



REPLY TO:
ATTENTION OF:

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

MARCH 13 2013

Regulatory Division
SAS-2006-02159

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: SAS-2006-02159

Applicant: Mr. Bob Roethel
BASF Corporation
1277 Dedrick Road
McIntyre, Georgia 31054

Agent: Mr. Ken Bunch
KGB Environmental Services, LLC
Georgia Highway 83 North
Forsyth, Georgia 31029

Location of Proposed Work: The project site is located at BASF's McIntyre Facility, north and east of Vinson Road, in the City of McIntyre, Wilkinson County, Georgia (Latitude 32.8553, Longitude -83.2118).

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The applicant proposes to convert a temporary haul road to a permanent haul road associated with continued kaolin mining activities at BASF's McIntyre Facility, which is a kaolin processing plant. The proposed project would require 0.95 acre of jurisdictional wetland impact and 63 linear feet of stream impact associated with this haul road.

As compensatory mitigation for the project related jurisdictional waters impacts, the applicant is proposing to purchase 7.7 wetland mitigation credits and 406.35 stream mitigation credits from the Wilkinson-Oconee Mitigation Bank.

BACKGROUND

BASF was issued a Nationwide Permit 33 verification by letter dated November 16, 2006, for the construction of this 1,300 linear foot temporary haul road to connect the Vinson V1 tailing impound to their stockpile location and processing plant facility. In 2007, BASF began the project attempting to improve the Vinson V1 impound capacity. In lieu of building a new impound, the project consisted of excavating a portion of the tailings using a new drainage technology/technique because the Vinson V1 impound was near the end of its useful life. At the conclusion of the project

a total of 1,200,000 cubic yards of tailings were successfully removed from the Vinson V1 impound, which extended the impound's useful life for an additional seven years. Based on this success, BASF would now like to retain the haul road so they can continue removing tailings from the Vinson V1 impound, the Vinson V3 impound, and other impounds on the project site.

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Regulatory Division, Savannah District, U.S. Army Corps of Engineers, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

U.S. ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion are located at the site or in the area affected by the proposed work.

Based on a website check, the applicant states: "only one registered site was noted on the National Park Service and National Register of Historic Places websites of cultural resources. The Elam-Camp House is located in Gordon, Georgia. Gordon is located approximately 10 miles from the haul road."

After review of the application and supporting information, the Savannah District has determined that the proposed project would have no effect on any cultural resources that are under the purview of Section 106 of the National Historic Preservation Act of 1966.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request information from the U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area.

Based on pedestrian surveys, the applicant states: “No suitable habitat exists within the project site for red-cockaded woodpeckers or gopher tortoise. The site is part of an industrial processing facility where merchantable pine and hardwoods have been removed. The site is not in a sand hill area of Wilkinson County. The Robust Redhorse is found in the Oconee River (over 10 river miles from the site) and no streams onsite are of adequate size to support this species. Little Commissioner Creek is perennial. During three site visits, no signs or sightings of the listed protected species have been noted.”

After review of the application and supporting information, the Savannah District has determined that the proposed project would not affect any Federally listed threatened or endangered species that are under the purview of U.S. Department of the Interior, Fish and Wildlife Service (FWS). In addition, no other Federally listed threatened or endangered species that are under the purview of FWS would be affected. Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request concurrence with this effects determination.

Public Interest Review: 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 utilization 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, historic properties, 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 and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American 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 U.S. Army 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.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

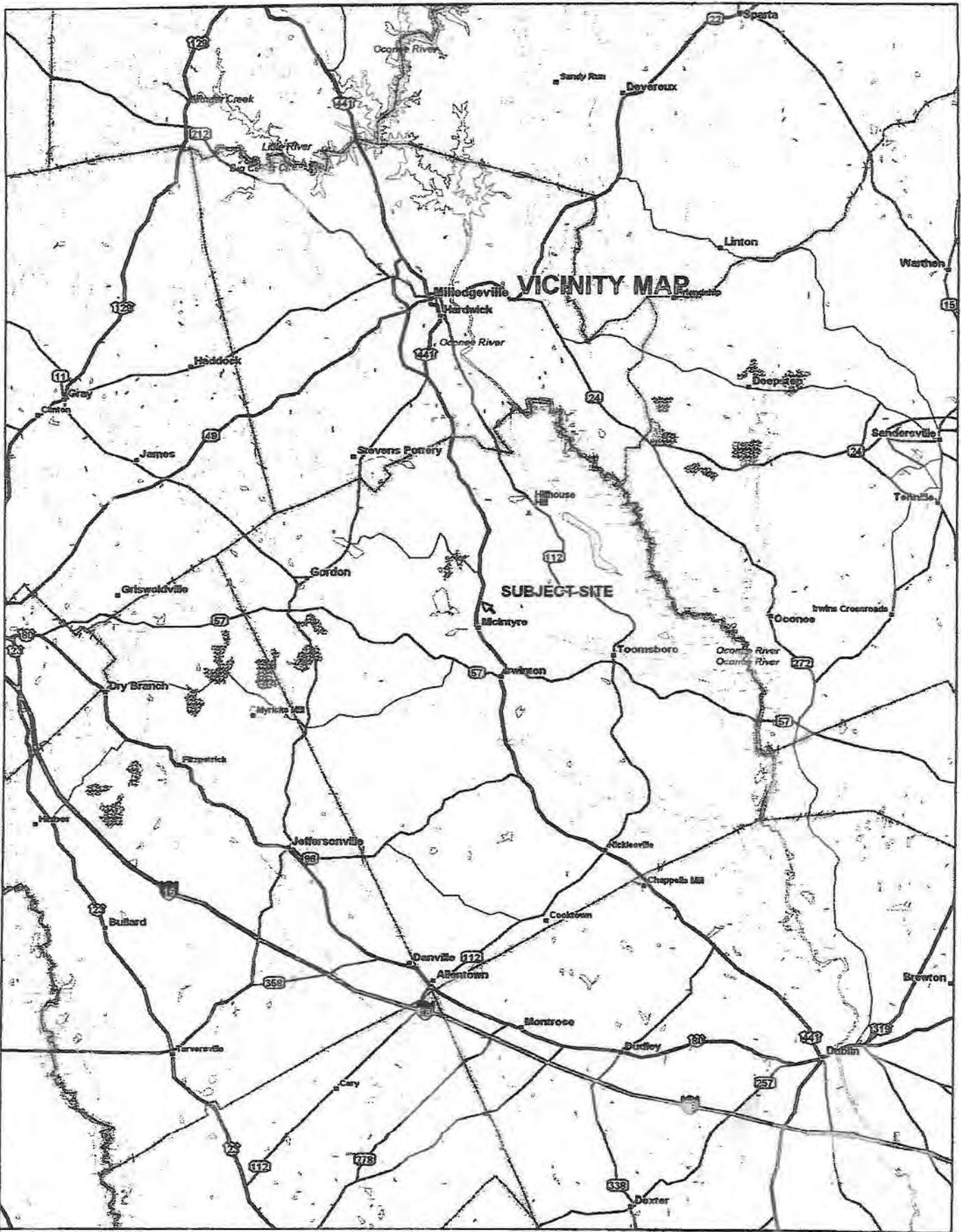
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, Savannah District, U.S. Army Corps of Engineers, Mr. Shaun Blocker, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Shaun Blocker, Project Manager, Coastal Branch at 912-652-5086.

7 Encls

1. Vicinity Map
2. Site Topographic Map
3. Preferred Alignment dated October 12, 2006
4. Preferred Alignment Profile dated October 12, 2006
5. Typical Road Cross Section/Volume Calculations dated October 12, 2006
6. Photographs of Existing Crossing (2 pages)
7. Aerial Alternative Photograph with Impounds dated January 23, 2012

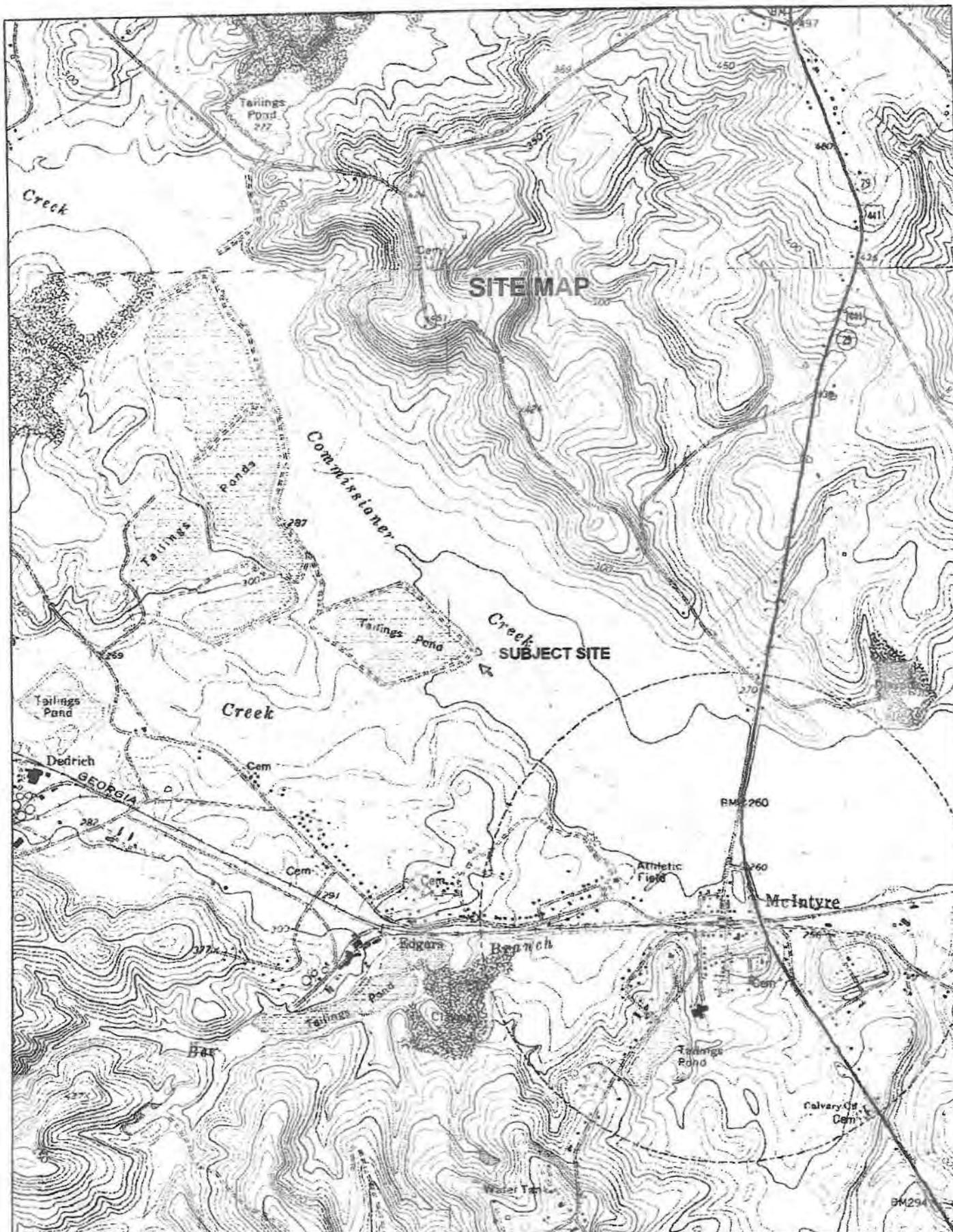


VICINITY MAP

SUBJECT-SITE

Scale 1 : 400,000
1" = 0.25 MI





SITE MAP

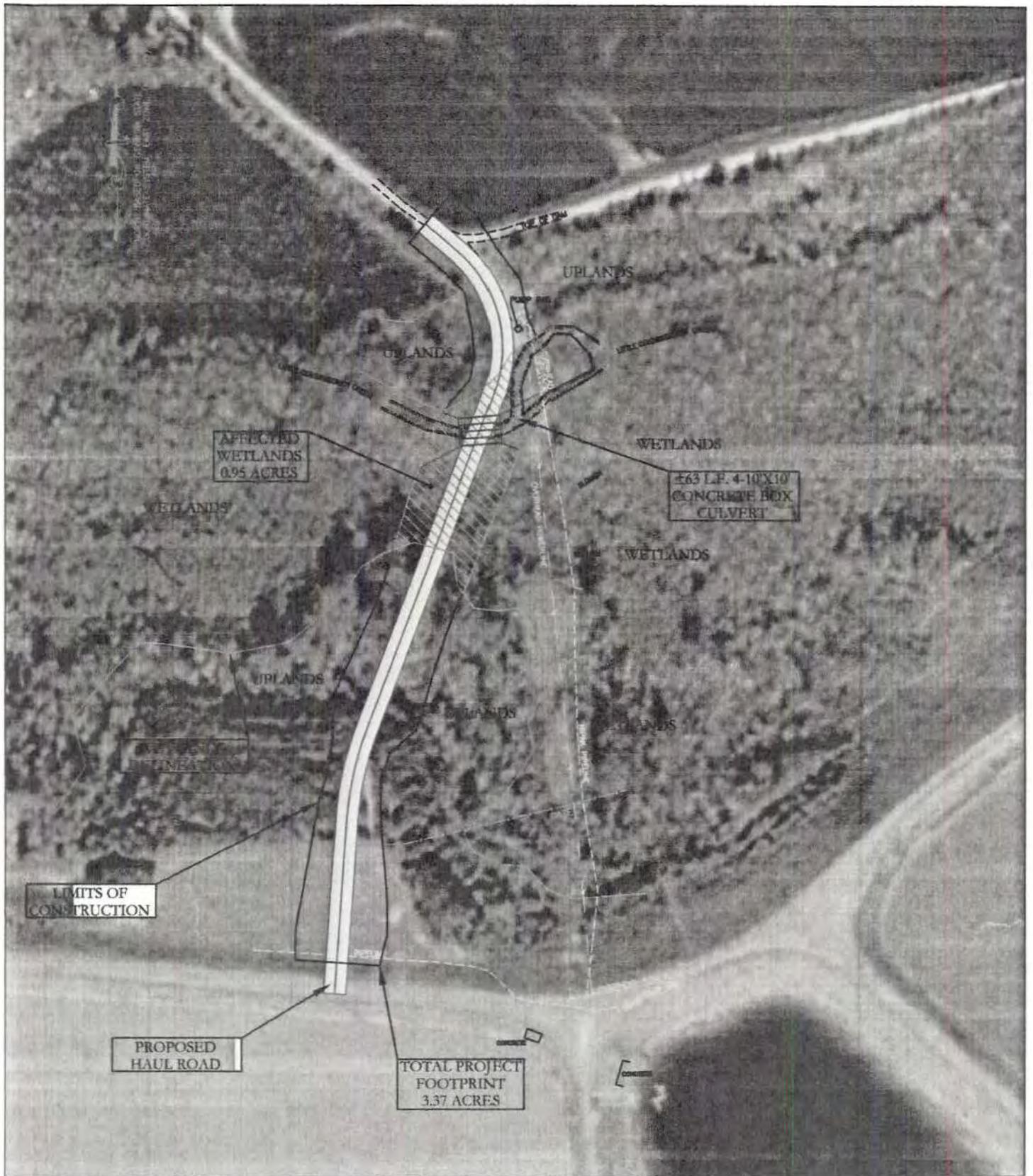
SUBJECT SITE



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Scale 1 : 25,000
1" = 2000 FT





Hulsey McCormick & Wallace, Inc.

Preferred Alingment

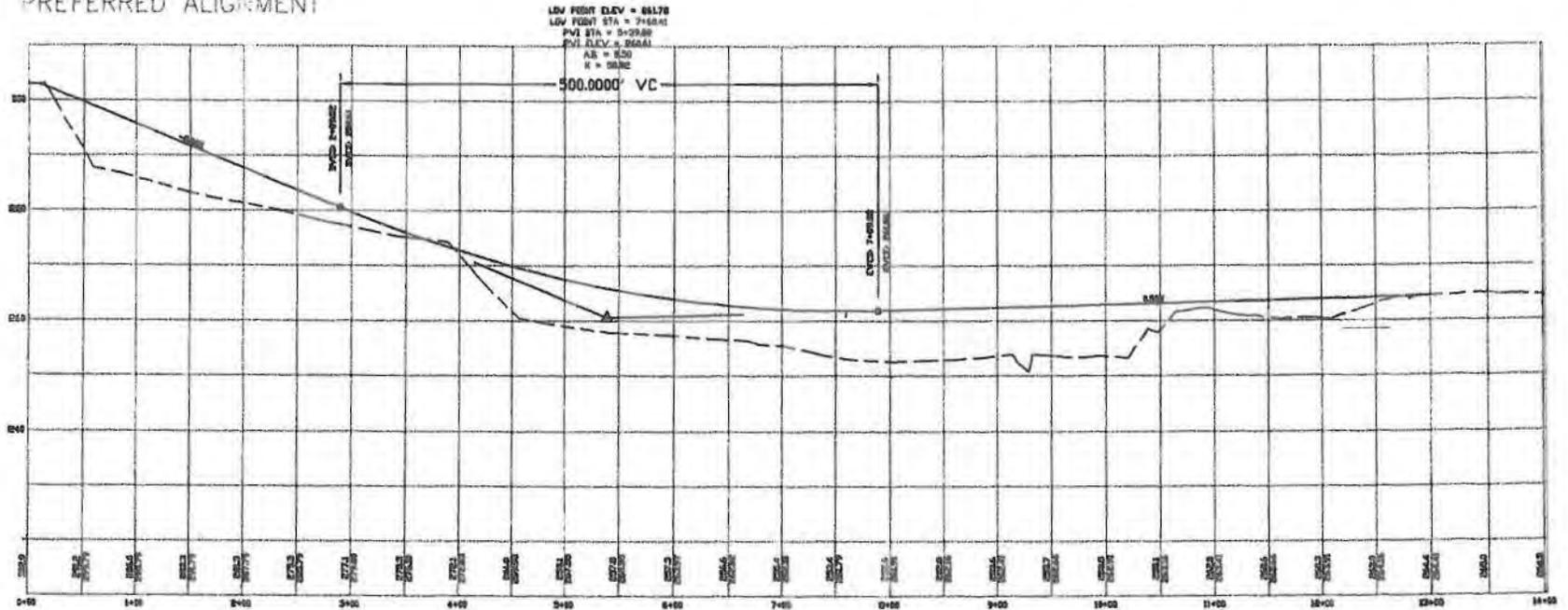
**BASF Catalysts, LLC
 Vinson Impound Road
 McIntyre, Wilkinson County, Georgia**

Project No. ENG 011

SCALE: 1" = 200'

October 12, 2006

PREFERRED ALIGNMENT



SCALE:
 1" = 100' (H)
 1" = 20' (V)

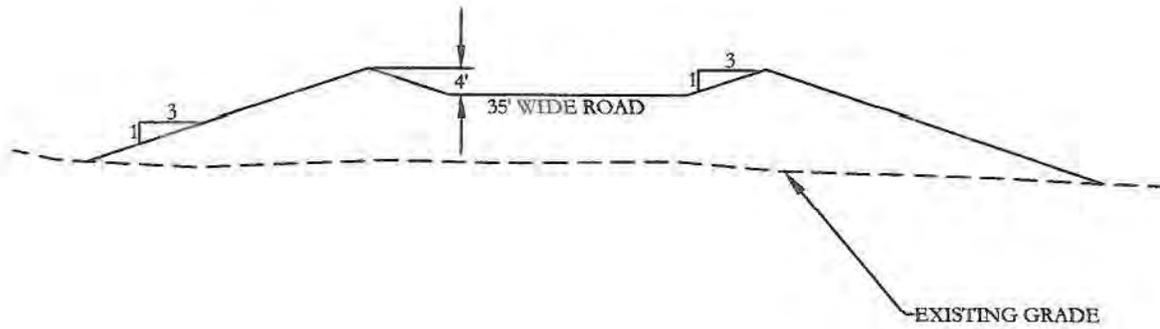


Hulsey McCormick & Wallace, Inc.

Project No. ENG 011 | SCALE: 1" = 100' (H) | October 12, 2006

Preferred Alignment Profile

BASF Catalysts, LLC
 Vinson Impound Road
 McIntyre, Wilkinson County, Georgia



Preferred Alingment

STATION	AREAS Square Feet		VOLUMES Cubic Yards		CUMULATIVE VOLUMES Cubic Yards	
	CUT	FILL	CUT	FILL	CUT	FILL
0+00	0.00	0.00	0.00	1076.01	0.00	1076.01
0+50	0.00	958.41	0.00	2406.71	0.00	3485.72
1+00	0.00	1200.33	0.00	2437.28	0.00	5923.00
1+50	0.00	993.22	0.00	1921.06	0.00	7844.06
2+00	0.00	735.73	0.00	1370.41	0.00	9214.47
2+50	0.00	497.64	0.00	896.39	0.00	10110.86
3+00	0.00	309.11	0.00	488.21	0.00	10599.07
3+50	0.00	134.40	0.00	311.33	0.00	10910.40
4+00	0.00	146.14	0.00	1262.85	0.00	12173.25
4+50	0.00	990.42	0.00	2185.45	0.00	14358.71
5+00	0.00	985.48	0.00	2069.67	0.00	16438.38
5+50	0.00	877.22	0.00	1808.30	0.00	18246.68
6+00	0.00	750.25	0.00	1609.12	0.00	19855.80
6+50	0.00	667.96	0.00	1579.66	0.00	21535.46
7+00	0.00	813.73	0.00	1966.92	0.00	23502.37
7+50	0.00	956.49	0.00	2264.24	0.00	25766.62
8+00	0.00	1081.32	0.00	2409.09	0.00	28175.71
8+50	0.00	1086.86	0.00	2349.21	0.00	30524.92
9+00	0.00	1027.43	0.00	2335.57	0.00	32860.49
9+50	0.00	1074.58	0.00	2199.49	0.00	34969.98
10+00	0.00	823.96	0.00	1814.43	0.00	36784.41
10+50	0.00	671.82	0.00	1042.51	0.00	37826.92
11+00	0.00	210.22	0.00	649.30	0.00	38476.22
11+50	0.00	369.80	0.00	1006.82	0.00	39483.03
12+00	0.00	576.70	0.32	1166.98	0.32	40641.39
12+50	0.33	549.58	1.10	1321.61	1.42	41963.00
13+00	0.86	639.66	0.80	710.96	2.21	42673.96
13+50	0.00	0.00	0.00	0.00	2.21	42673.96
14+00	0.00	0.00	0.00	0.00	2.21	42673.96

Alternate Alingment

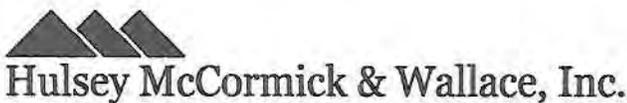
STATION	AREAS Square Feet		VOLUMES Cubic Yards		CUMULATIVE VOLUMES Cubic Yards	
	CUT	FILL	CUT	FILL	CUT	FILL
0+00	0.00	0.00	2.50	98.70	2.50	98.70
0+50	2.70	88.63	2.50	1782.50	5.01	1881.20
1+00	0.00	1515.42	0.00	5922.59	5.01	7803.79
1+50	0.00	3814.91	0.00	10376.37	5.01	18160.17
2+00	0.00	5523.83	0.00	11717.96	5.01	29878.12
2+50	0.00	5022.33	0.00	10352.33	5.01	40250.45
3+00	0.00	4294.76	0.00	8904.25	5.01	49054.70
3+50	0.00	3629.06	0.00	7280.36	5.01	56335.06
4+00	0.00	2923.27	0.00	5798.04	5.01	62133.10
4+50	0.00	2294.97	0.00	4501.35	5.01	66634.45
5+00	0.00	1756.25	0.00	3430.59	5.01	72645.71
5+50	0.00	1331.28	0.00	2480.67	5.01	79065.04
6+00	0.00	901.32	0.00	1860.24	5.01	84405.94
6+50	0.00	772.80	0.00	1384.76	5.01	88290.70
7+00	0.00	923.39	0.00	2347.55	5.01	90638.25
7+50	0.00	1189.40	0.00	2520.84	5.01	93159.10
8+00	0.00	1079.35	0.00	2453.48	5.01	95612.57
8+50	0.00	1128.78	0.00	2457.33	5.01	98069.90
9+00	0.00	1082.82	0.00	2469.11	5.01	100539.02
9+50	0.00	1139.38	0.00	2531.29	5.01	103070.31
10+00	0.00	1136.78	0.00	1494.34	5.01	104564.65
10+50	0.00	937.84	0.00	856.03	5.01	105420.68
11+00	0.00	407.27	0.00	323.88	5.01	105744.56
11+50	0.00	323.88	0.00	1032.93	5.01	106777.49
12+00	0.00	598.23	0.00	598.23	5.01	107375.72
12+50	0.00	470.82	0.43	1200.16	5.44	108575.88
13+00	0.47	609.33	0.43	677.03	5.87	109252.91
13+50	0.00	0.00	0.00	0.00	5.87	109252.91
14+00	0.00	0.00	0.00	0.00	5.87	109252.91

Notes:

20% shrinkage is considered for fill calculations.

Preferred Alignment Earthwork: 42,674 c.y. fill (13,282 c.y. fill in wetland areas.)

Alternate Alignment Earthwork: 99,741 c.y. fill (58,748 c.y. fill in wetland areas.)



Typical Road Cross Section / Volume Calculations

BASF Catalysts, LLC
 Vinson Impound Road
 McIntyre, Wilkinson County, Georgia



Looking south.



Concrete abutments allowed a narrower road profile and minimized stream impacts.



Four 10 X 10 concrete box culverts.



Rip-Rap on slope of road way to help prevent erosion.

