



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	MVK-2018-873
EVALUATOR:	Mr. Thomas McCabe
PHONE NO.:	(601) 631-5588
E-MAIL:	Thomas.a.mccabe@usace.army.mil
DATE:	July 26 , 2021
EXPIRATION	August 16, 2021

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Arkansas Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, and the Arkansas Department of Environmental Quality at Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Environmental Quality (certifying authority). In accordance with Certification Rule part 121.6, once the applicant submits a certification request, the Corps of Engineers will notify the certifying agency of the reasonable period of time for them to act upon the certification.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Halliburton Energy Services, Inc.
ATTN: Ms. Summer Condarco
3000 N Sam Houston Pkwy E
Houston, Texas 77032

Name of Agent:
Mr. Jimmy Rogers
FTN Associates, LTD
3 Innwood Circle, Suite 200
Little Rock, Arkansas 72211

Location of Work: Parts of Sections 9, 10, 15 and 16, T3S-R17W, Latitude 34.4721, Longitude -92.8197, within the Upper Ouachita 8-digit USGS HUC 08040102, and the Upper Saline 8-digit USGS HUC 08040203, Hot Spring County, Arkansas.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit for activities conducted in jurisdictional areas for a mine remediation project at the Dresser Industries – Magcobar Former Mine Site in Hot Springs County, Arkansas. The primary purpose of the project is to improve water quality (in compliance with DEQ Consent Administrative Order LIS 16-043) of water that discharges from the former mine site. The proposed project includes a variety of activities that are generally focused on improvement of water quality, as well as resolving issues associated with mine spoil material. Discharge of material into jurisdictional Waters of the United States (WOTUS) (i.e., wetlands, stream channels, and open water features) is necessary for planned remediation activities. Some of the WOTUS contain/convey water that currently does not meet State of Arkansas water quality standards. Impacts to these features are needed in order to effectively improve water quality. Discharge to additional WOTUS is needed for general construction related activities associated with the remediation project.

Stream Channels: No impacts to jurisdictional stream channels are proposed.

Open Water: A single open water feature totaling approximately 0.15-acre will be inundated by the project for the purpose of construction of the “Chamberlain Creek Stormwater Pond”. This open water feature is commonly known at the site as the “slime-pond” and is comprised primarily of contaminated mine-site water.

Wetlands: Assuming a depth of approximately one foot of discharged material for the approximately 4.14 acres of impacted wetland: the total volume of discharged material to wetlands would be approximately 2,742 cubic yards associated with 1.7 acres of wetlands and the total volume of inundation to wetlands would be approximately 3,935 cubic yards associated with 2.44 acres of wetlands. Fill material would generally be sourced from onsite native material generated from site leveling activities. Additional offsite fill material may be used if sufficient volume and quality of onsite material is not available. All fill material, whether sourced from onsite or offsite, would be clean fill. The following table provides details related to the proposed impacts to wetlands.

Wetland Name	Wetland Type	Impact Area (acres)	Fill/Inundation Volume (cubic yards)	Impact Type	Impact Purpose
WET-F	Forested Seep/Drainage	1.26	2,032	Fill	Tailings Pond 3 East remediation
WET-G	Forested Seep/Drainage	0.3	484	Inundation	Tailings Pond 4 East sedimentationbasin
WET-L	Forested Seep/Drainage	0.31	500	Fill	Tailings Pond 3 East sedimentationbasin embankment
WET-L	Forested Seep/Drainage	1.57	2,532	Inundation	Tailings Pond 3 East sedimentationbasin
WET-M	Forested Seep/Drainage	0.13	210	Fill	Tailings Pond 4 East sedimentationbasin embankment
WET-M	Forested Seep/Drainage	0.57	919	Inundation	Tailings Pond 4 East sedimentation basin
TOTALS		4.14	6,677		

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: The project manager has reviewed the latest published version of the National Register of Historic Places, state lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

Endangered Species: According to the U.S. Fish and Wildlife Service's IPaC site, the following species may be found within the project area: Northern Long-eared Bat, Eastern Black Rail, Piping Plover, Red knot, Arkansas Fatmucket, Winged Mapleleaf, and Missouri bladderpod. A "no effect" determination has been made for the Eastern Black Rail, Piping Plover, Red knot, Arkansas Fatmucket, Winged Mapleleaf, and Missouri bladderpod. The Corps has determined that this project may affect the Northern Long-eared Bat, but that any resulting incidental take of the Northern Long-eared Bat is not prohibited by the final 4(d) rule.

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 floodplain development permit is required. Floodplain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. The project is not located within the 100-year floodplain.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

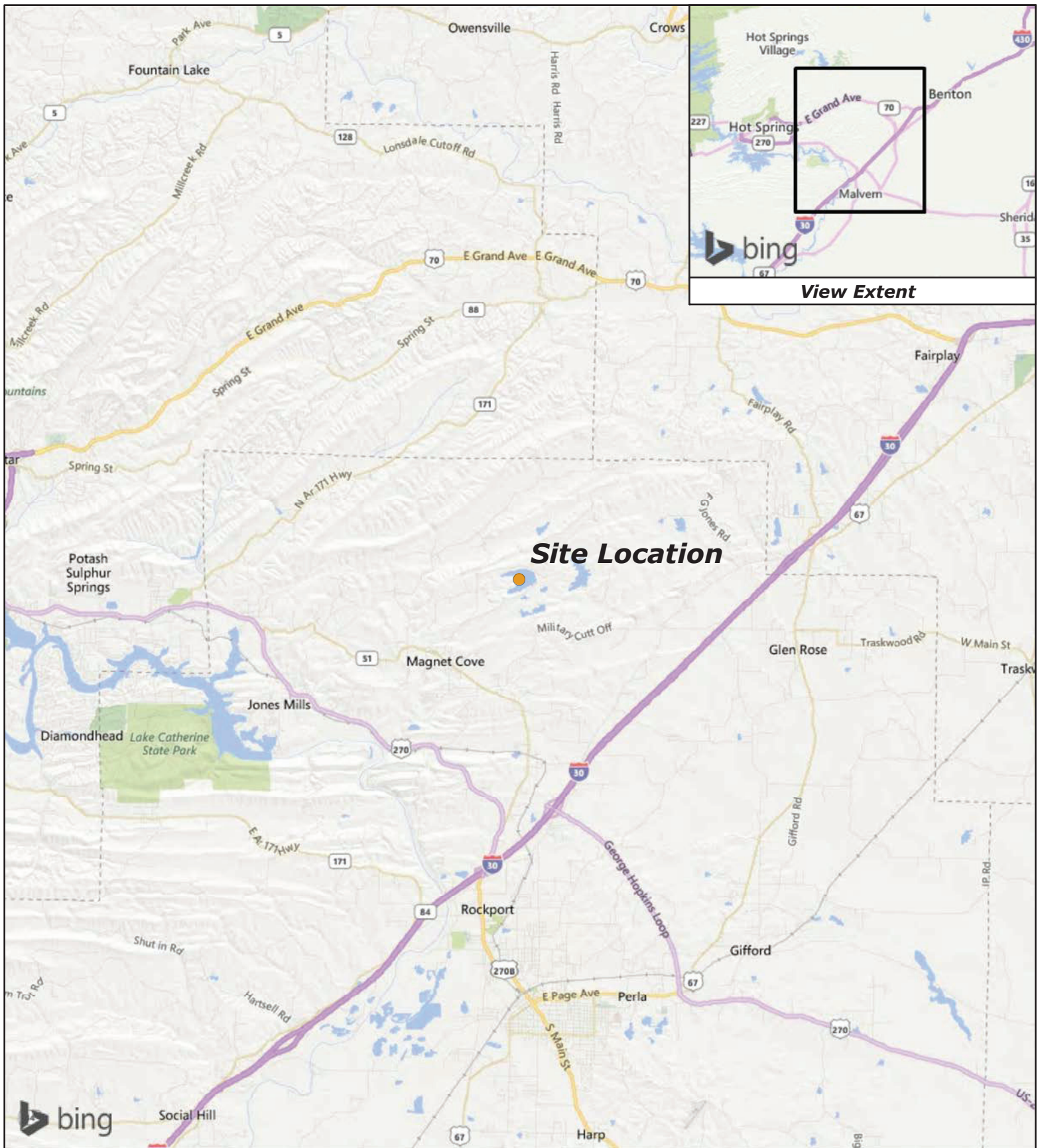
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>.

Bryan Williamson

**Bryan Williamson
Team Lead, Permit and Evaluation Branch
Regulatory Division**



HESI – Impacts, DIM Site

5
 Miles

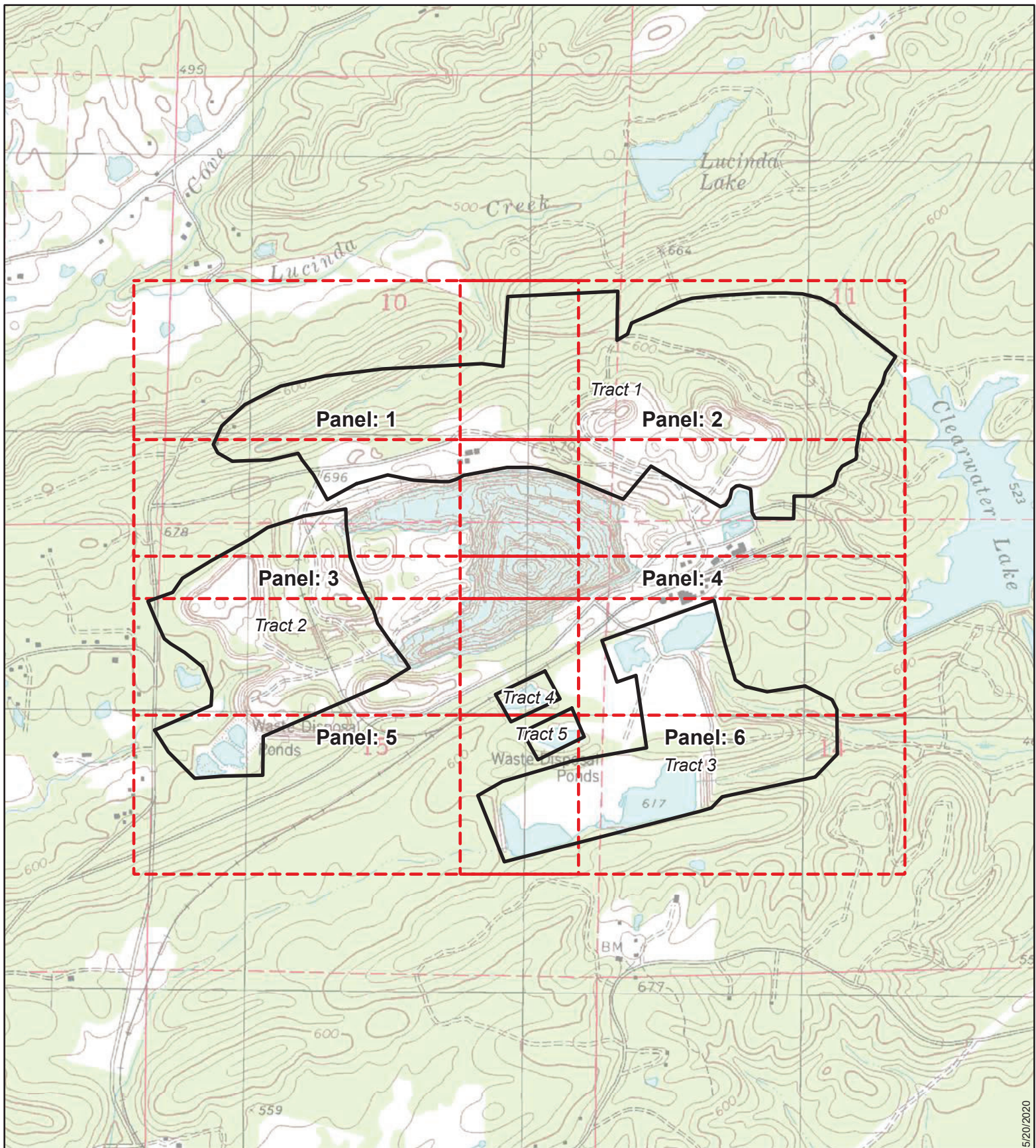
 Site Location



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Background: Microsoft Corporation and its data suppliers

Figure 1. Vicinity Map



HESI – Impacts, DIM Site

1,500
Feet

 Delineation Area
 Figure Panels

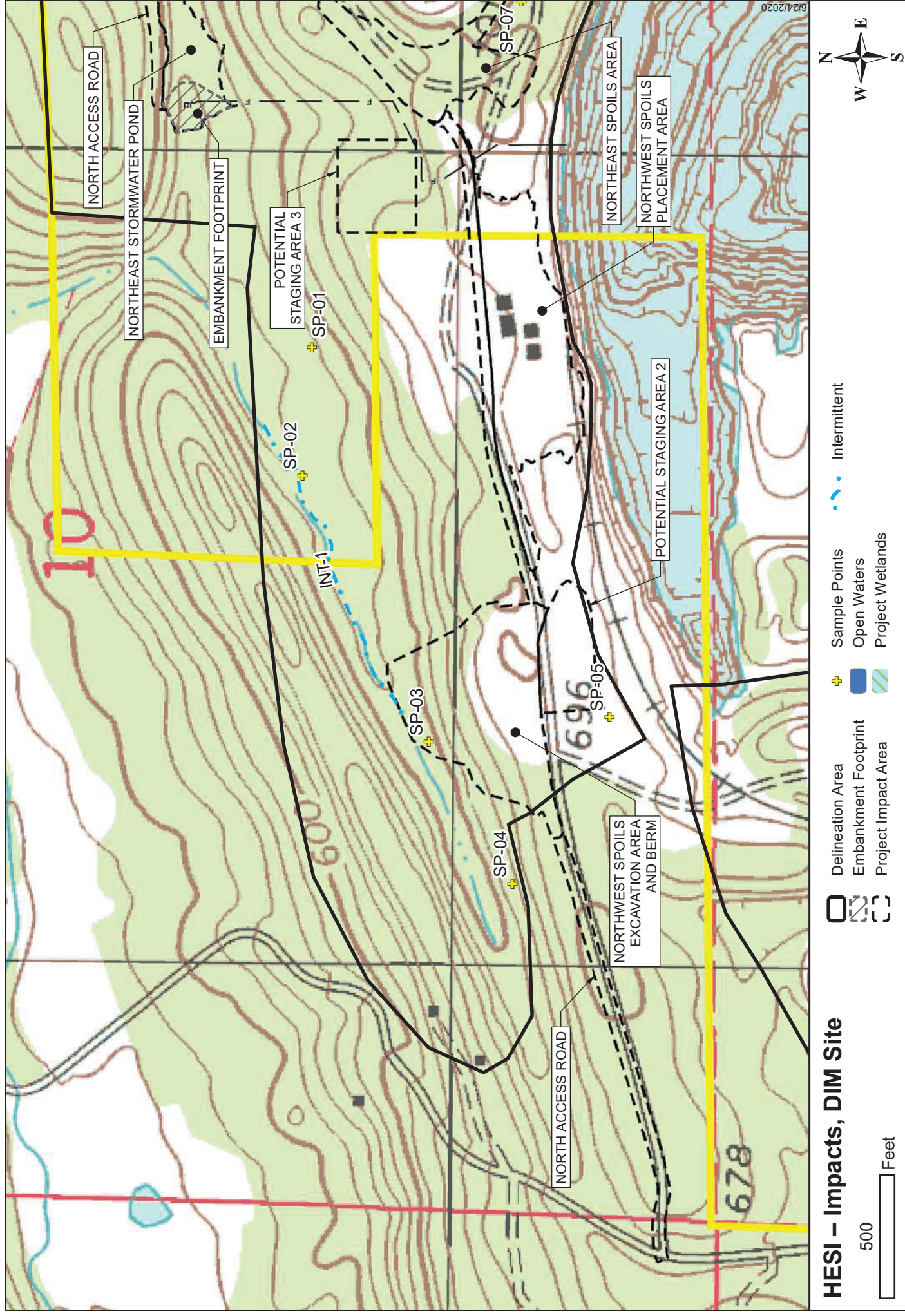
NOT A BOUNDARY SURVEY – FOR REFERENCE ONLY



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Background: USGS 1:24,000 DRG

Figure 2. Map showing delineation area and panel numbering based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).

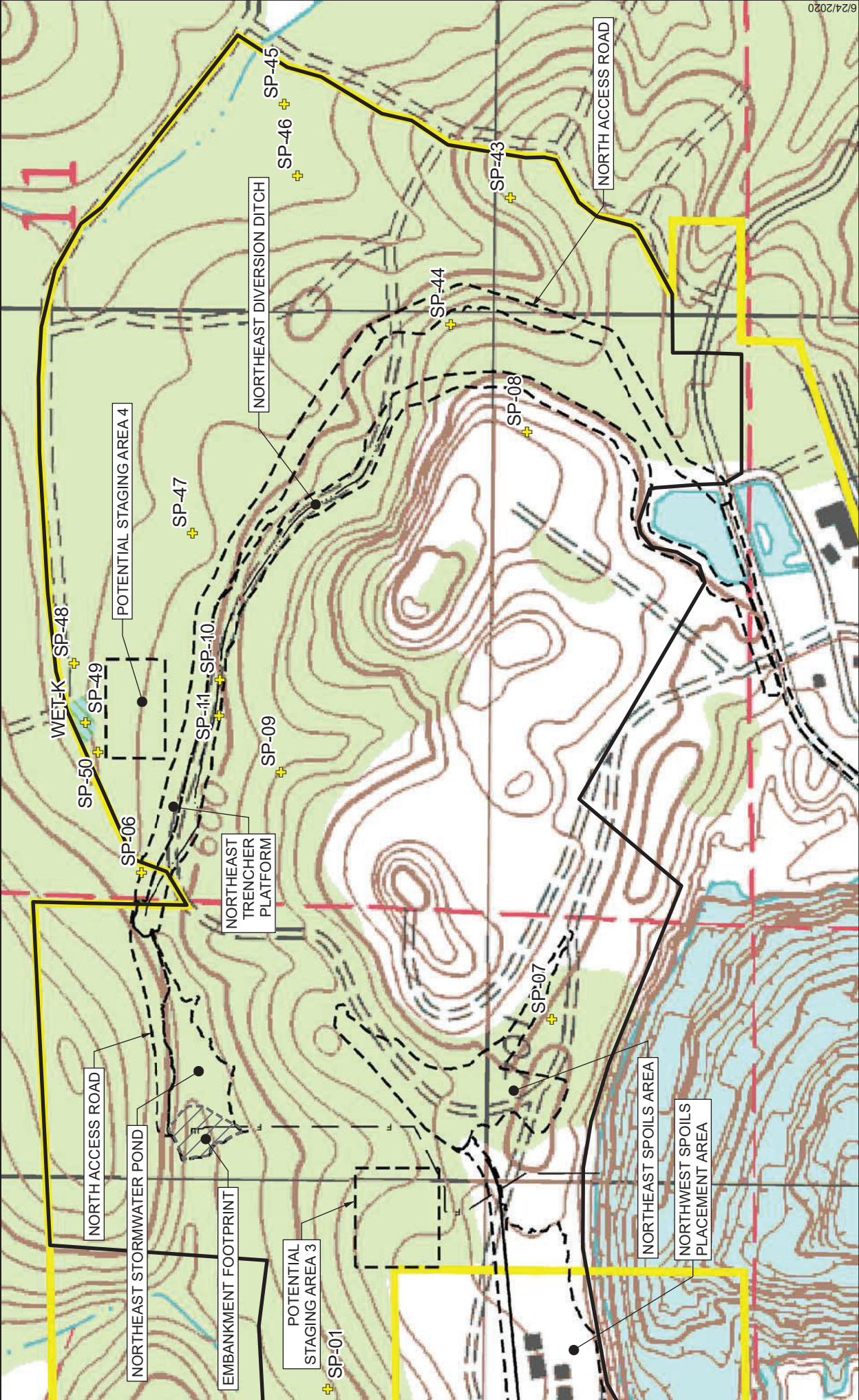


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Background: USGS 1:24,000 DRG

Figure 3.1 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).



HESI – Impacts, DIM Site



- Delineation Area
- Embankment Footprint
- Project Impact Area
- Sample Points
- Open Waters
- Project Wetlands
- Intermittent

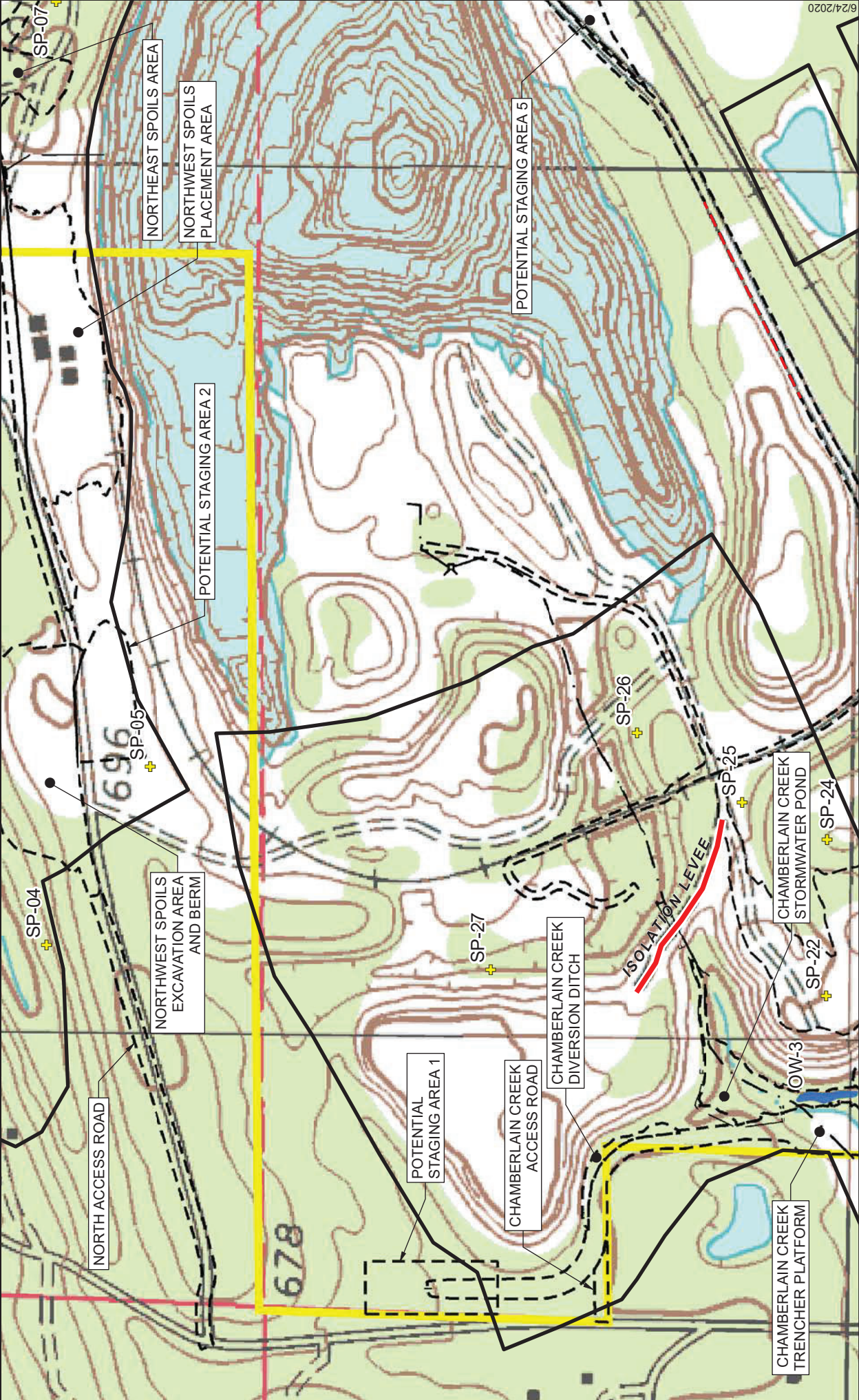


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Background: USGS 1:24,000 DRG

Figure 3.2 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).



HESI – Impacts, DIM Site



- Delineation Area
- Embankment Footprint
- Project Impact Area
- Sample Points
- Open Waters
- Project Wetlands
- Intermittent

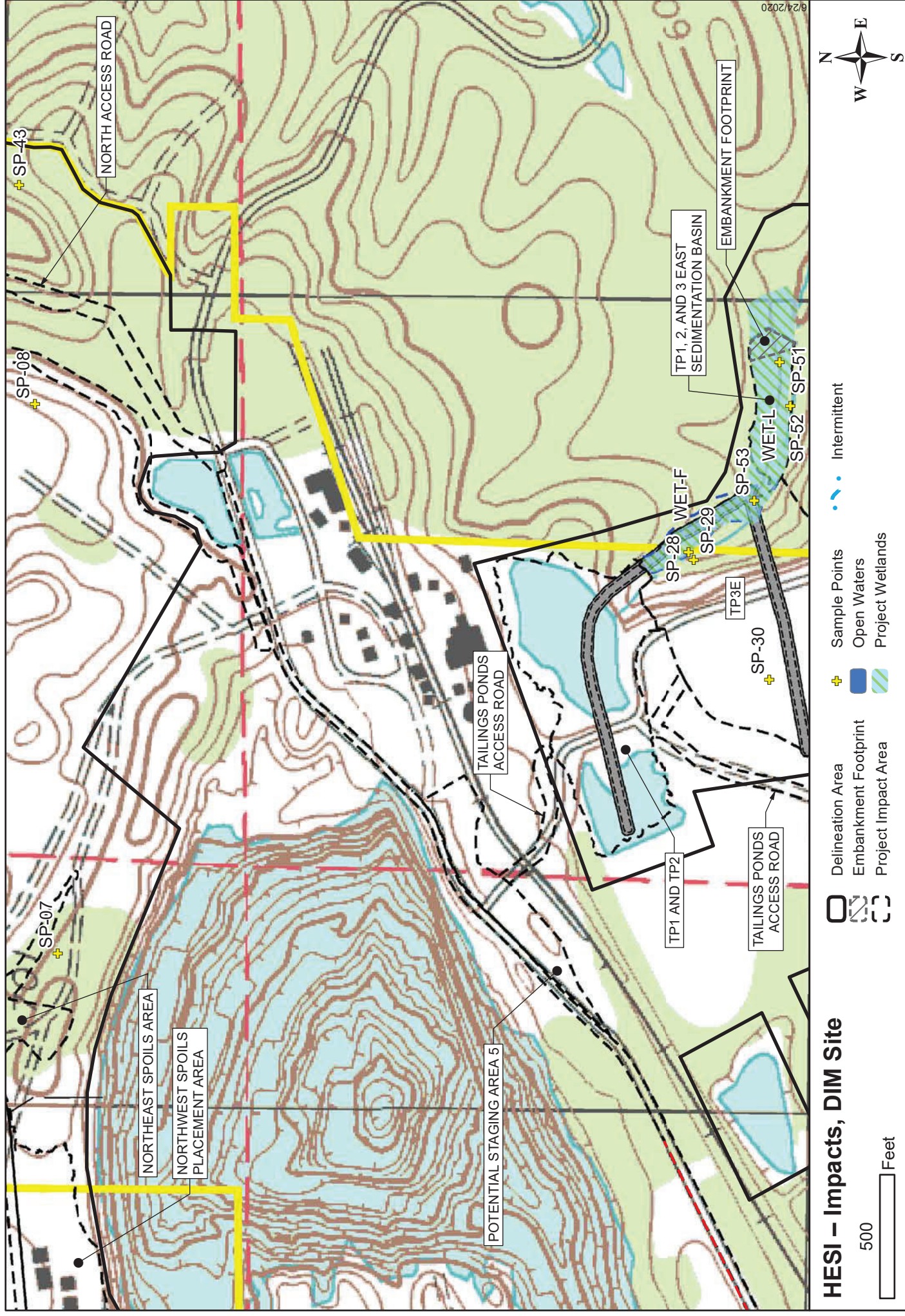


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Background: USGS 1:24,000 DRG

Figure 3.3 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).

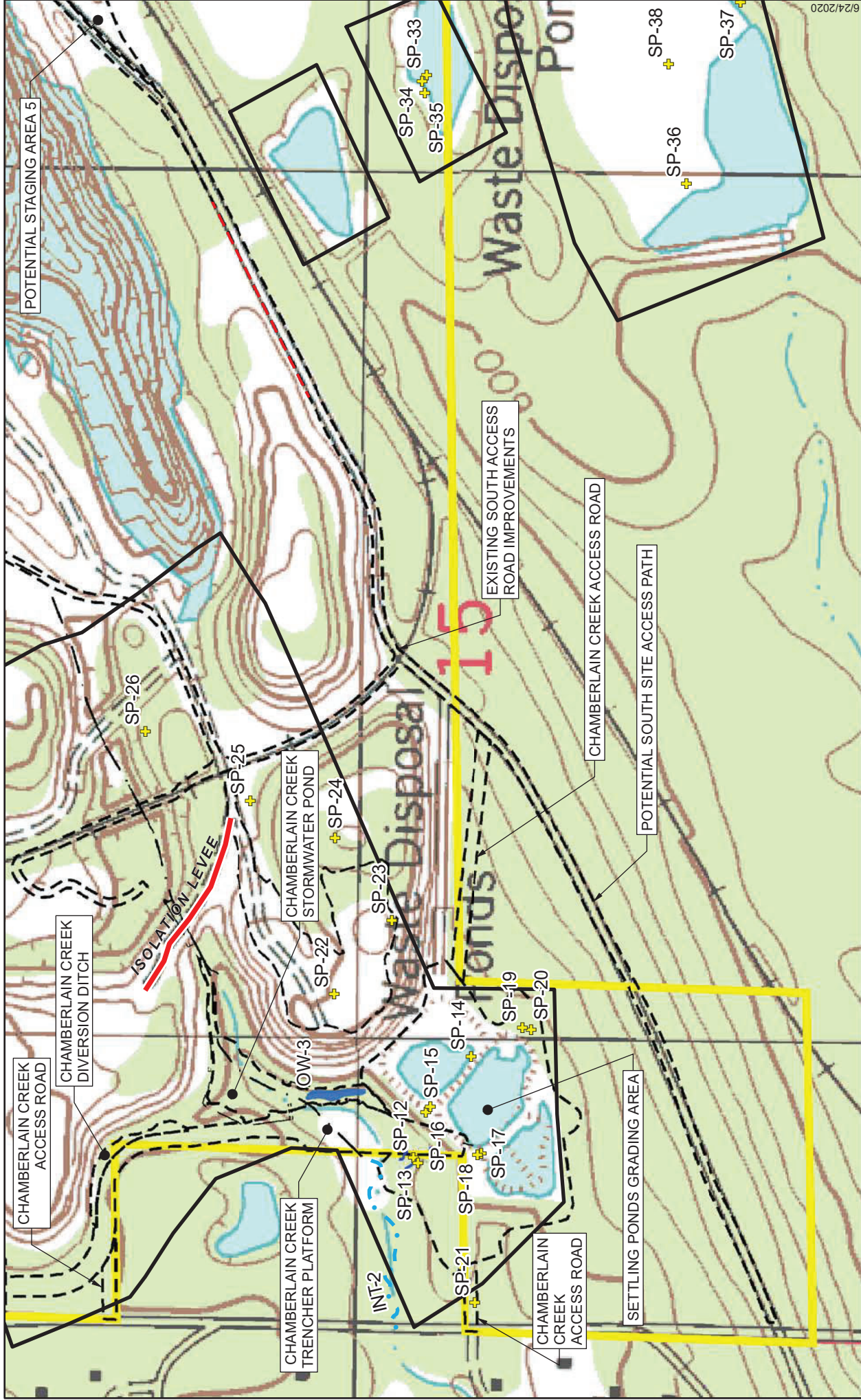


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Background: USGS 1:24,000 DRG

Figure 3.4 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).



HESI - Impacts, DIM Site

500 Feet

- Delineation Area
- Embankment Footprint
- Project Impact Area
- Sample Points
- Open Waters
- Project Wetlands
- Intermittent

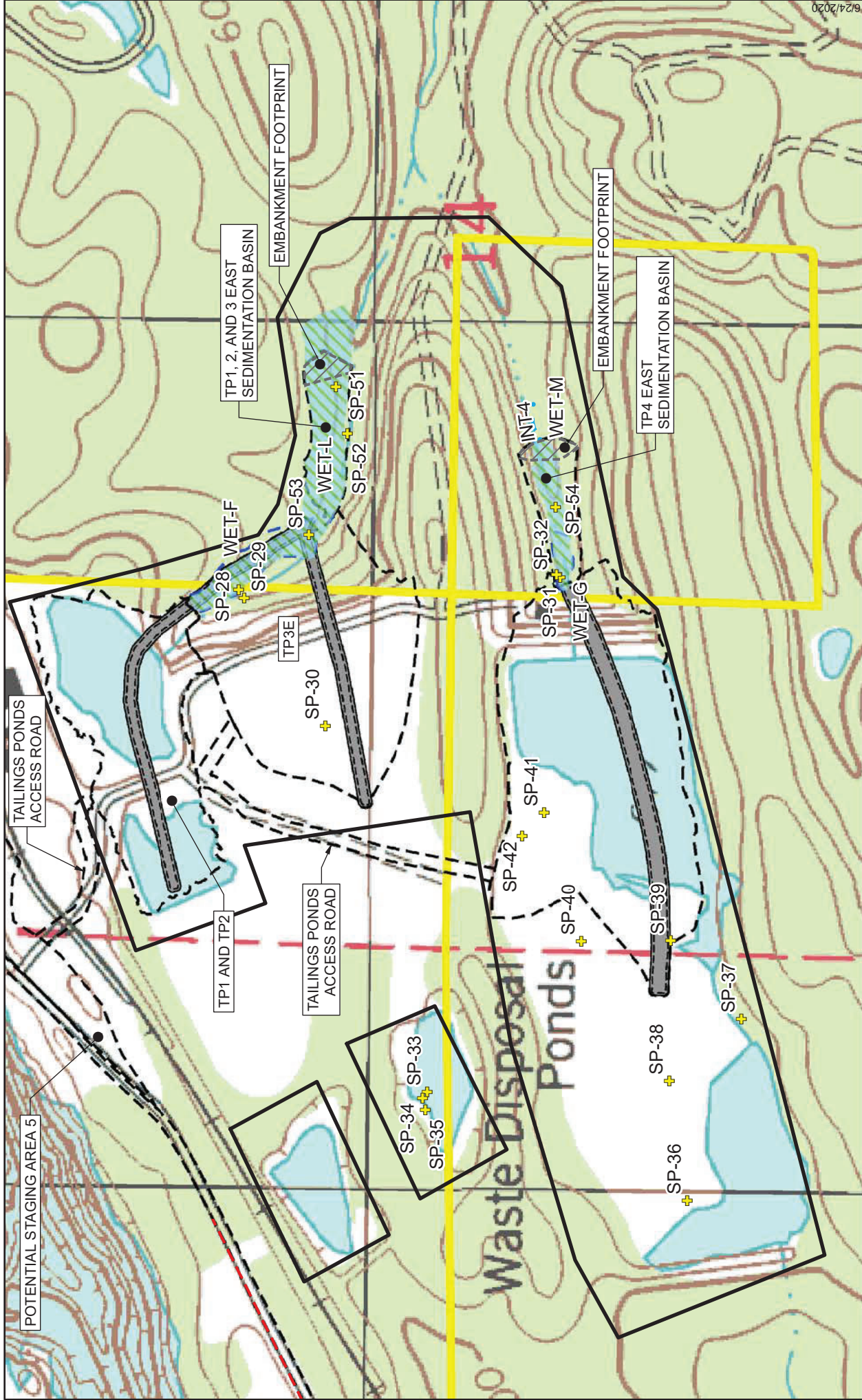


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NOT A BOUNDARY SURVEY - FOR REFERENCE ONLY

Background: USGS 1:24,000 DRG

Figure 3.5 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).



HESI – Impacts, DIM Site

500

Feet



Delineation Area

Embankment Footprint

Project Impact Area



Sample Points

Open Waters

Project Wetlands



Intermittent

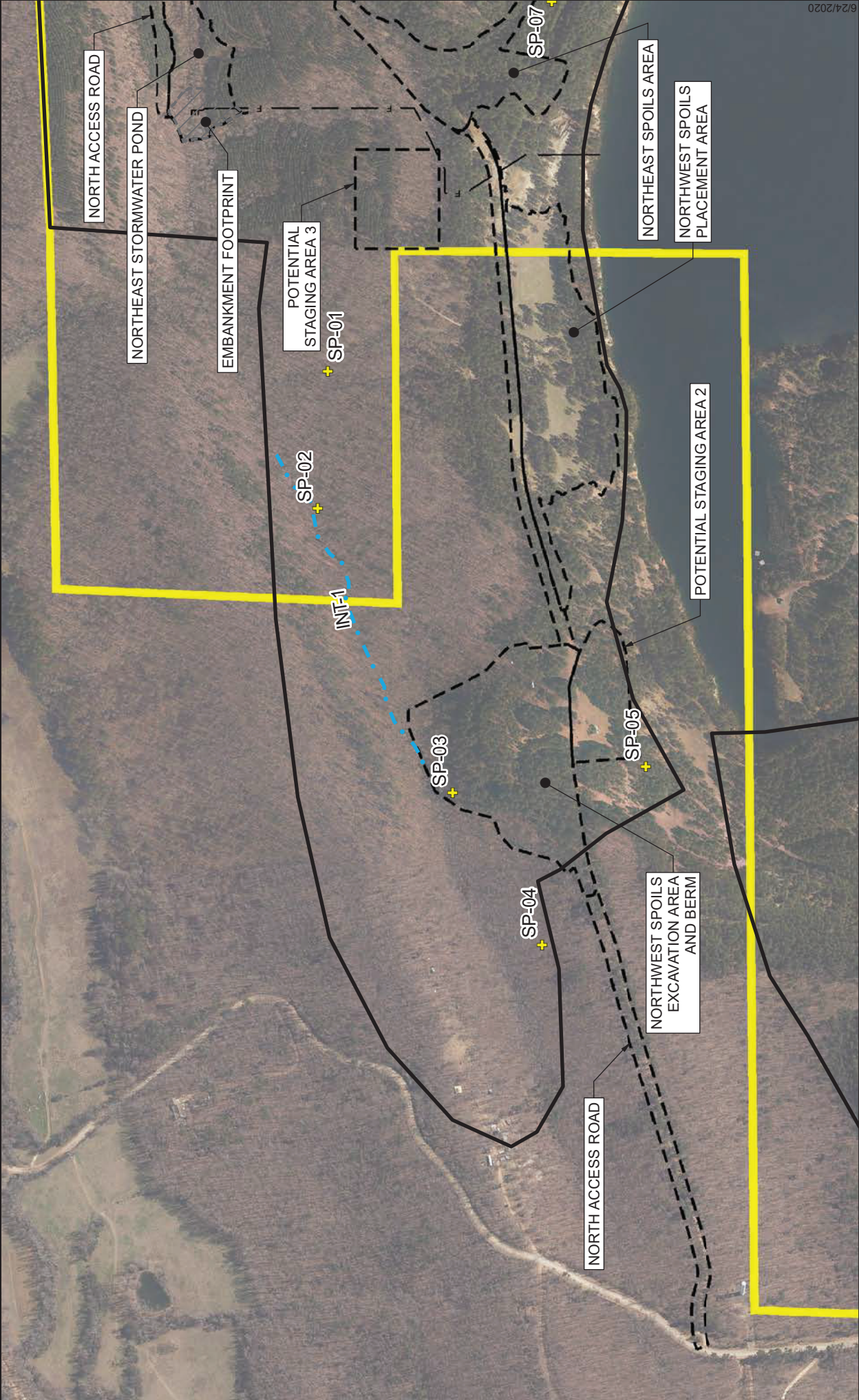


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NOT A BOUNDARY SURVEY – FOR REFERENCE ONLY

Background: USGS 1:24,000 DRG

Figure 3.6 Map showing construction impact details based on the USGS topographic quadrangle Malvern North, AR (7.5-minute series).



HESI - Impacts, DIM Site

500

Feet



Delineation Area
Embankment Footprint
Project Impact Area

Sample Points
Open Waters
Project Wetlands

Intermittent

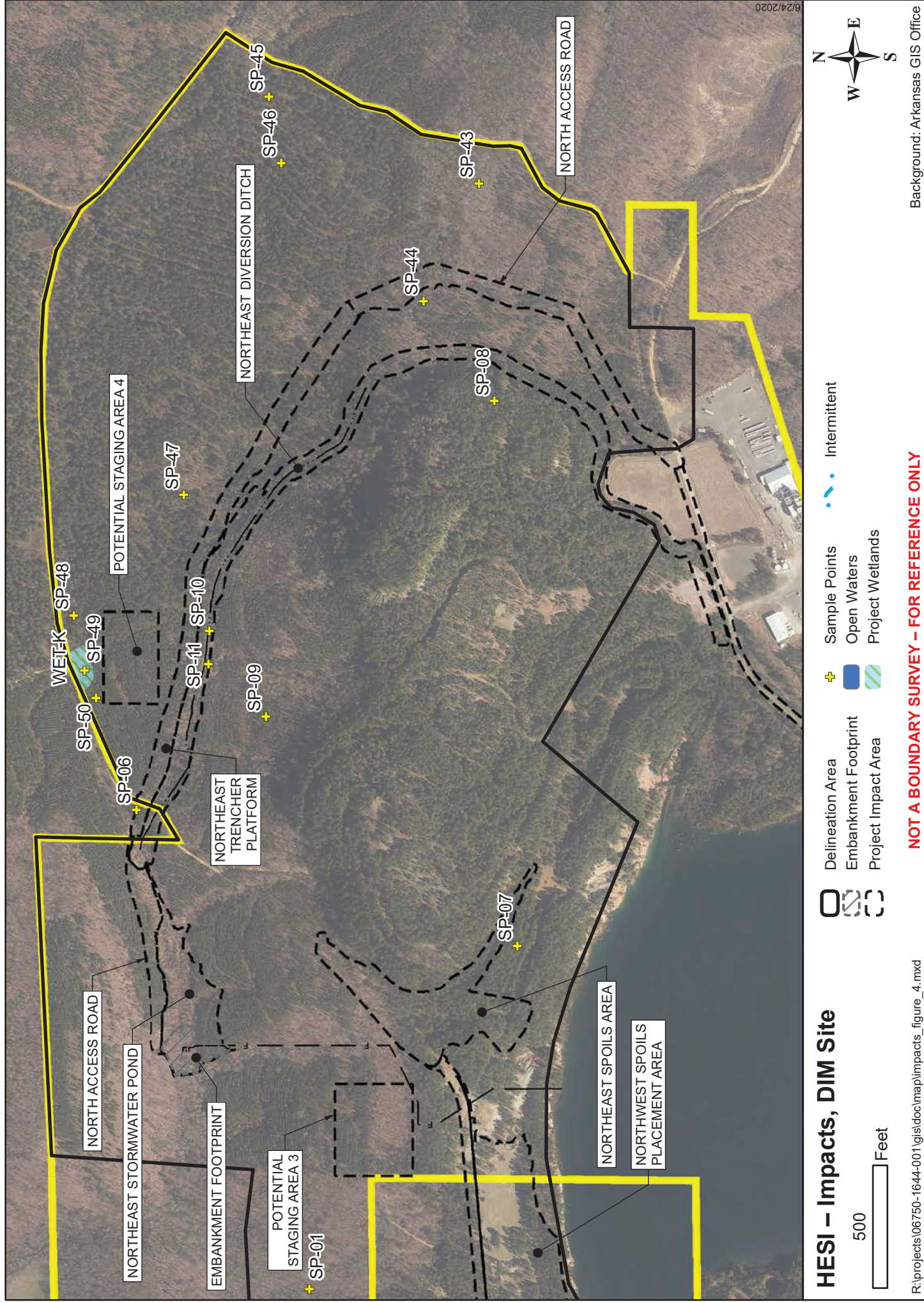


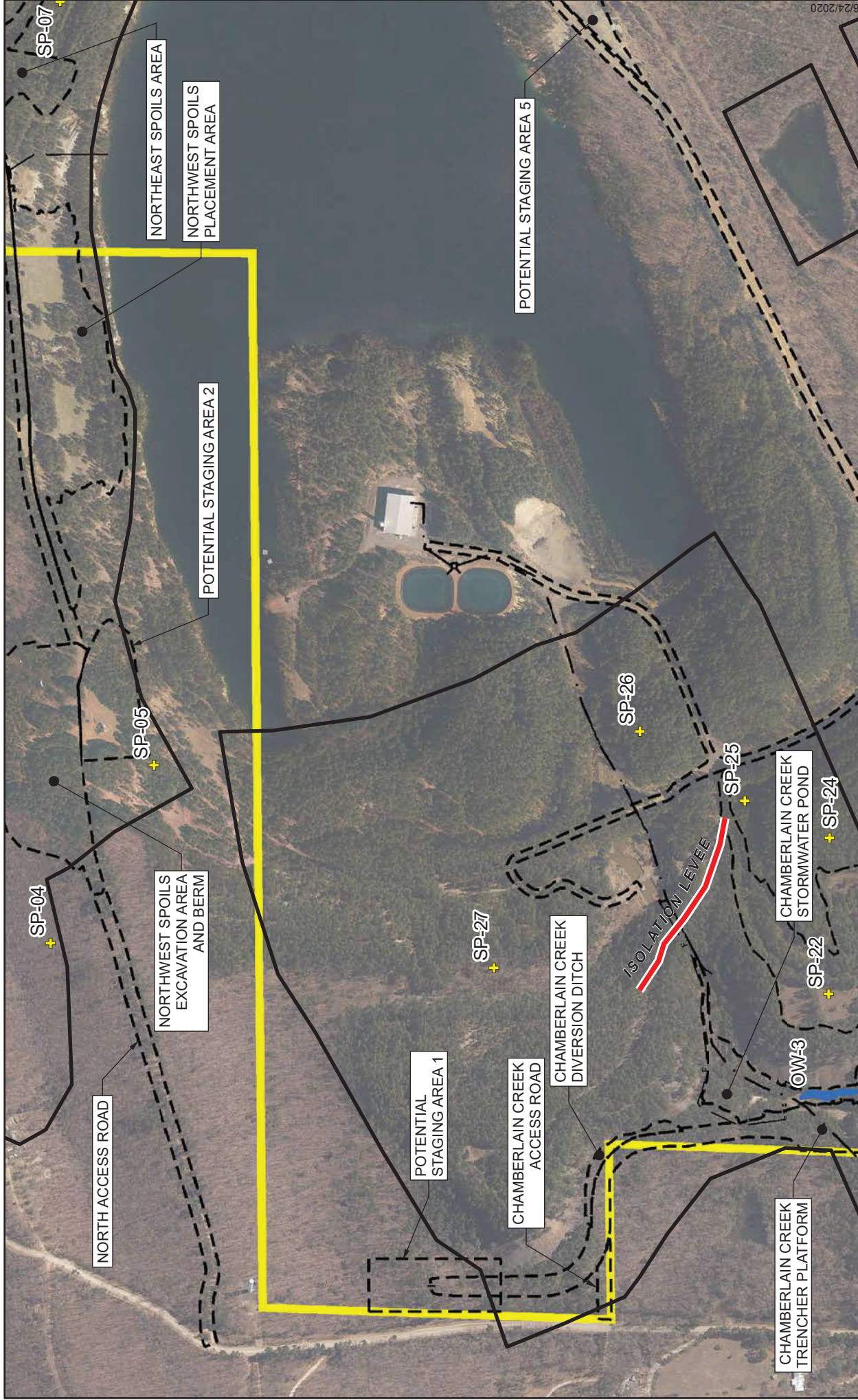
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Background: Arkansas GIS Office

Figure 4.1 Map showing construction impact details based on 2017 Arkansas Digital Orthophotography Program imagery.





HESI - Impacts, DIM Site

500

Feet



Delineation Area

Embankment Footprint

Project Impact Area



Sample Points

Open Waters

Project Wetlands



Intermittent



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NOT A BOUNDARY SURVEY - FOR REFERENCE ONLY

Background: Arkansas GIS Office

Figure 4.3 Map showing construction impact details based on 2017 Arkansas Digital Orthophotography Program imagery.

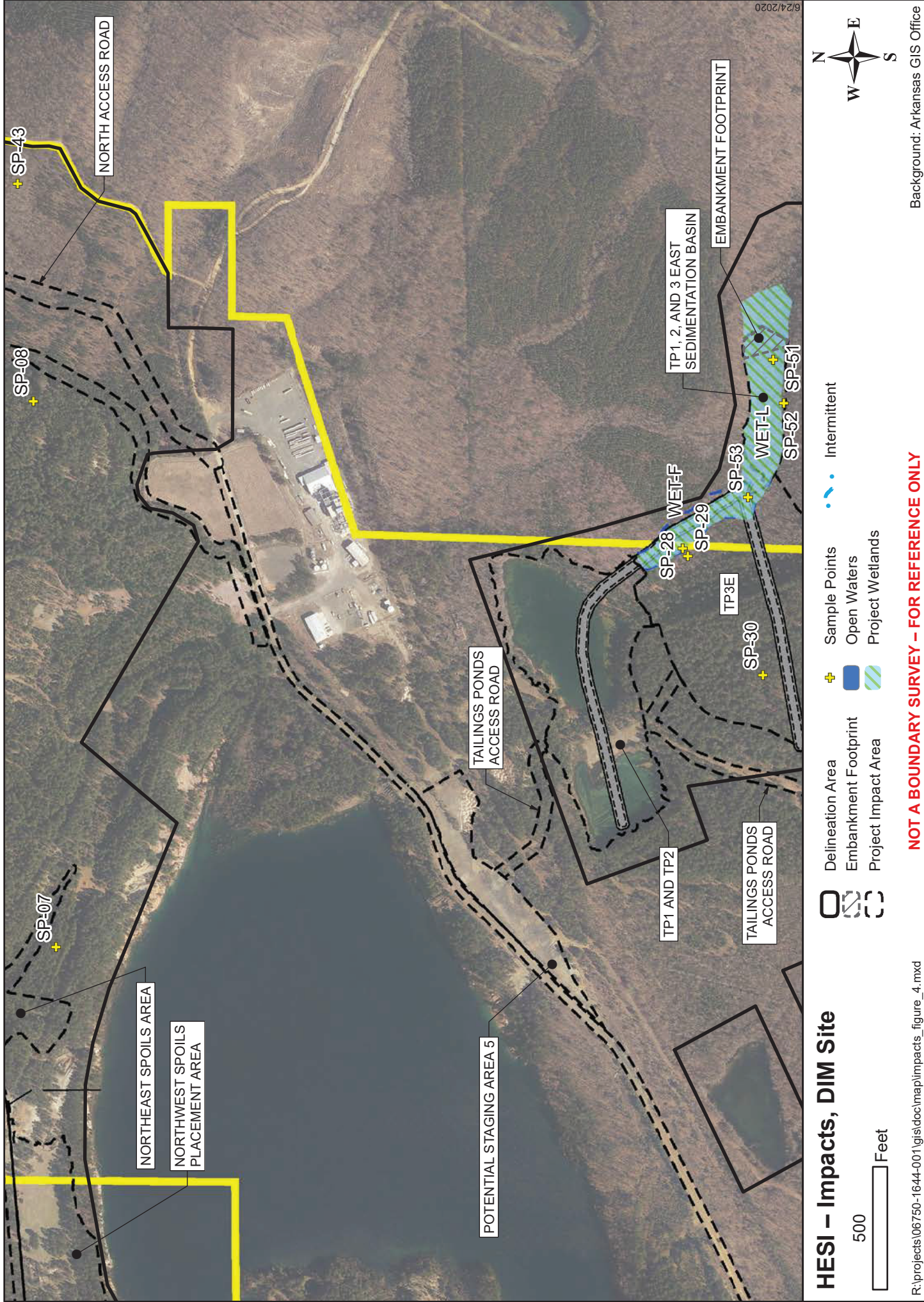
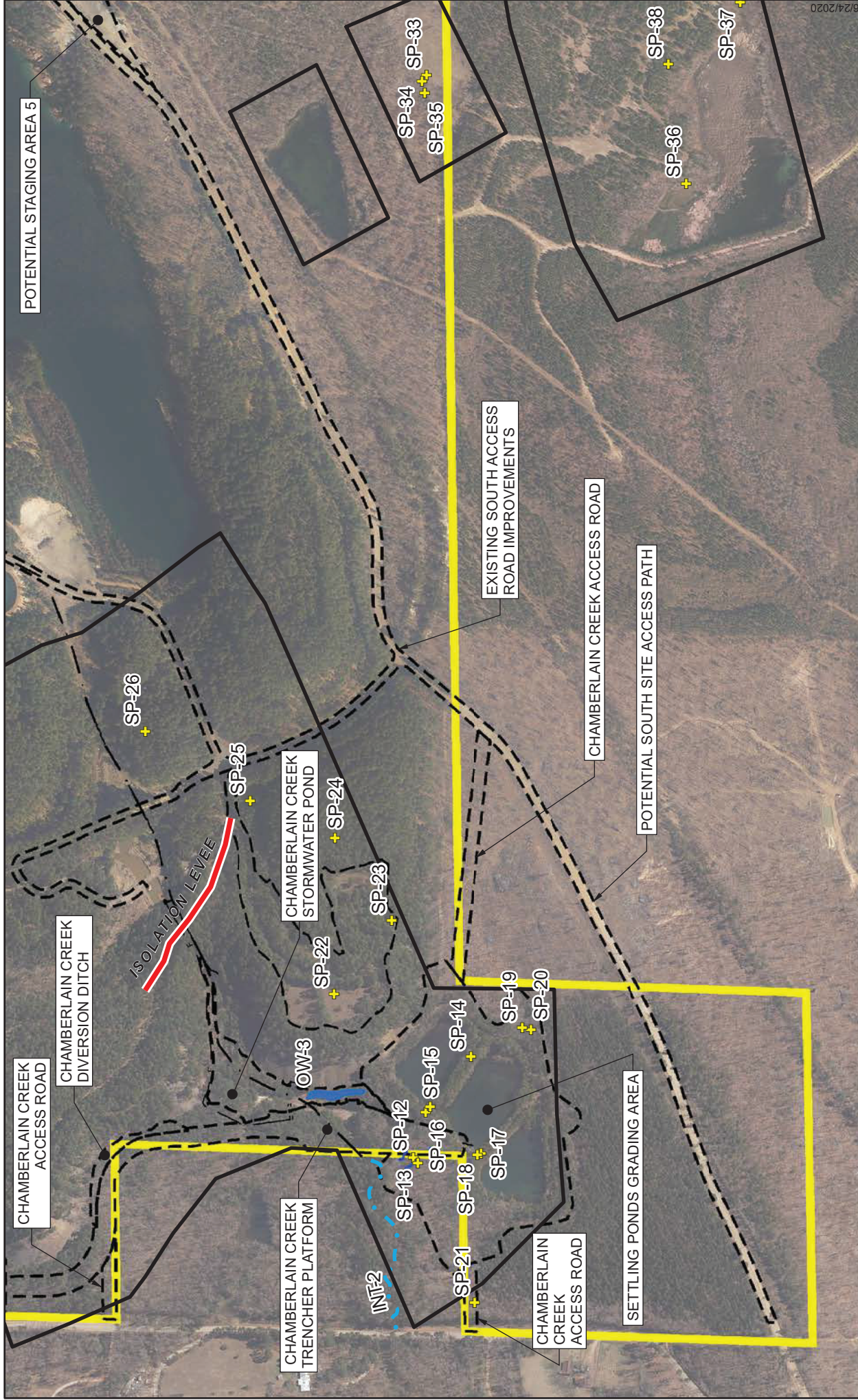


Figure 4.4 Map showing construction impact details based on 2017 Arkansas Digital Orthophotography Program imagery.



HESI - Impacts, DIM Site

500

Feet



Delineation Area

Embankment Footprint

Project Impact Area



Sample Points

Open Waters

Project Wetlands



Intermittent

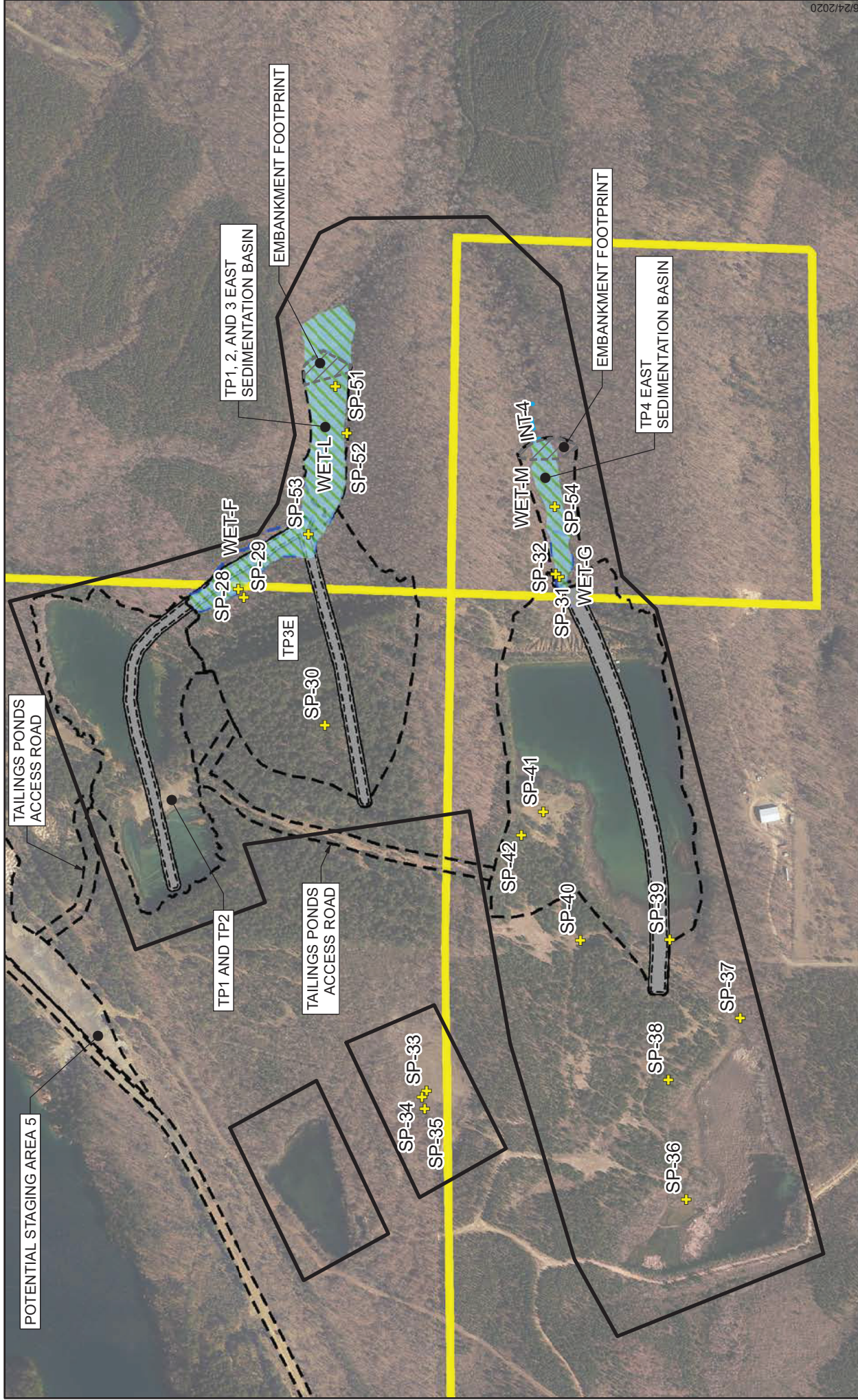


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Figure 4.5 Map showing construction impact details based on 2017 Arkansas Digital Orthophotography Program imagery.



HESI - Impacts, DIM Site

500

Feet



Delineation Area

Embankment Footprint

Project Impact Area



Sample Points

Open Waters

Project Wetlands



Intermittent



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NOT A BOUNDARY SURVEY - FOR REFERENCE ONLY

Background: Arkansas GIS Office

Figure 4.6 Map showing construction impact details based on 2017 Arkansas Digital Orthophotography Program imagery.



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LEGEND

	PROPERTY LINE (APPROXIMATE)
	HALLUCINATION PROPERTY LINE
	CONCRETE FENCE LINE
	WATERCOURSE
	LINE
	LIMIT OF POOLS
	TREE LINE
	LOCATION
	TEST PIT
	UTILITY POLE
	FORMING WALL
	TREE
	WETLAND
	LIMIT OF CONSTRUCTION
	PROPOSED LOW FLOW CHANNEL
	PROPOSED CUT AREA
	PROPOSED FILL AREA
	JURISDICTION WETLANDS

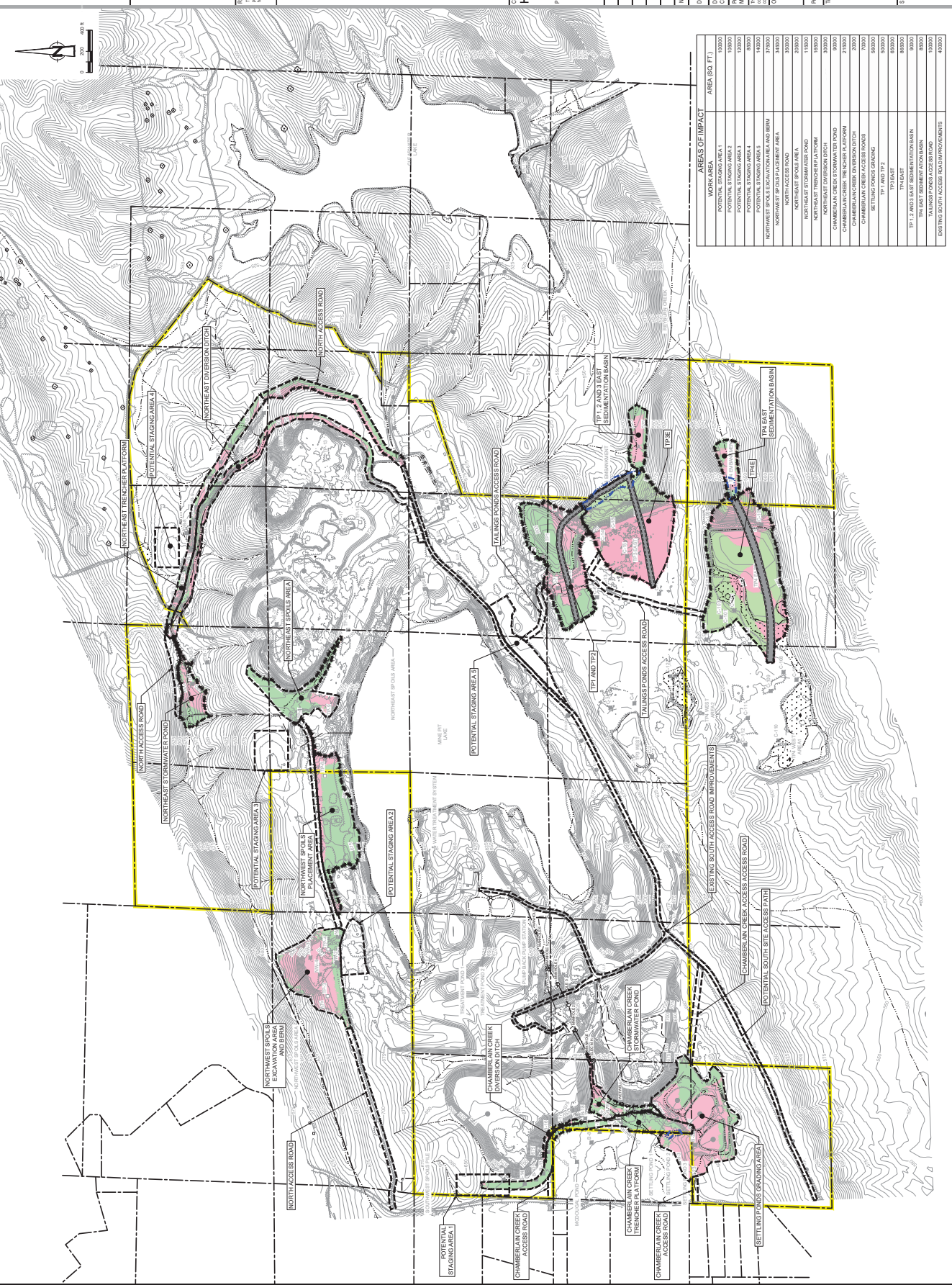
Client: ALLIANCE ENERGY SERVICES, INC.
HOT SPRING COUNTY, ARKANSAS
Project: DRESSER INDUSTRIES-MAGCOBAR
(DIM) MINE SITE - REMEDIAL DESIGN

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Drafting Check	BP	Design Check	TT
Project Manager	DW	Date	May 12, 2020
This document shall not be used for construction unless signed and sealed for construction.		Scale	1"=400'
Arch D		Bar is one inch on original size drawing 0  1"	
Project No. 11124968-00		Arch D	

WORK AREAS

C-01

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