

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Action ID No. 200200607

July 9, 2004

PUBLIC NOTICE

Republic Services of North Carolina, LLC, P.O. Box 2943, Hickory, North Carolina, 28603 has applied for a Department of the Army (DA) individual permit pursuant to Section 404 of the Clean Water Act TO DISCHARGE 150,000 CUBIC YARDS OF CLEAN STRUCTURAL FILL MATERIAL INTO 7.04 ACRES OF JURISDICTIONAL WETLANDS AND 2735 LINEAR FEET OF JURISDICTIONAL STREAM CHANNEL FOR THE EXPANSION OF THE CURRENT UWHARRIE REGIONAL LANDFILL FACILITY AT 500 LANDFILL ROAD, MT. GILEAD, MONTGOMERY COUNTY, YADKIN RIVER BASIN, NORTH CAROLINA. Mr. S. Paul Petitgout, Environmental Services Inc., 9600-G Southern Pine Blvd., Charlotte, North Carolina 28273, is acting as agent for Republic Services of North Carolina, LLC in the processing of this application.

The following description of the work is taken from data provided by the applicant; archive records and from observations made during site visits by representatives of the Corps of Engineers. The applicant proposes to expand the solid waste landfill to provide an additional 9,000,000 cubic yards of capacity to the current capacity of 9,000,000 cubic yards. The project expansion will impact two wetland/stream system complexes totaling 7.04 acres of jurisdictional wetlands and 2450 linear feet of jurisdictional streams. In addition to the 2450 linear feet of stream channel impacts associated with the landfill site, 285 linear feet of stream channel will be impacted by four road crossings providing access to the landfill area.

Previously permitted impacts on this project include 0.85 acres of headwater wetlands associated with the previous expansion of the landfill in 1995; the culverted crossing of an intermittent stream for borrow site access impacting 0.01 acre of surface waters in 1995 and 0.1 acres of headwater wetlands for an culverted access road crossing in 1993. Including 0.96 acres of jurisdictional waters impacted under previous DA authorizations; the total cumulative jurisdictional waters impacts of the landfill project will be 8 acres.

The applicant has proposed to compensate for the unavoidable impacts to jurisdictional areas associated with this proposed project by a combination of on-site preservation, enhancement, restoration mitigation and utilization of the North Carolina Ecosystem Enhancement program. No mitigation plan has been submitted to the District for review at the time of this notice.

The State of North Carolina will review this public notice to determine the need for the applicant to obtain any required State authorizations. No Department of the Army (DA) permit will be issued until the coordinated State viewpoint on the proposal has been received and reviewed by this agency, nor will a DA permit be issued until the North Carolina Division of Water Quality has determined the applicability of a Water Quality Certification as required by PL 92-500.

This application is being considered pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in the notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places (NRHP) for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein. There are no known archaeological or historic sites or properties that are located within the vicinity of the project that are listed or are eligible for listing in the NRHP. Environmental Services, Inc., working on behalf of the applicant conducted archaeological surveys of the proposed expansion project. The surveys identified sixteen potential archaeological sites within the proposed project area. Three of these sites were determined to be potentially eligible for listing in the NRHP. A fourth potential NRHP eligible site was identified by Environmental Services, Inc. in previous surveys conducted in 1992, 1993, and 1994. A preservation plan for the above referenced sites has been developed and provided to the State Historic Preservation Officer (SHPO) for review. Acceptance by the SHPO is still pending. A copy of the preservation plan is available for review in the Wilmington Regulatory Field Office at 69 Darlington Avenue, Wilmington, NC 28402. This constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of any other resources within the project area.

The District Engineer, based on available information, is not aware that the proposed activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors that may be relevant to the proposal must 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 and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore 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. For activities involving the placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

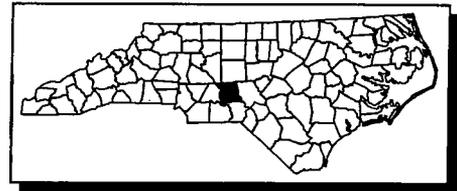
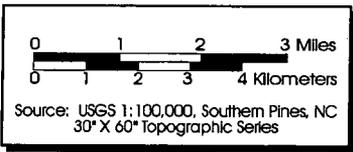
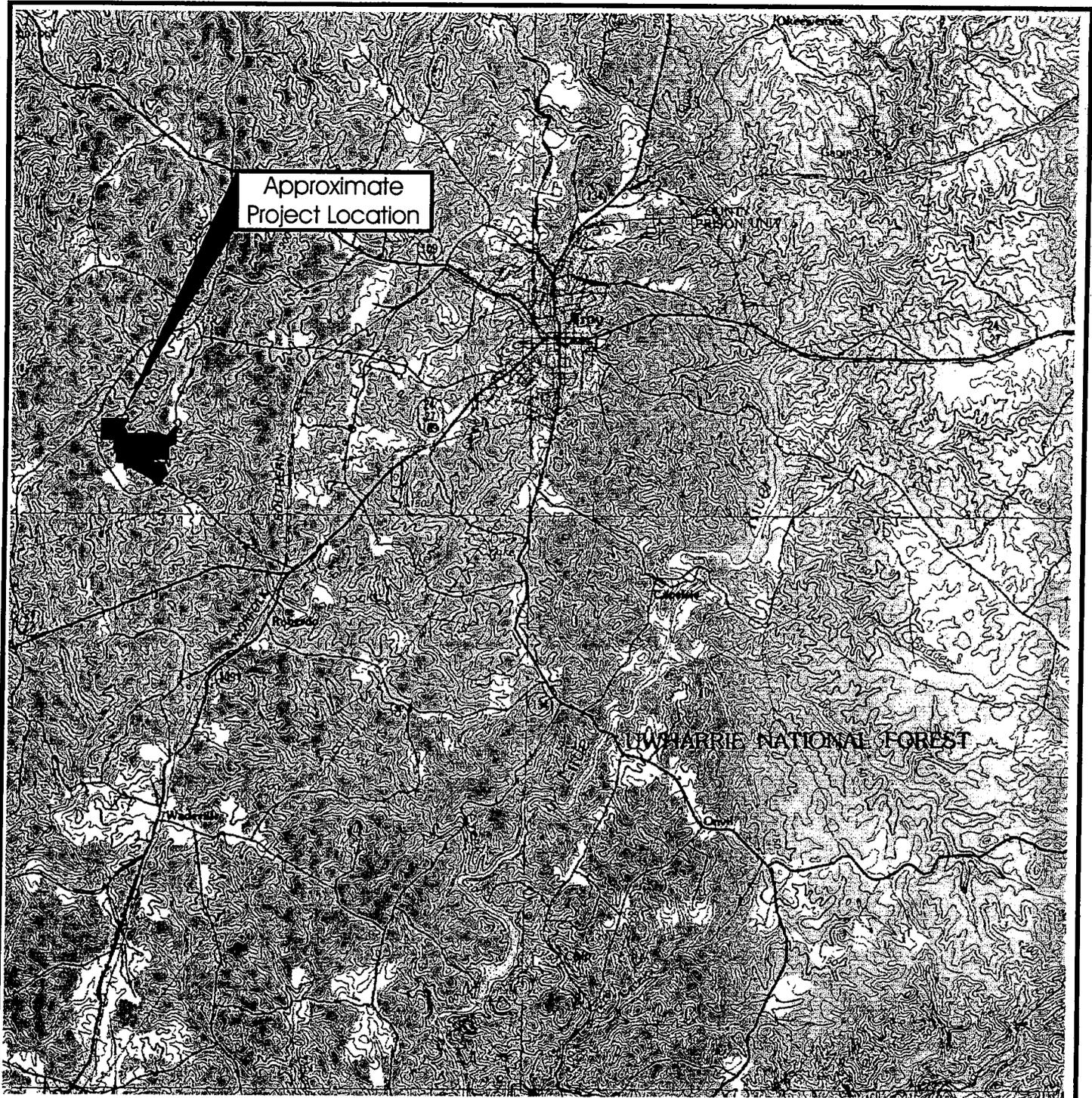
The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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 (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Generally, the decision whether to issue this Department of the Army (DA) permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act. The NCDWQ considers whether or not the proposed activity will comply with Sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for the Department of the Army (DA) permit serves as application to the NCDWQ for certification.

Additional information regarding the Clean Water Act certification may be reviewed at the offices of the Wetlands/401 Unit, North Carolina Division of Water Quality (NCDWQ), 2321 Crabtree Blvd, Suite 250, Raleigh, North Carolina 27604. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Division of Water Quality, (NCDWQ), 1650 Mail Service Road, Raleigh, North Carolina 27699-1650, Attention: Mr. John Dorney.

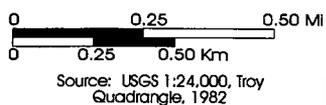
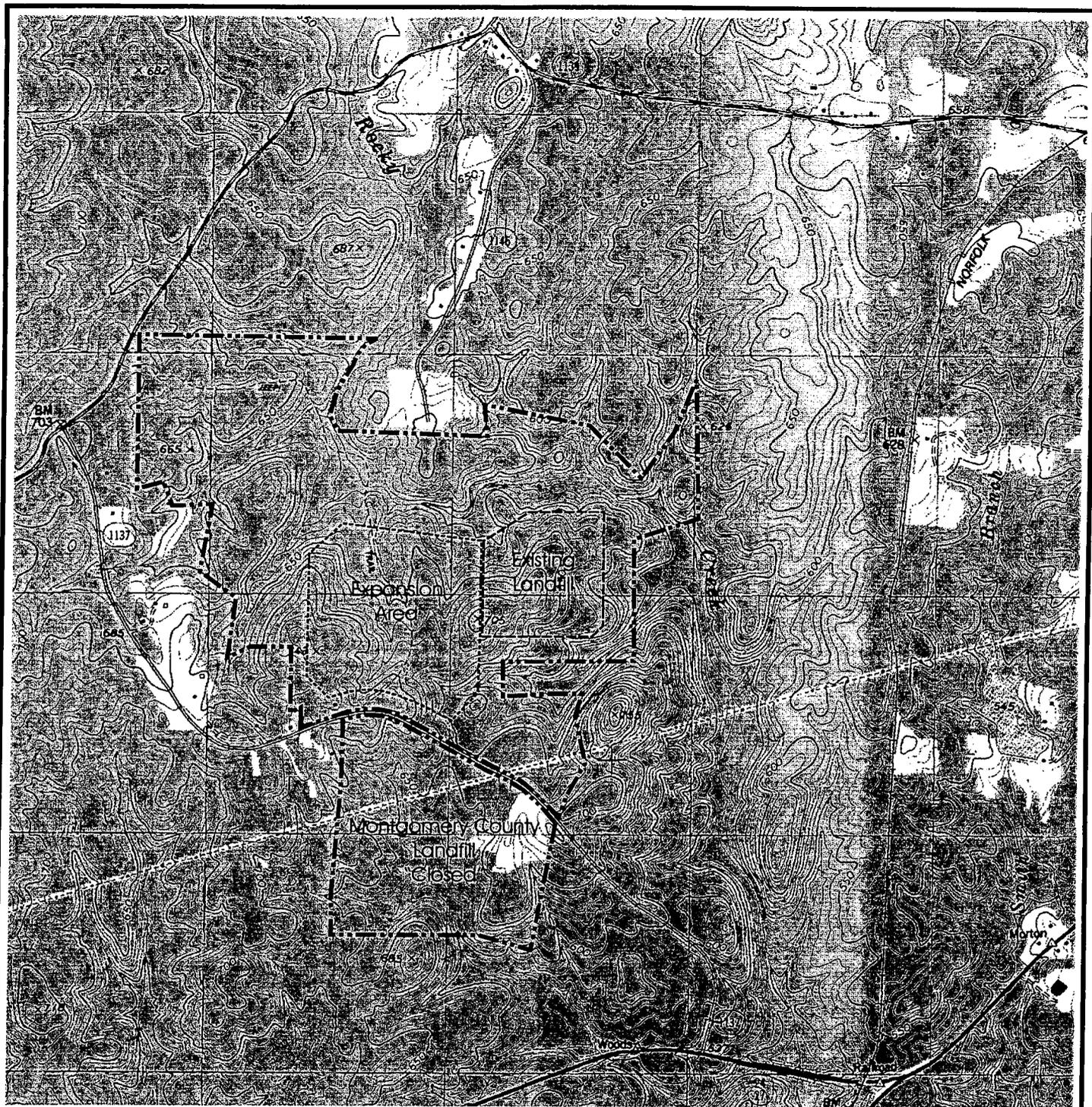
Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Mr. Keith Harris, until 4:30 p.m., August 9, 2004.



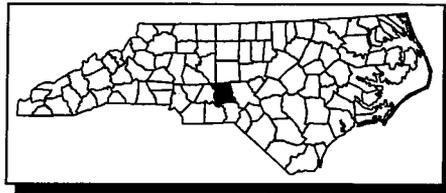
**Environmental
Services, Inc.**

General Location Map
Uwharrie Environmental Landfill Expansion
Montgomery County, North Carolina

Figure:	1
Project:	ET01006.01
Date:	March 2004



Source: USGS 1:24,000, Troy
Quadrangle, 1982



**Environmental
Services, Inc.**

General Location Map
Uwharrie Environmental Landfill Expansion
Montgomery County, North Carolina

Figure:	7
Project:	ET01006.01
Date:	March 2004

Table 1. On-Site Stream Information

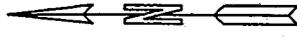
Wetland and Stream System No.	Stream Flagging Sequence	Length (Linear Feet)	Impacted or Undisturbed	Amount of Impact (Linear Feet)
5	SEA	466.13	U	-
5	SGA	160.79	U	-
5	SEC	1,232.39	U	-
5	SED	63.82	U	-
4	SJH	953.05	U	-
Rocky Creek	SEE/SEF/SJE SEG/SHE	2,416.30	I (portion) new road crossing	83.16
4	SJB	353.42	I (portion) improved road crossing	38.17
4	SJA	2,301.52	I (portion) improved road crossing	29.97
4	SJC	357.83	U	-
3	SJG	2,806.74	I (portion) improved road crossing	40.44
3	SJF	724.27	I (portion) improved road crossing	34.01
2	SEI	582.24	I (all)	582.24
2	SEL	746.16	I (all)	746.16
2	SEJ	251.14	I (all)	251.14
2	SEK	148.4	I (all)	148.4
2	SEM	511.09	I (all)	511.09
Across SR 1137	SJA2	333.54	U	-
6	SP/SPA/SNA	1514.72	I (portion) improved road crossing	60.2
6	SNB	358.25	U	-
6	SPA	251.58	U	-
1	SBA	209.85	I (all)	209.85
	TOTAL	16,743.23	-	2,734.83

Table 2. On-Site Wetland Information

Wetland and Stream System No.	Wetland Flagging Sequence	Area (acres)	Impacted or Undisturbed	Amount of Impact (acreage)
5	JE/JF	0.26	U	-
5	JD	0.12	U	-
5	JC	0.23	U	-
5	JB	1.21	U	-
5	JA	0.26	U	-
5	GK/GL/GM	1.02	U	-
4	XA/XB/XE/XF/XG	2.11	U	-
4	XC	0.06	U	-
4	XD	0.04	U	-
4	XK	0.26	U	-
4	XL	0.20	U	-
4	VJ/XO	0.05	U	-
4	XH	0.04	U	-
4	XI	0.33	U	-
4	XJ	0.16	U	-
4	XN	0.05	U	-
4	XM/GH/GI/GJ	0.20	U	-
4	SJD Pond	0.40	U	-
4	SJI Pond	1.78	U	-
3	GB	0.28	U	-
3	GC/GD	0.03	U	-
3	GE	0.17	U	-
3	GF	0.73	U	-
3	GG	0.11	U	-
3	GA	0.08	U	-
3	PE	0.79	I (portion)	0.05
3	VK/XP	0.19	U	-
3	VH/VI	1.31	U	-
3	JG	1.17	U	-
3	12-1995A	0.74	U	-
3	PC/PD	0.04	I (portion)	0.01
3	PB	0.01	I (all)	0.01
3	PA	0.53	U	-
3	VA	0.12	I (portion)	0.05
3	VG	0.47	U	-
3	VF	0.10	U	-
3	VE	0.04	U	-
3	VD	0.05	U	-
3	VC	0.02	U	-

Wetland and Stream System No.	Wetland Flagging Sequence	Area (acres)	Impacted or Undisturbed	Amount of Impact (acreage)
3	VB	0.46	U	
2	12-1996	5.42	I (all)	5.42
2	12-1996B	0.31	U	-
Across SR 1137	JA2	0.15	U	-
Across SR 1137	EA	0.22	U	-
6	QC	0.01	U	-
6	MY/MZ	0.01	I (all)	0.01
6	PB	0.01	U	-
6	PC	0.01	U	-
6	PD	0.04	U	-
6	PJ/PK/NG	0.15	U	-
6	PE/NB	0.11	U	-
6	NC	0.56	U	-
6	PF/ND	0.13	U	-
6	PG/NE	0.26	U	-
6	PH/ZD	0.10	U	-
1	MD	0.29	I (all)	0.29
1	MB	0.52	I (all)	0.52
1	MC	0.68	I (all)	0.68
PREVIOUS IMPACTS		0.96	I (all)	0.96
TOTAL	TOTAL	22.33	-	8.00

Note: The impact numbers include 0.96 acres of jurisdictional wetlands that were impacted previously under the Nationwide Permit Program.



DELINEATED WETLANDS (TYP.)

72" HEADWALL
INV. = 626.00
36" HEADWALL
INV. = 628.00

85 L.F. 72"
CMP AND 36"
CMP

72" HEADWALL
INV. = 629.00
36" HEADWALL
INV. = 631.00

630

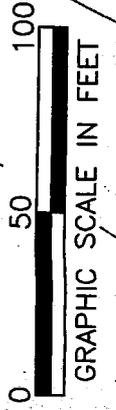
629.58

630

626.37

LEGEND

- EXISTING 10' CONTOUR
- EXISTING 2' CONTOUR
- PROPOSED 10' CONTOUR
- PROPOSED 2' CONTOUR
- CENTERLINE OF ROAD
- EDGE OF WETLANDS
- CENTERLINE OF STREAM
- PROPOSED PIPE
- PROPOSED HEADWALL



GRADING PLAN - STREAM CROSSING NO. 1

UWHARRIE REGIONAL MSW LANDFILL
FOR
REPUBLIC SERVICES OF NORTH CAROLINA, LLC
MONTGOMERY COUNTY, NORTH CAROLINA

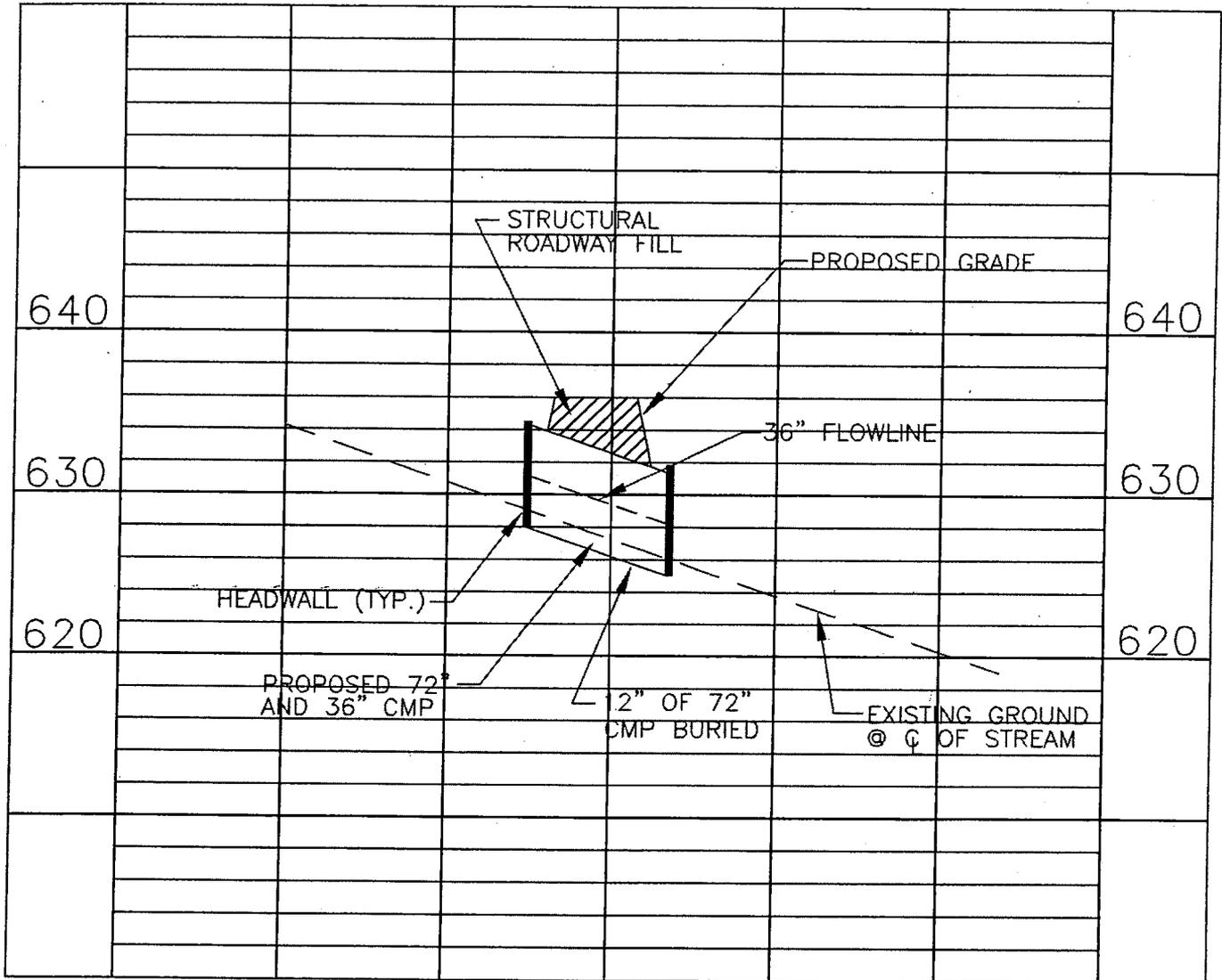
HODGES, HARBIN, NEWBERRY
& TRIBBLE, INC.

CONSULTING ENGINEERS
(478) 743-7173 484 MULBERRY ST. - STE. 265
MACON, GEORGIA 31201

PROJ. NO. 1001-340-01 DWG. STR1-G EDIT 11-12-02

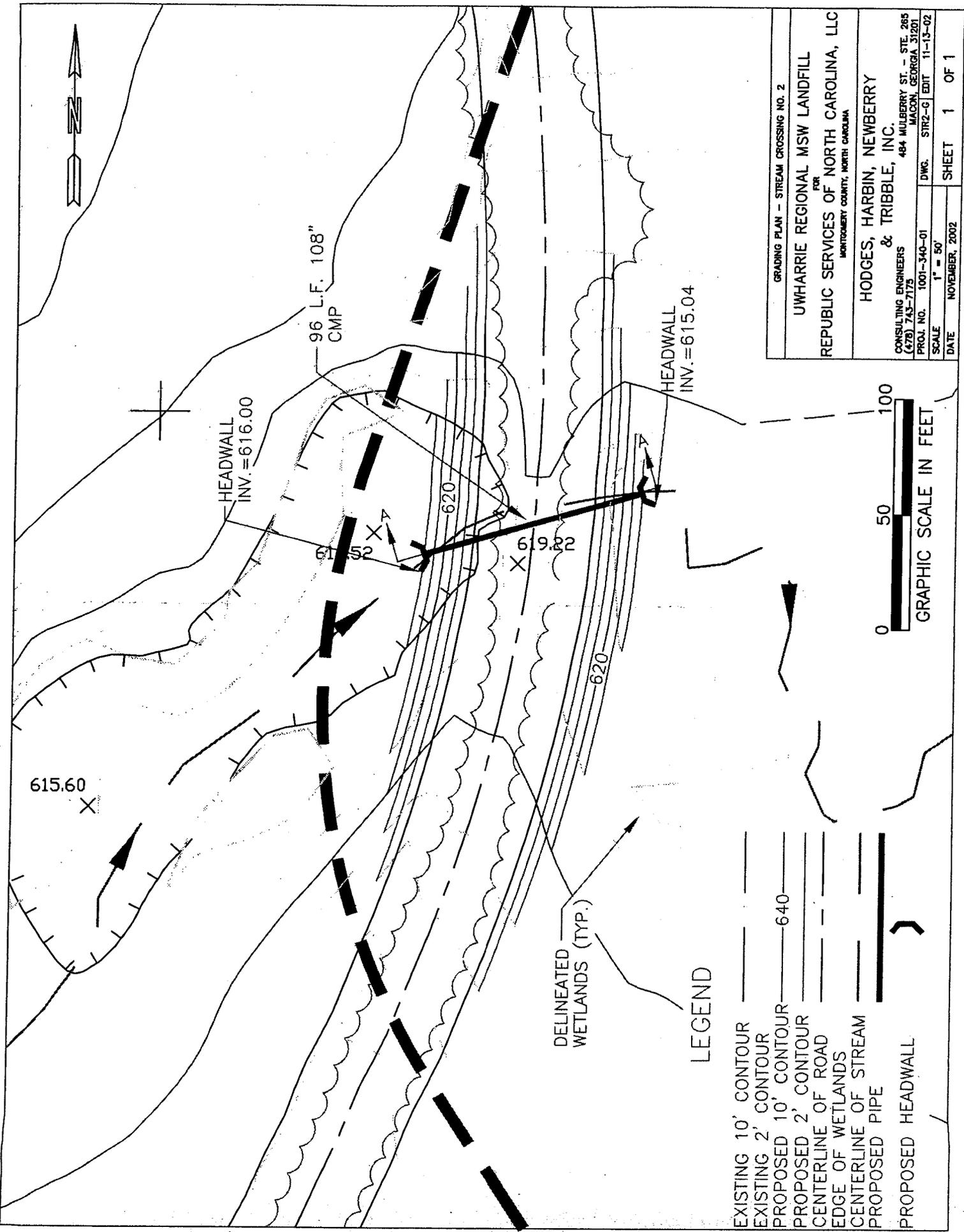
SCALE 1" = 50'

DATE NOVEMBER, 2002 SHEET 1 OF 1



SECTION A
 1"=100' HOR., 1"=10' VERT.

UWHARRIE REGIONAL MSW LANDFILL
 STREAM CROSSING #1



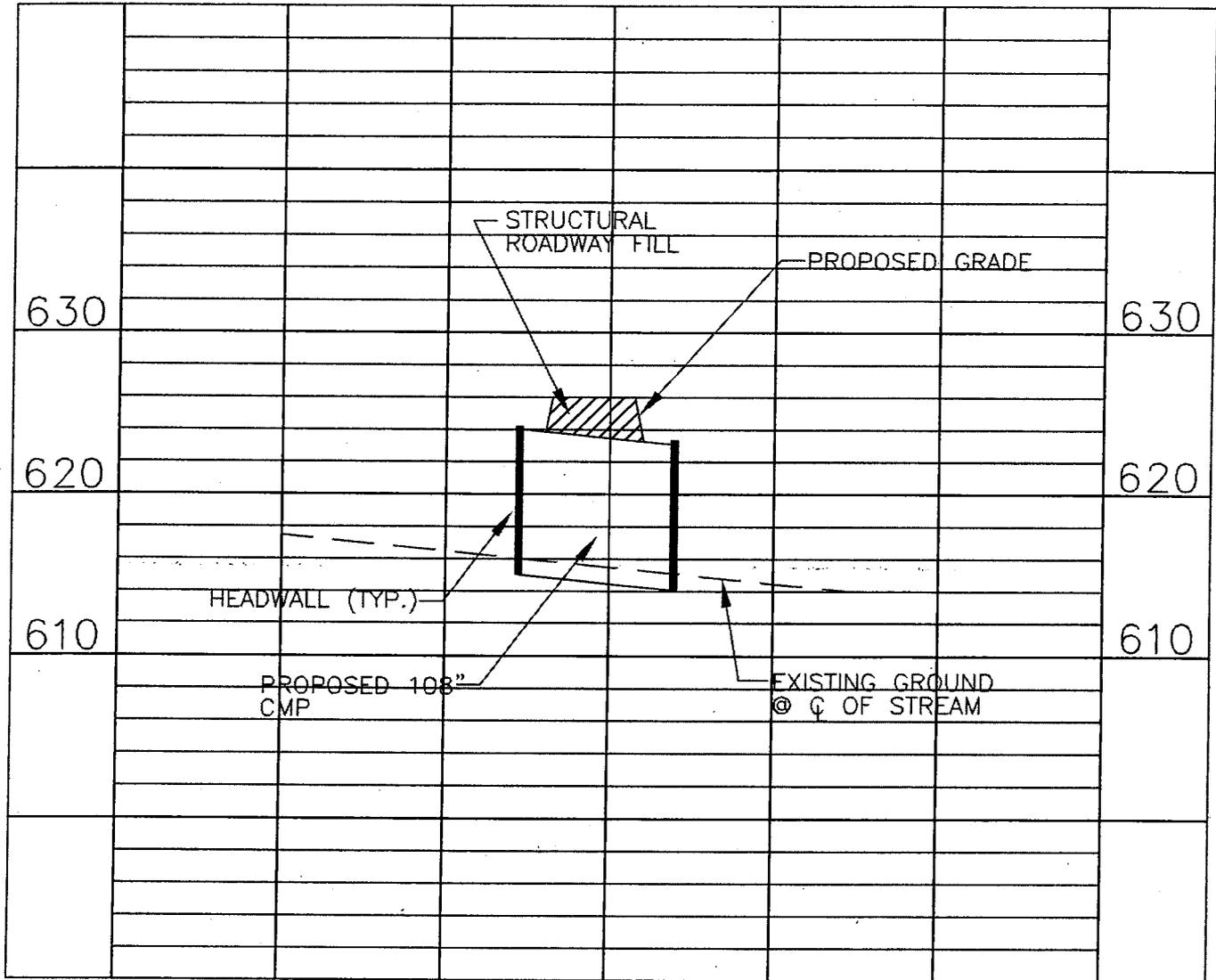
GRADING PLAN - STREAM CROSSING NO. 2	
UWHARRIE REGIONAL MSW LANDFILL FOR REPUBLIC SERVICES OF NORTH CAROLINA, LLC MONTGOMERY COUNTY, NORTH CAROLINA	
HODGES, HARBIN, NEWBERRY & TRIBBLE, INC. 484 MULBERRY ST. - STE. 265 Macon, GEORGIA 31201	
CONSULTING ENGINEERS (478) 743-7175	DWG. STR2-G/EDIT 11-13-02
PROJ. NO. 1001-340-01	SCALE 1" = 50'
DATE NOVEMBER, 2002	SHEET 1 OF 1

LEGEND

- EXISTING 10' CONTOUR ————
- EXISTING 2' CONTOUR ————
- PROPOSED 10' CONTOUR ————
- PROPOSED 2' CONTOUR ————
- CENTERLINE OF ROAD - - - -
- EDGE OF WETLANDS ————
- CENTERLINE OF STREAM ————
- PROPOSED PIPE ————
- PROPOSED HEADWALL ————



DELINEATED WETLANDS (TYP.)



SECTION A
 1"=100' HOR., 1"=10' VERT.

UWHARRIE REGIONAL MSW LANDFILL
 STREAM CROSSING #2

DENSE TREES

HEADWALL
INV. = 558.50

(3)-9'x9' CONCRETE
BOX CULVERTS
60 L. F.

HEADWALL
INV. = 557.50

LEGEND

EXISTING 10' CONTOUR ——— 560

EXISTING 2' CONTOUR ——— 560

PROPOSED 10' CONTOUR ——— 560

PROPOSED 2' CONTOUR ——— 560

CENTERLINE OF ROAD ———

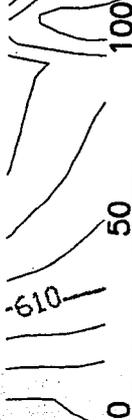
EDGE OF WETLANDS ———

STREAM BOUNDARIES ———

PROPOSED CULVERT [Symbol]

PROPOSED HEADWALL [Symbol]

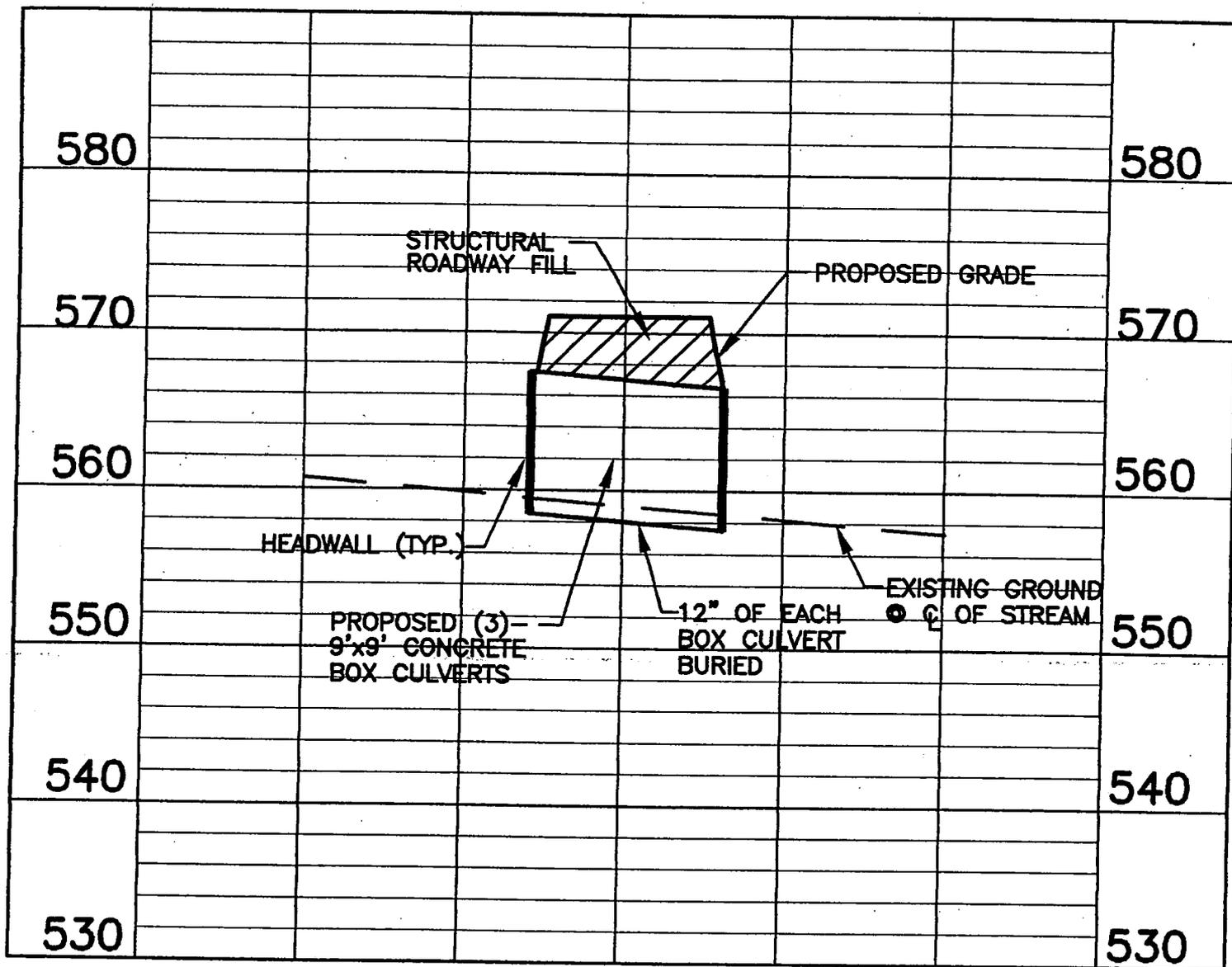
EXISTING TREELINE [Symbol]



GRAPHIC SCALE IN FEET

NOTE: TOPO INFORMATION TAKEN
FROM AERIAL MAPPING COMPLETED
BY BEI DATED 12-20-2000

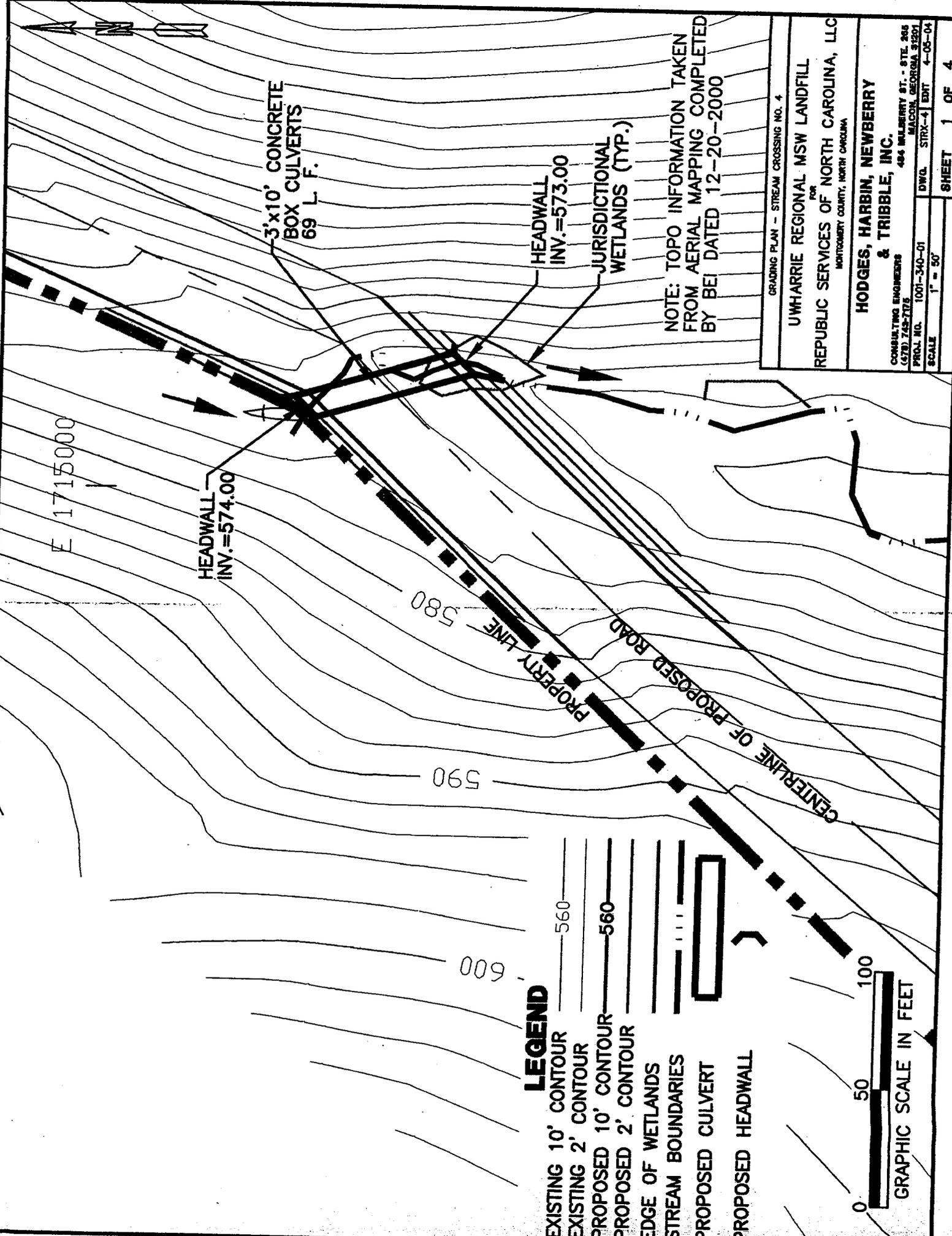
CRADING PLAN - STREAM CROSSING NO. 3 - ROCKY CREEK	
UMHARRIE REGIONAL MSW LANDFILL	
FOR	
REPUBLIC SERVICES OF NORTH CAROLINA, LLC	
MONTGOMERY COUNTY, NORTH CAROLINA	
HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.	
CONSULTING ENGINEERS 424 MULBERRY ST., STE. 245 MACON, GEORGIA 31201	
PROJ. NO.	1001-340-01
DWG.	STR3-G EDIT 12-19-02
SCALE	1" = 50'
DATE	DECEMBER, 2002
SHEET 1 OF 4	



PROFILE VIEW

1"=50' HOR., 1"=10' VERT.

UWHARRIE REGIONAL MSW LANDFILL STREAM CROSSING #3



LEGEND

- EXISTING 10' CONTOUR
- EXISTING 2' CONTOUR
- PROPOSED 10' CONTOUR
- PROPOSED 2' CONTOUR
- EDGE OF WETLANDS
- STREAM BOUNDARIES
- PROPOSED CULVERT
- PROPOSED HEADWALL



NOTE: TOPO INFORMATION TAKEN FROM AERIAL MAPPING COMPLETED BY BEI DATED 12-20-2000

GRADING PLAN - STREAM CROSSING NO. 4	
UMHARRIE REGIONAL MSW LANDFILL	
FOR	
REPUBLIC SERVICES OF NORTH CAROLINA, LLC	
MONTGOMERY COUNTY, NORTH CAROLINA	
HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.	
CONSULTING ENGINEERS	
484 MULBERRY ST. - STE. 306	
Macon, GEORGIA 31201	
PROJ. NO. 1001-340-01	DWG. STRY-4
SCALE 1" = 50'	EDT 4-05-04
SHEET 1 OF 4	

E 1715000

HEADWALL
INV.=574.00

3'x10' CONCRETE
BOX CULVERTS
69 L.F.

HEADWALL
INV.=573.00

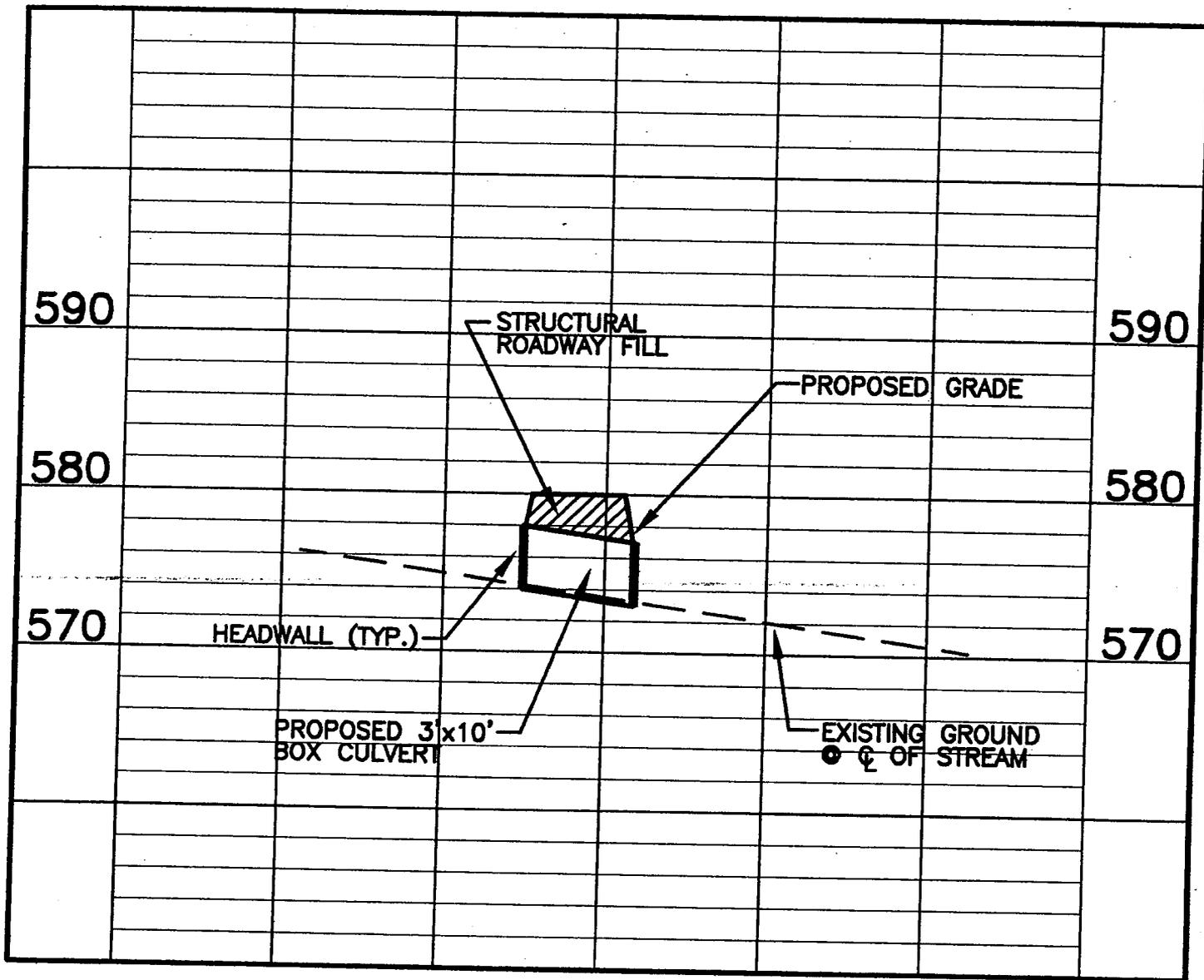
JURISDICTIONAL
WETLANDS (TYP.)

PROPERTY LINE 580

CENTERLINE OF PROPOSED ROAD

590

600



SECTION A

1"=100' HOR., 1"=10' VERT.

**UWHARRIE REGIONAL MSW LANDFILL
STREAM CROSSING #4**