



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No.
CENAP-OP-R-2004-1529-24

Date

NOV 05 2015

Application No.

File No.

In Reply Refer to:
REGULATORY BRANCH

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Monroe Energy, LLC

ADDRESS: 4101 Post Road
Trainer, Pennsylvania 19061

WATERWAY: Delaware River

LOCATION: Decimal Latitude: 39.814336° North; Longitude: -75.407310° West. The location of the proposed dredging is within the Delaware River adjacent to the applicant's Trainer Refinery, along the northwest shore of the Delaware River, approximately mid-way between the Commodore Barry Bridge and the Delaware State Line, in the Borough of Marcus Hook, Delaware County, Pennsylvania. The water intake is located in the Borough of Trainer (the Borough boundary splits the property). The proposed site for disposal of dredged material is the Whites Basin rehandling basin and associated upland confined disposal facility located on the north side of the Commodore Barry Bridge (U.S. Route 322), in Logan Township, Gloucester County, New Jersey. Location maps for the proposed dredging and disposal sites are included.

ACTIVITY: The applicant proposes to perform maintenance dredging of their ship dock berth, outer barge berth and a separate small area in front of their water intake structure within the Delaware River, including 10 years of maintenance dredging. These areas must be dredged periodically to allow for ships to safely berth at the Refinery. These ships contain the product that the Refinery requires to continue operation. The intake must also be maintained to allow continued flow of water into the facility.

Dredging would be by mechanical or bucket method, within an area encompassing a maximum of 26.91 acres (total for all three areas). The applicant has a currently valid permit to dredge the facility through December 31, 2015, which was transferred from Conoco Phillips (CENAP-OP-R-2004-1529, issued March 5, 2005). The applicant proposes to dredge a maximum of 150,000 CY per year over the life of the permit (through December 31, 2025, should a permit be issued in 2015), for a maximum total of 1,500,000 CY from a maximum of ten events.

The currently authorized maximum dredge depth in the berthing areas is -40' MLW (plus 2 feet allowable over-dredge). This is the maximum depth proposed for the next planned dredging event, currently scheduled for December 2015 or January 2016. However, the applicant is seeking authorization to go as deep as -45' MLW (plus 2' over-dredge) within the ship dock berth. This deeper draft will allow larger vessels to berth at the facility and be consistent with the new (increased) depth of the adjacent federal navigation channel. The outer barge dock would remain at -40' MLW (plus 2' over-dredge), and the water intake would be a maximum depth of -20' MLW (plus 2' over-dredge).

All dredged material would be transported by scows to the Whites Basin disposal facility in Logan Township, Gloucester County, NJ. In addition to the current permit referenced above, dredging at this facility has been authorized previously by this office under CENAP-OP-R-2002-1681 (and earlier versions of that "blanket" dredging permit issued to Weeks Marine). Operation of the Whites Basin disposal facility is currently authorized under CENAP-OP-R-2013-696.

The applicant has stated that, based on historical sampling results, dredged material is expected to be primarily fine-grained material (silt and clay with some fine sands).

A prior Corps permit for dredging at this facility was issued in 2005 (CENAP-OP-R-2004-1529). In addition, dredging at this facility has been authorized previously under CENAP-OP-R-2002-1681 (known as the Weeks Marine "blanket dredging permit"). Operation of the Whites Basin disposal facility is currently authorized under Corps permit CENAP-OP-R-2013-696.

The applicant holds a Submerged Lands License Agreement and a Water Obstruction and Encroachment Permit to maintain docks, mooring areas and the water intake from the Pennsylvania Department of Environmental Protection (PADEP file number E23-035). In addition, the New Jersey Department of Environmental Protection has previously issued a CZM Consistency Determination/Water Quality Certificate/Acceptable Use Determination for dredging at this facility on February 16, 2011 (NJDEP file number 9999-11-0001.1).

PURPOSE: The applicant's stated purpose for the project is "to maintain safe berthing areas at the Ship and Barge Docks and continual operation of the cooling water intake;" and "Monroe is proposing to dredge the Ship Dock to 45'+2' MLLW, an increase from the 40'+2" historic depth. This deeper draft will allow larger vessels to berth at the facility and be consistent with the new depth of the Federal Channel."

A preliminary review of this application indicates that the proposed work is not likely to adversely affect the following federally listed (endangered) species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended: shortnose sturgeon (Acipenser brevirostrum) and Atlantic sturgeon, New York Bight Distinct Population Segment (Acipenser oxyrinchus oxyrinchus). This determination is based, in part, on a proposed inclusion of a seasonal restriction prohibiting dredging between March 15 and June 30, inclusive, of any year. As the evaluation of this application continues, including consultation with the National Marine Fisheries Service (NMFS), additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The 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 work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work 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, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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. 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.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware," dated March 1999, and the "National Estuarine Inventory Data Atlas, Volume 1: Physical and Hydrologic Characteristics," dated November 1985, indicates that the proposed work would not have a substantial adverse effect on any managed species. The project location is within the upper reach of the salinity "mixing zone" of the Delaware Bay/River (less than 2 ppt even under low flow conditions). As such, it does not experience salinity levels within the general habitat parameters for any managed species. However, several prey species used by managed species would make use of this area. With the inclusion of a seasonal restriction prohibiting dredging between March 15 and June 30, inclusive, of any year, impacts to these prey species would not be more than minimal. Based upon the above analysis, the Corps of Engineers has determined that the proposed project would not have a direct, indirect, site-specific, or habitat-wide impact on EFH, or upon the managed species and their life stages listed in the above referenced EFH guide,

either individually, cumulatively or synergistically. The proposed project would not eliminate, diminish, nor disrupt the functions of EFH, and no other conservation recommendations are proposed at this time.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

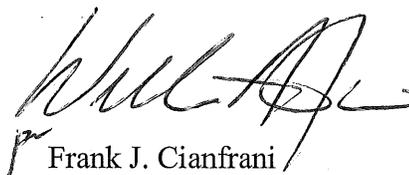
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work (i.e. disposal at Whites Basin) is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

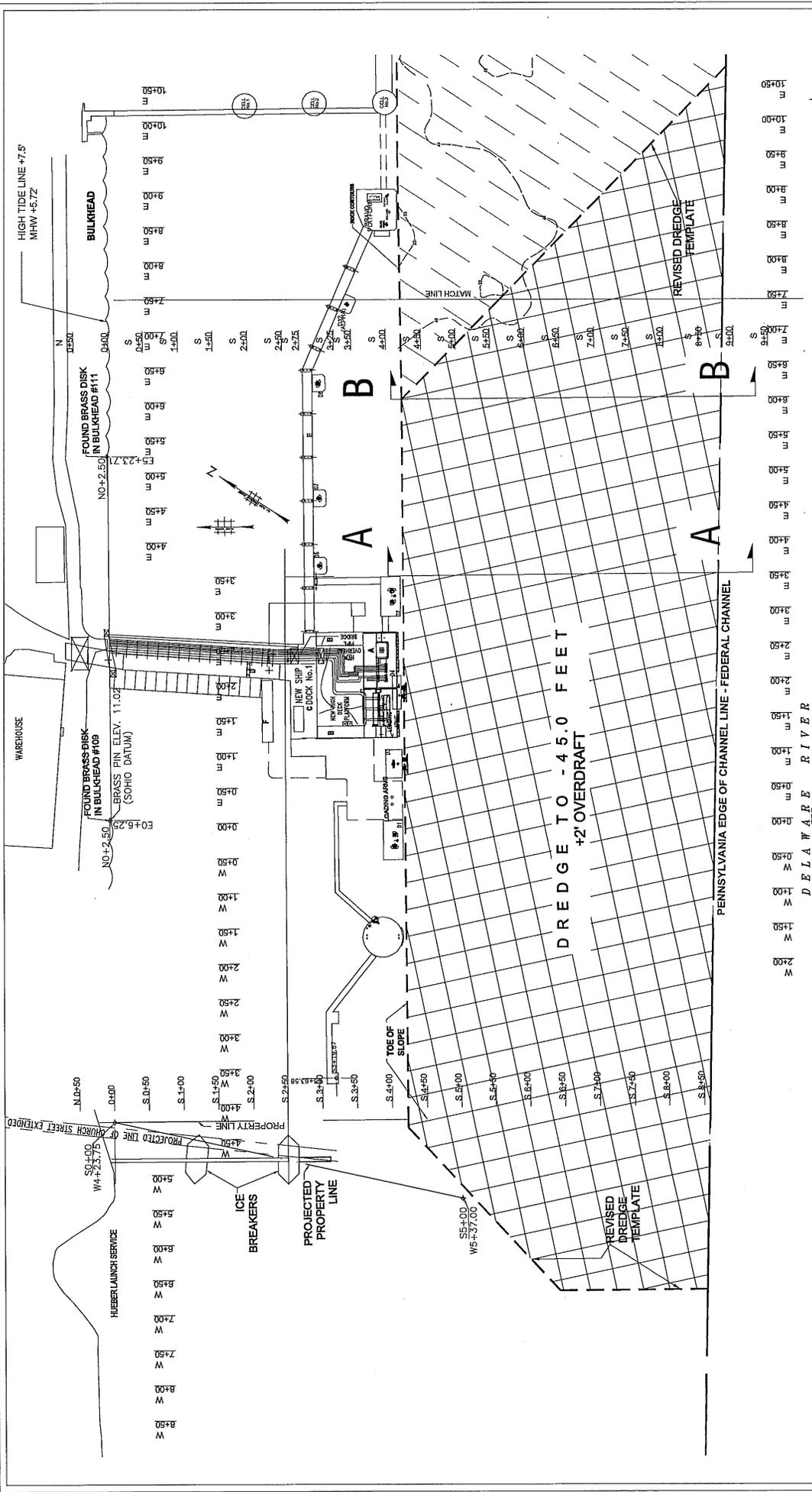
Compensatory Mitigation: The applicant is not proposing any placement of dredged or fill material in waters or wetlands at the dredging site. As such, compensatory mitigation has not been proposed and is not anticipated.

Any person may request, in writing, to the District Engineer, 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 in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling James Boyer at (215) 656-5826, by electronic mail to James.N.Boyer@usace.army.mil, or by writing to this office at the above address.



Frank J. Cianfrani
Chief, Regulatory Branch



REFERENCE DRAWINGS:
 TAYLOR WISEMAN & TAYLOR
 "EXISTING MARINE STRUCTURES" (SURVEY)
 DATE: DECEMBER 20, 2005
 DRAWING No.: 388-2005-A, SHEET 1 OF 1
 REVISION 3 DATED 1/30/2006

DATE: 10/26/2015

CHECKED BY: S. BEIGER

DRAWN BY: J. KREBS

APPROVED BY: S. BEIGER

DRAWING SHEET: SHEET 1 OF 5

DATUM CHART

TOP OF SHIP BERTH CELL ELEV. +10.18

MEAN LOWER LOW WATER

10.18

DREDGING PLAN

TRAINER REFINERY MAINTENANCE DREDGING
 PREPARED FOR
MONROE ENERGY

MARCUS HOOK DELAWARE COUNTY PENNSYLVANIA

GRAPHIC SCALE

1 inch = 200 feet

(IN FEET)

0 100 200

45' DREDGE TEMPLATE

40' DREDGE TEMPLATE

DATUM CHART

TOP OF SHIP BERTH CELL ELEV. +10.18

MEAN LOWER LOW WATER

10.18

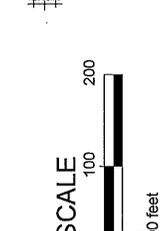
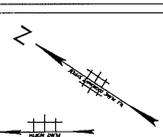
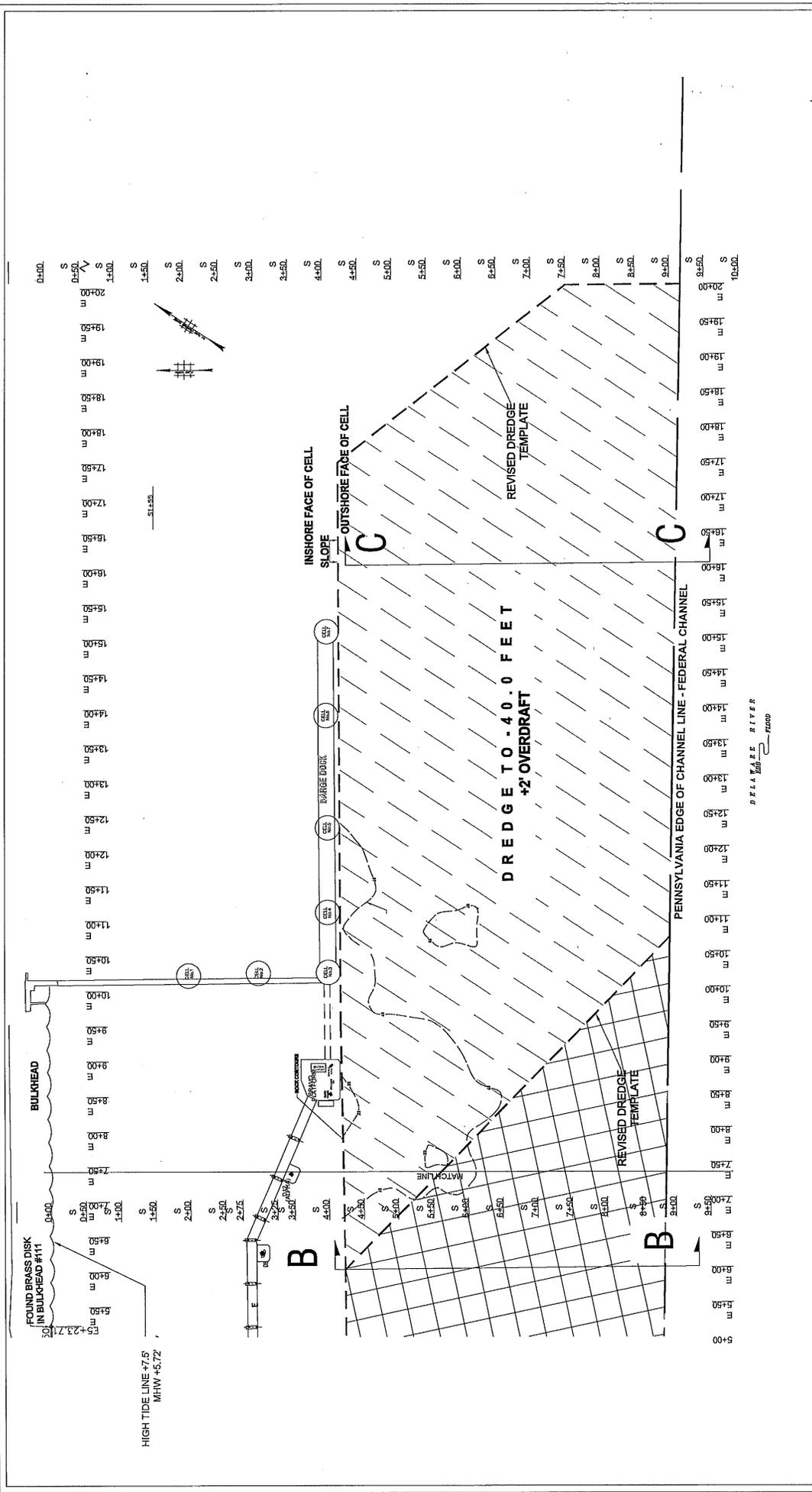
DREDGING PLAN

TRAINER REFINERY MAINTENANCE DREDGING
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MONROE ENERGY

MARCUS HOOK DELAWARE COUNTY PENNSYLVANIA

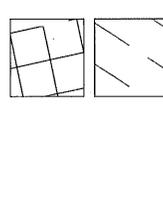
advantage engineers

520 FELLOWSHIP ROAD, SUITE A-106
 MOUNT LAUREL, NEW JERSEY, 08054
 PHONE (959) 281-0880



ELEV. 6.12 MHHW
 ELEV. 5.72 MHHW
 ELEV. 0.0 MLLW
 (NOAA BENCHMARK 0433 A 1981)

45' DREDGE TEMPLATE
 40' DREDGE TEMPLATE



REFERENCE DRAWINGS:
 S.T. HUDSON ENGINEERS, INC.
 TAYLOR WISEMAN & TAYLOR
 "CONDITION HYDROGRAPHIC SURVEY"
 STRUCTURES - (SURVEY)
 DATE: AUGUST 25, 2015
 SHEETS 1 AND 2 OF 2
 DATE: DECEMBER 20, 2005
 DRAWING No.: 388-2005-A, SHEET 1 OF 1
 REVISION 3 DATED 1/30/2006
 UNITED STATES ARMY CORPS OF ENGINEERS
 DELAWARE RIVER, DRAWING No. AACAT1PS & AACAT1PS

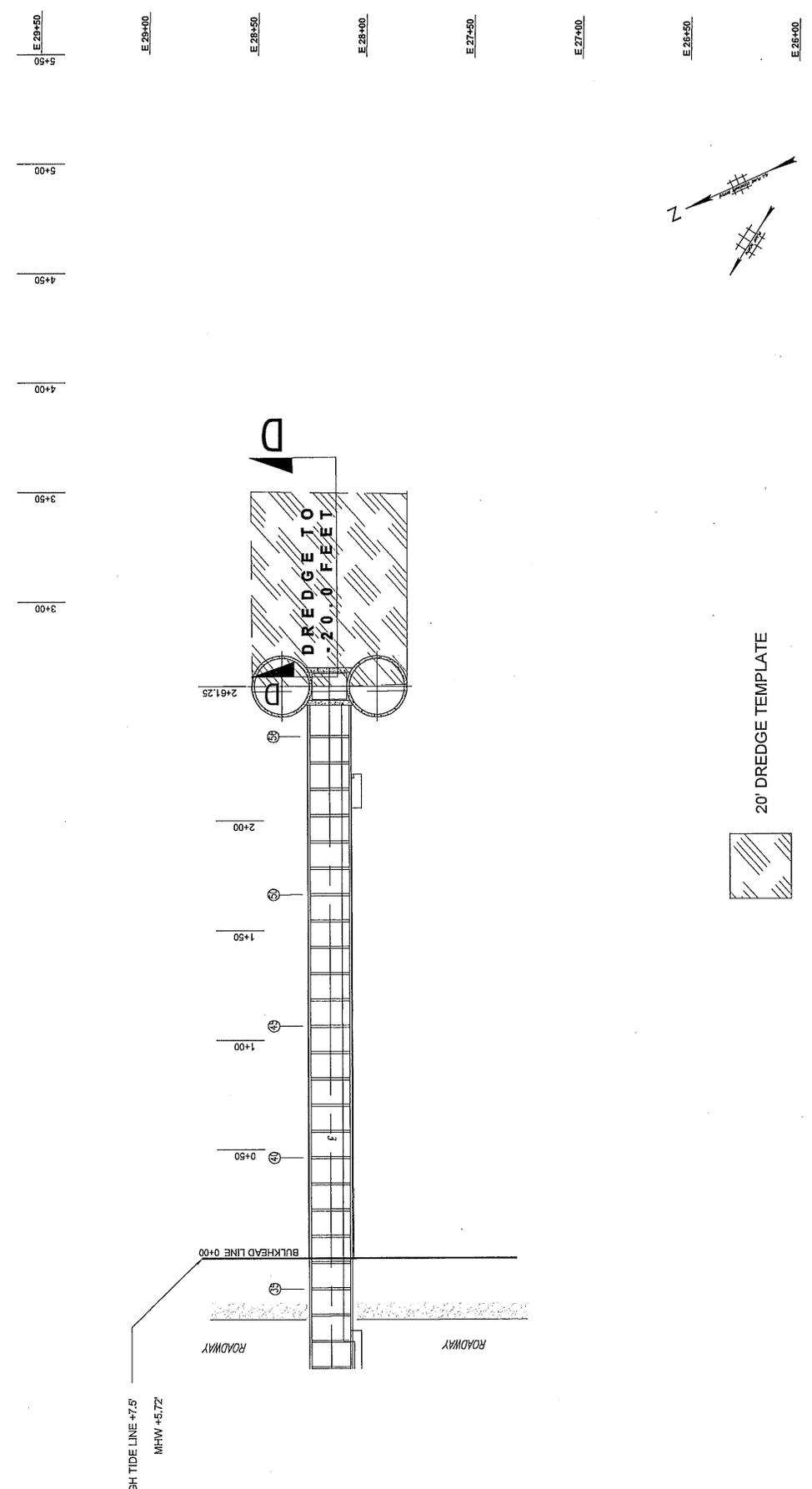
advantage engineers
 520 FELLOWSHIP ROAD, SUITE A-106
 MOUNT LAUREL, NEW JERSEY, 08054
 PHONE (856) 231-0800

DREDGING PLAN
 TRAINER REFINERY MAINTENANCE DREDGING
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 MONROE ENERGY
 DELAWARE COUNTY
 PENNSYLVANIA

MARCUS HOOK
 DELAWARE COUNTY
 PENNSYLVANIA

DATUM CHART
 TOP OF SHIP BERTH CELL ELEV. +10.18
 MEAN LOWER LOW WATER

SCALE: AS SHOWN	DATE: 10/26/2015
DRAWN BY: J. KREBS	CHECKED BY: S. BEIGER
APPROVED BY: S. BEIGER	DRAWING SHEET: SHEET 2 OF 5

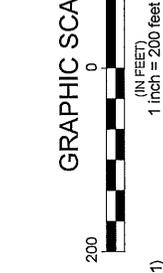


20' DREDGE TEMPLATE

REFERENCE DRAWINGS:
 TAYLOR WISEMAN & TAYLOR
 "EXISTING MARINE
 STRUCTURES" (SURVEY)
 DATE: DECEMBER 20, 2005
 DRAWING No.: 365-20055-A, SHEET 1 OF 1
 REVISION 3 DATED 1/30/2006

S.T. HUDSON ENGINEERS, INC.
 "CONDITION HYDROGRAPHIC SURVEY"
 DATE: AUGUST 25, 2015
 SHEETS 1 AND 2 OF 2

ELEV. 6.12 MHHW
 ELEV. 5.72 MHW
 ELEV. 0.0 MLLW
 (NOAA BENCHMARK 0433 A 1981)



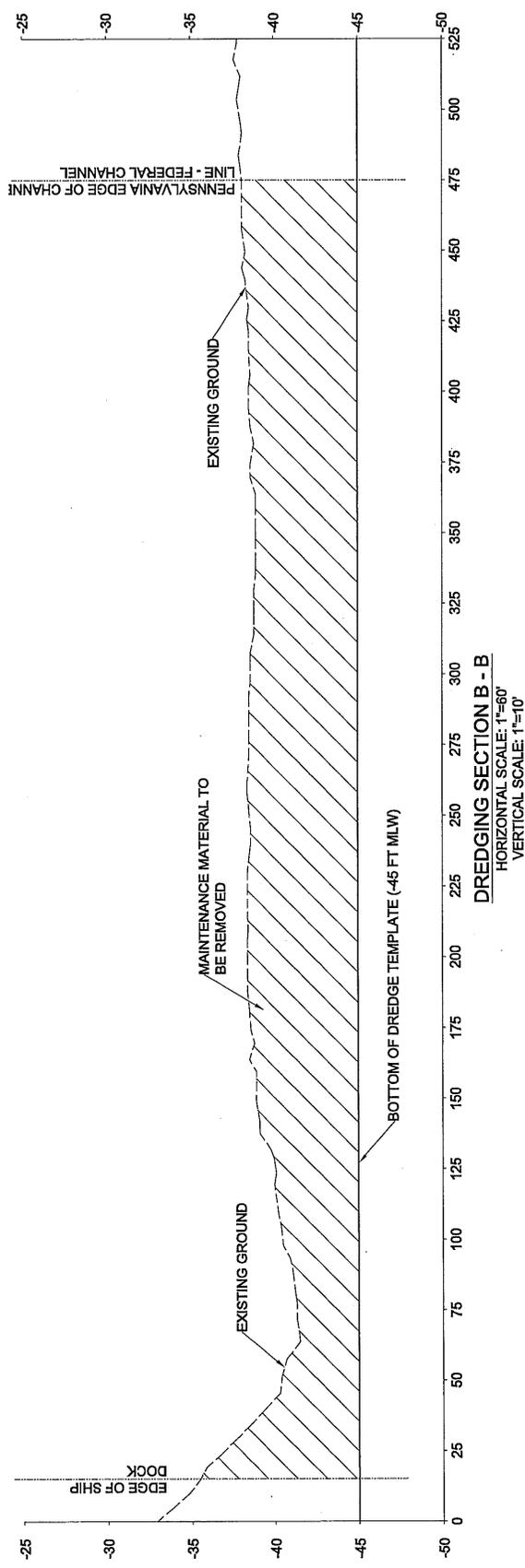
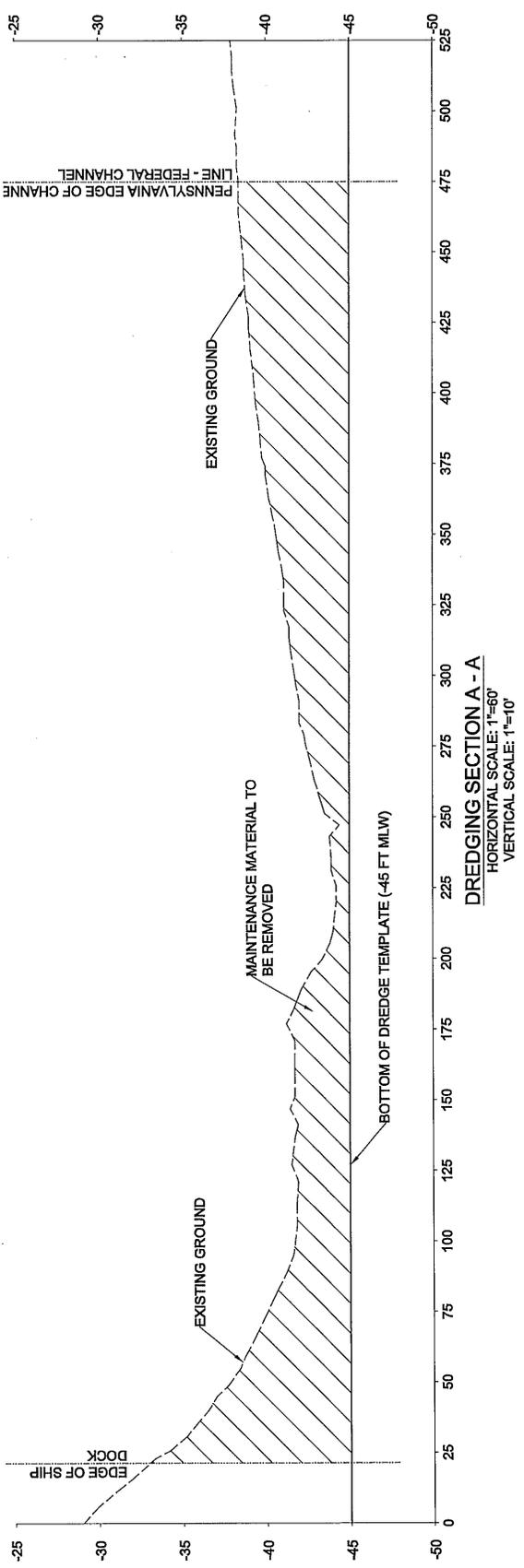
SCALE: AS SHOWN	DATE: 10/26/2015
DRAWN BY: J. KREBS	CHECKED BY: S. BEIGER
APPROVED BY: S. BEIGER	DRAWING SHEET: SHEET 3 OF 5

DREDGING PLAN - INLET STRUCTURE

TRAINER REFINERY MAINTENANCE DREDGING
 PREPARED FOR
 MONROE ENERGY

MARCUS HOOK DELAWARE COUNTY PENNSYLVANIA

advantage engineers
 520 FELLOWSHIP ROAD, SUITE A-106
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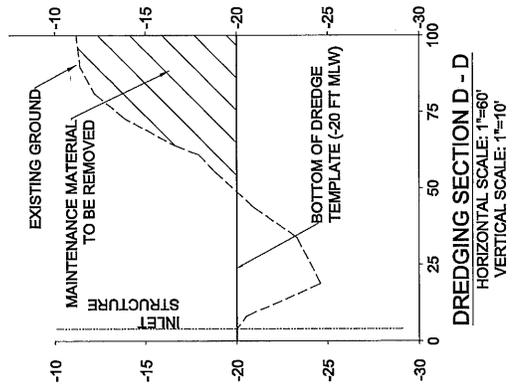
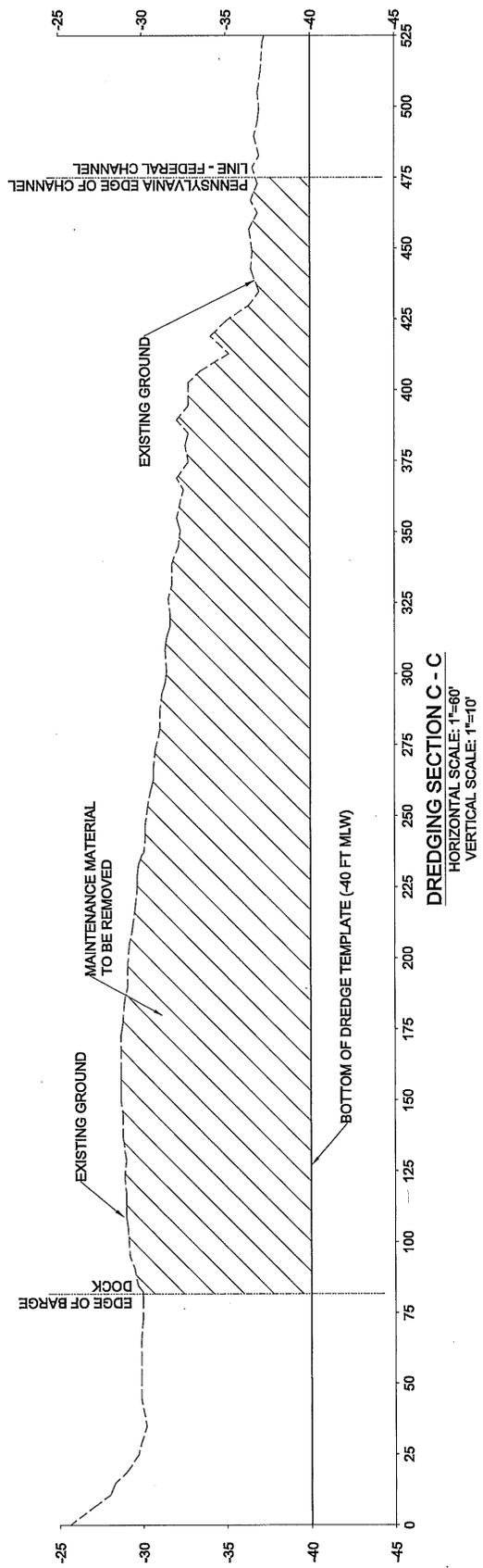
SCALE: AS SHOWN	DATE: 10/06/2015
DRAWN BY: J. KREBS	CHECKED BY: S. BEIGER
APPROVED BY: S. BEIGER	DRAWING SHEET: SHEET 4 OF 5

DREDGING SECTIONS

TRAINER REFINERY MAINTENANCE DREDGING
 PREPARED FOR
MONROE ENERGY

MARCUS HOOK DELAWARE COUNTY PENNSYLVANIA

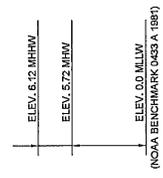
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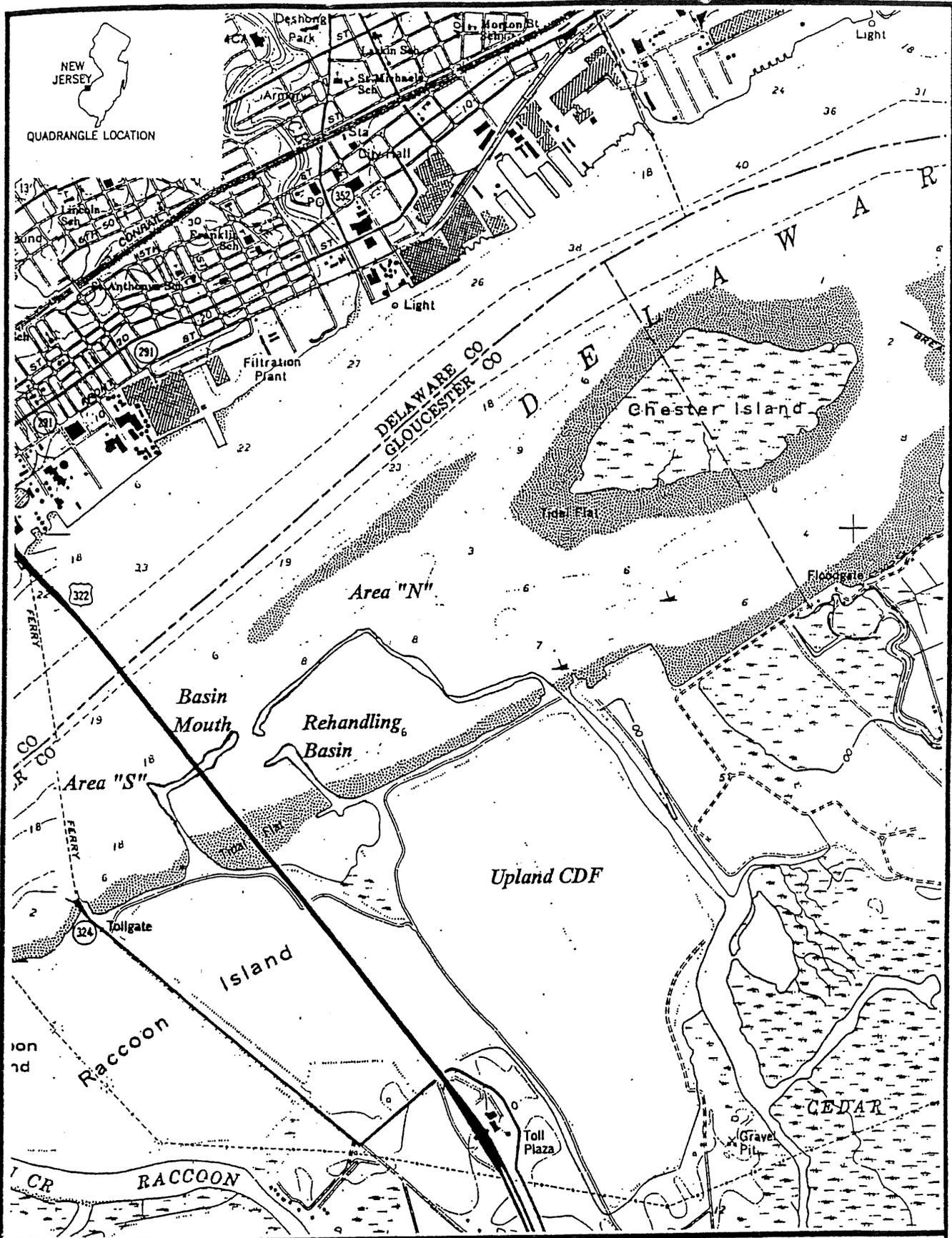
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APPROVED BY: S. BEIGER	DRAWING SHEET: SHEET 5 OF 5



ema

Weeks Marine, Inc.
WHITES REHANDLING BASIN
 Logan Twp., NJ



Figure No. 1

Source: Marcus Hook & Bridgeport USGS Quads, 1967/1986