



**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-2016-0181-39	Date February 28, 2020
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Application No.	File No.
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In Reply Refer to:
REGULATORY BRANCH

The purpose of this notice is to respond to comment letters to the 2 Public Notices received by the US Army Corps of Engineers, Philadelphia District, Regulatory Branch concerning the proposed port facility in Greenwich Township, Gloucester County New Jersey.

APPLICANT: Mr. Gary Lewis
Delaware River Partners LLC
200 North Repauno Avenue
Gibbstown, New Jersey 08027

AGENT: Laura George
Ramboll Environ
1760 Market Street
Suite 1000
Philadelphia, PA 1910

WATERWAY: Delaware River

LOCATION: Block 8, Lots 2, 3, 4, 4.01 and 4.02, in the Gibbstown Section of Greenwich Township, Gloucester County, New Jersey. The site previously was known as the E.I. du Pont de Nemours & Company Repauno Works.

On December 21, 2017, the Philadelphia District issued a Department of the Army permit authorizing Delaware River Partners LLC (DRP) to create a regional port facility by installing docking structures and performing dredging at the above referenced site. On March 4, 2019, this office received a new permit application to construct a second dock structure and perform dredging downstream of the previously approved structure. On April 4, 2019 this office issued a Public Notice that detailed the proposed additional work at the site. The second structure would be used to allow vessels from the river to receive bulk liquid products from trucks located on-shore. Based on comments received to this Public Notice, a second Public Notice was issued by this office on July 16, 2019. The second Public Notice outlined additional details about the proposed activity and the protocol used by this office with respect to the public interest review factors, in rendering a permit decision. Additional comments were received in response to the second Public Notice.

In response to all comments received to both Public Notices, this office presents the following:

- This office followed all procedures as outlined in the Department of the Army regulation 33 CFR 320-329 as published in the Federal Register, dated November 13, 1986.
- This office coordinated this action with both state and Federal resource agencies (including US Fish and Wildlife, National Marine Fisheries Service and the US Environmental Protection Agency). None of these agencies recommended that this office deny the permit.
- The resource agencies made recommendation to the office on measures that could be taken to minimize impacts to aquatic resources at and around the project site. This office took these recommendations into consideration in rendering a permit decision.
- The New Jersey Department of Environmental Protection (NJDEP) issued a permit, including the Water Quality Certification and stated that the project was consistent with the states Coastal Zone Management Rules on May 20, 2019. The permit was suspended on June 5, 2019 due to a clerical error by the NJDEP. The permit was reinstated by the NJDEP on September 5, 2019.
- This office carefully considered all comments received from the public during the permit review. Many of the concerns raised by the public involved issues that are administered by other state and Federal agencies. These agencies include the US Coast Guard, US Environmental Protection Agency, the New Jersey Department of Environmental Protection and both state and Federal Departments of Transportation.
- The applicant has addressed the issues raised by the public. This office must accept the information supplied by the project proponent when making the final determination for this action.

Based on all available information, it is the determination of this office that the project is Not Contrary to the Public Interest, and as such, a Department of the Army permit has been issued to Delaware River Partners LLC for the work as proposed. Based on recommendation of the Federal resource agencies, special conditions have been added to the permit to minimize impacts, both in water and on-shore, resulting from the project. Additional information concerning this permit may be obtained by calling Lawrence Slavitter at 215-656-6734, via email at: lawrence.m.slavitter@usace.army.mil, or writing this office at the above address.



Edward E. Bonner
Chief, Regulatory Branch