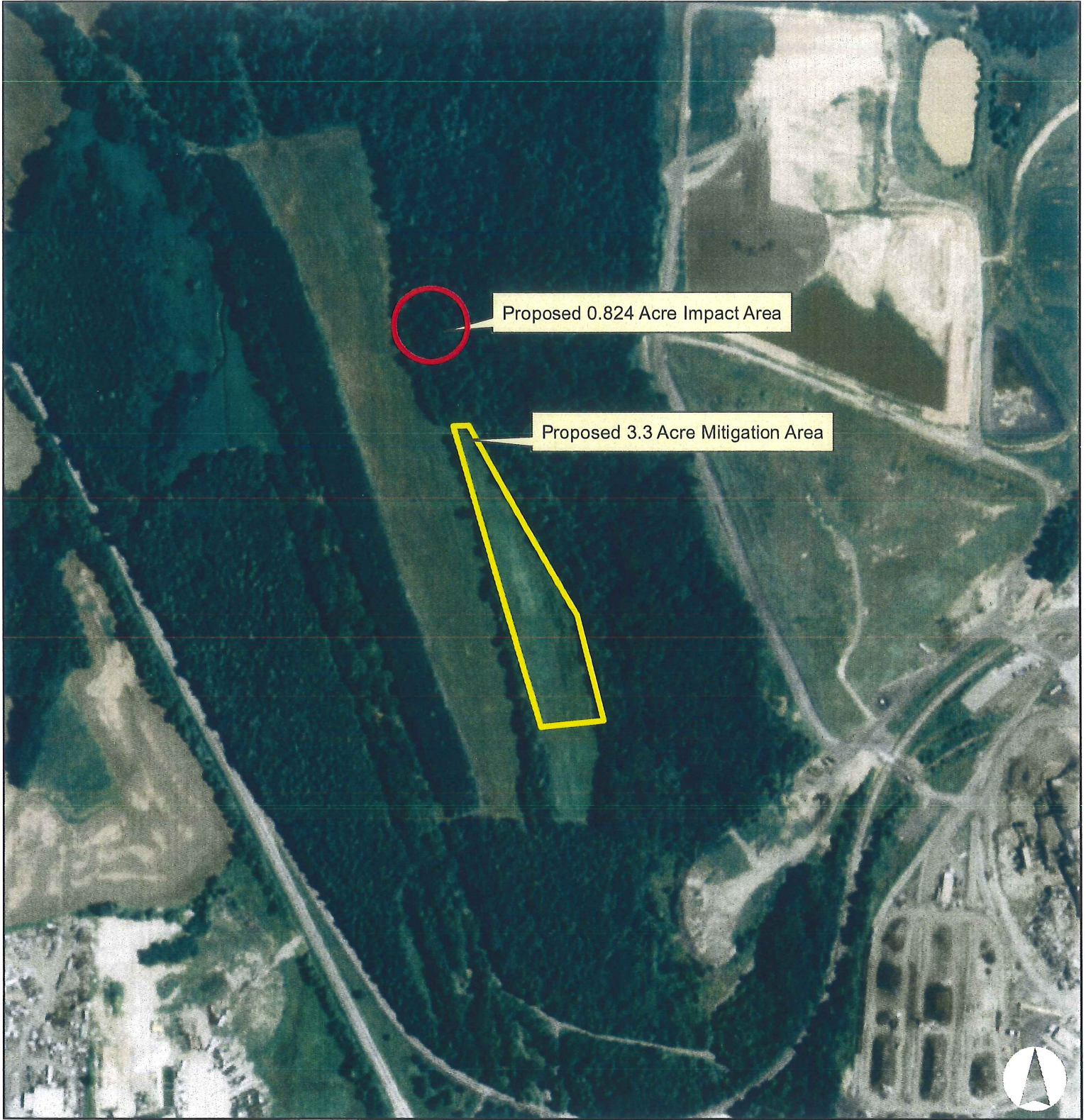
TLM ASSOCIATES, INC.
ARCHITECTS + ENGINEERS
www.tlm.com
117 East Lafayette Street Jackson, Tennessee 39201
731.368.9550 (Phone) - 731.368.9551 (Fax)

CONSULTANT		
NO.	DATE	DESCRIPTION
1	02/16/2017	FOR SUBMITTAL

TLM
Architects + Engineers



Gerdau Landfill Proposed Mitigation Site and Impact Site Locations Map



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