



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

In replying refer to:  
Public Notice Number: 97-13830-YN  
Issue Date: August 28, 1998  
Expiration Date: September 28, 1998

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** New York State Department of Environmental Conservation  
Division of Hazardous Waste Remediation  
50 Wolf Road  
Albany, New York 12201

**ACTIVITY:** Dredge, with upland disposal, discharge fill to facilitate the remediation of a hazardous waste site.

**WATERWAY:** Cumberland Bay on Lake Champlain

**LOCATION:** City of Plattsburgh, Clinton County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your 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 benefits 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, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general the needs and welfare of the people.

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 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.

**PUBLIC NOTICE NO. 97-13830-YN**

**ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,** otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act 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 and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at: (518) 270-0588 and ask for Kim A. Copenhaver.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

FOR THE DISTRICT ENGINEER:

FOR/   
Joseph J. Seebode  
Chief, Regulatory Branch

Enclosures

## PUBLIC NOTICE NO. 97-13830-YN

WORK DESCRIPTION

The applicant, the New York State Department of Environmental Conservation, has requested Department of the Army authorization to dredge with upland disposal, to discharge fill material into and construct a boat launch within a portion Cumberland Bay in Lake Champlain. The proposed work would facilitate the remediation of a PCB contaminated portion of the lake. The site is located adjacent to Wilcox Dock along Cumberland Avenue, in the City of Plattsburgh, Clinton County, New York.

The work would involve the dredging of approximately 145,000 cubic yards of PCB contaminated paper pulp and woodchip material (sludge) from an approximately 63 acre area which would cause the loss of approximately 3.40 acres of forested wetland, 3.78 acres of emergent wetlands (1.46 acres on a temporary basis), 0.26 acres of shrub wetland and 4.81 acres of floating aquatic bed all located adjacent to and within the lake. The sludge deposit varies from 0.25 feet to 10 feet in thickness above the natural lake bottom.

The majority of the sludge deposit would be removed from the lake bottom using hydraulic dredges operating from the Wilcox dock or a barge. Sludge deposited along the vegetated shoreline would be removed by a mechanical excavator. The dredged material would be pumped to a temporary treatment facility for processing through a 6 to 12 inch diameter pipe situated on the dock or adjacent shoreline. The pipe would extend up to 2,300 feet of which approximately 500 feet would be located in uplands. The pipe would be supported by floats in the lake.

The excavated sludge would be transported to the treatment facility by trucks. Once treated the material would be transported to a state approved landfill. After meeting state water quality standards, effluent from the treatment facility would be discharged into the lake through a temporary 12 to 16 inch diameter outfall pipe to be installed at the end of the Wilcox Dock breakwater. Approximately 45 cubic yards of riprap would be placed at the end of the outfall to prevent erosion. The outfall and riprap would be removed upon completion of the project.

The proposed dredging area would be isolated by a floating silt curtain, while the thickest portion of the sludge deposit (up to 10 feet thick) located along the northeastern side of Wilcox Dock, would be isolated by installing temporary steel sheet piling. This would isolate an approximately 9 acre area of the waterbody. The mechanically excavated area would be isolated by the installation of several temporary cofferdams which would be relocated in phases as the excavation work proceeds. The applicant has indicated that the discharge of additional fill material below the ordinary high water mark (OHWM) of Lake Champlain may occur on a temporary basis to facilitate the construction of access ramps in the shoreline excavation area.

The proposed construction of a 45 foot wide by 90 foot long boat launch would involve the discharge of approximately 100 cubic yards of concrete and 75 cubic yards of gravel below the OHWM of the waterway. The launch would be used for barge transport. In addition, the

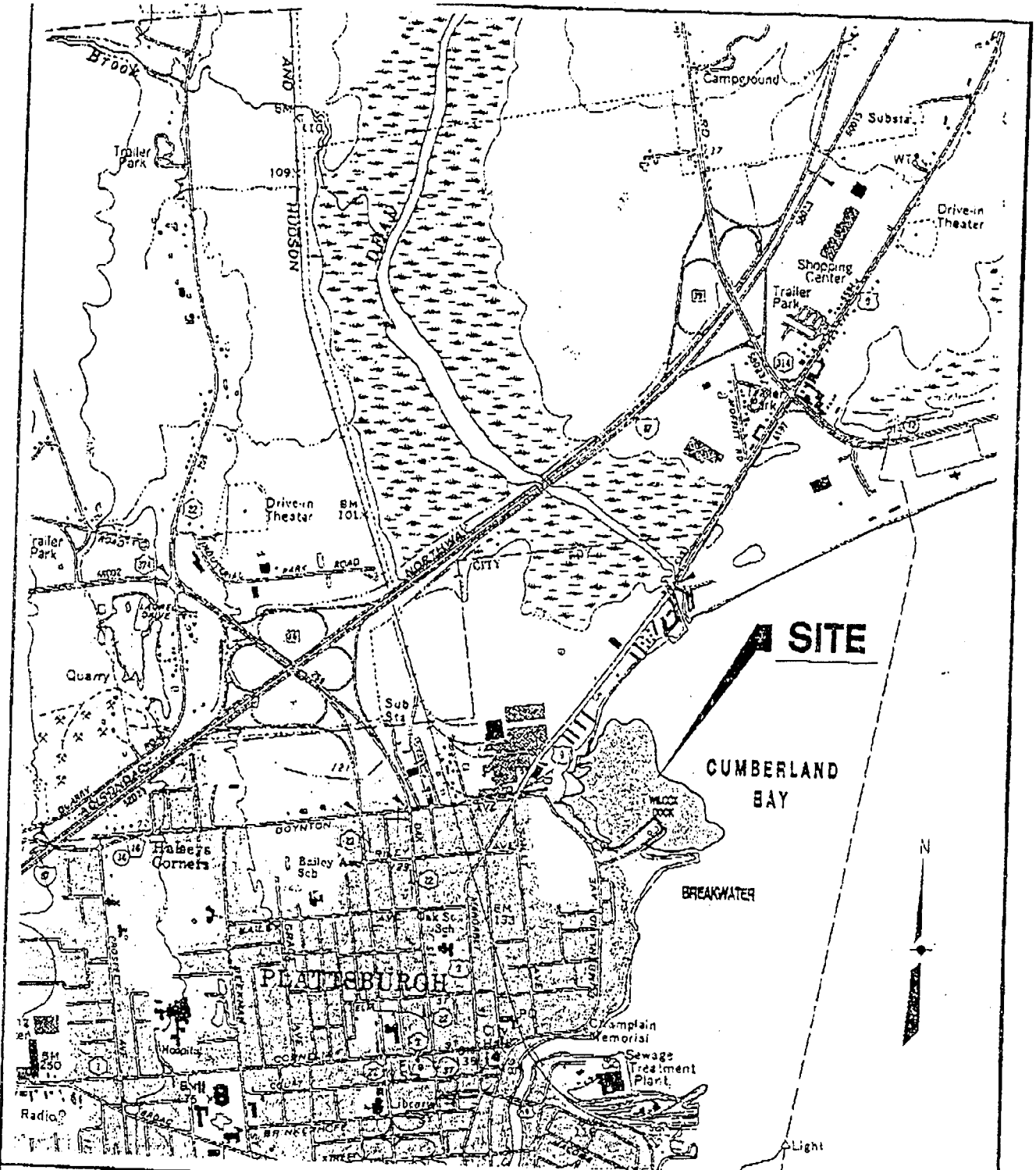
## PUBLIC NOTICE NO. 97-13830-YN

applicant proposes to upgrade an existing access road which would involve the loss of 0.24 acres of wetland. The applicant has indicated the boat launch and road would be left in place at the close of the project to facilitate future public access to the waterway.

Temporary impacts are proposed from the discharge of fill material into 1.46 acres of emergent marsh wetlands to facilitate the construction of the temporary waste treatment system, and construction staging areas. The applicant has indicated that these waters of the United States will be restored to preconstruction conditions at the completion of the project which is anticipated to take approximately 2 years.

The applicant is proposing to mitigate for the loss of wetlands as a result of the project by restoring the wetlands to pre-remediation conditions. Approximately 3.32 acres of forested wetlands, 2.40 acres of emergent wetland and 0.59 acres of shrub wetland would be restored to pre-remediation elevations and replanted after project construction.

The stated purpose of the proposed work is to remediate a hazardous waste site by the elimination of the sludge bed as a source of PCB's in Lake Champlain.



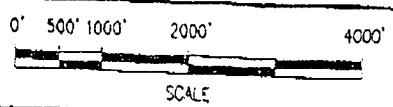
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**RUST**

Rust Environment & Infrastructure Inc.

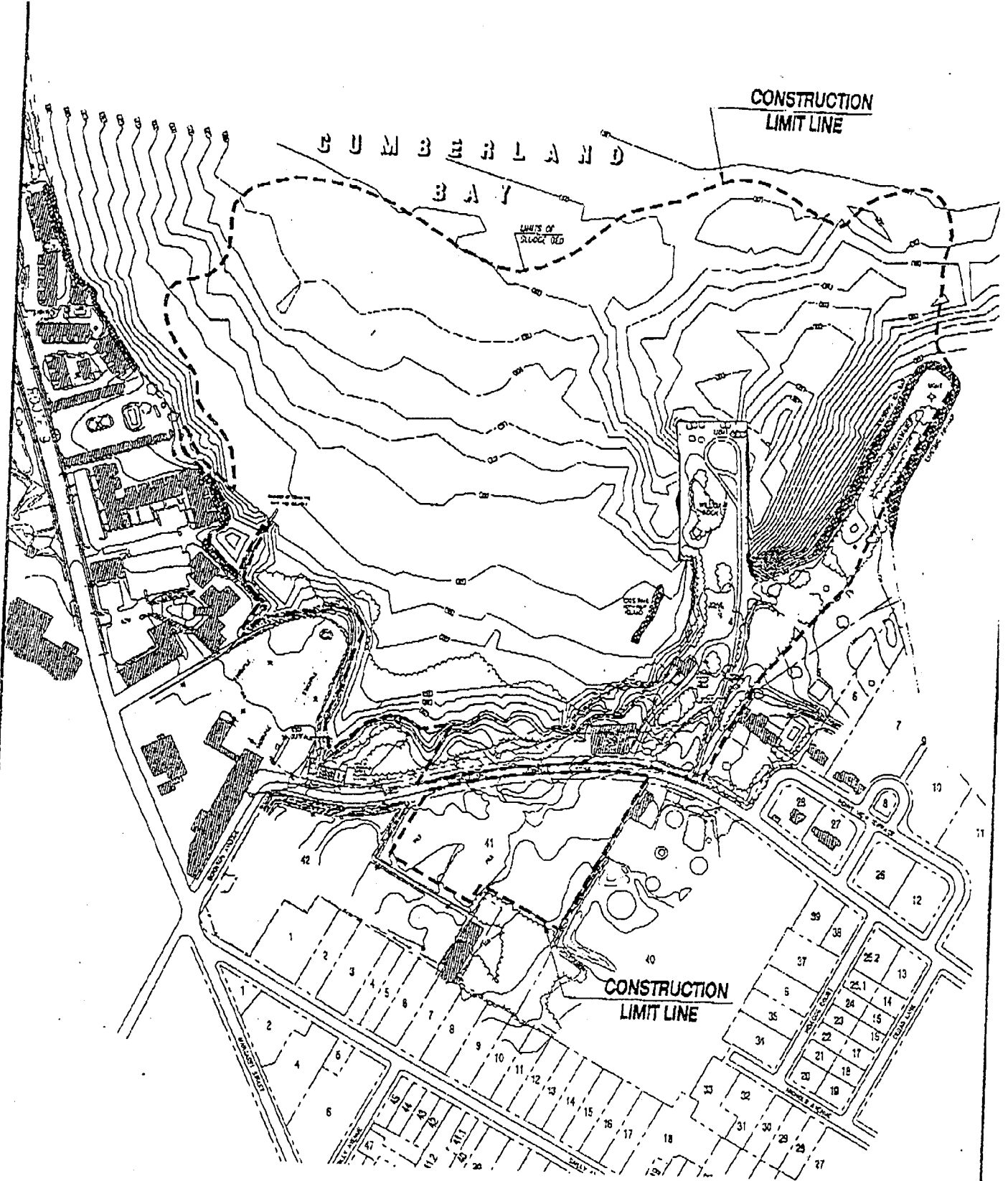
JULY 1998

202350



**FIGURE 1 OF 12**  
**SITE LOCATION MAP**

**CUMBERLAND BAY SLUDGE BED SITE**  
**PLATTSBURGH - CLINTON COUNTY, N.Y.**  
 NYSDEC SITE No. 510017 / ACOE # 97830YN



7-31-98

USACUL-02.DWG

FIGURE 2 of 12

LOCATION PLAN / EXISTING CONDITIONS





**RIJST**  
Rust Environment & Infrastructure Inc.

CUMBERLAND BAY SLUDGE BED SITE  
PLATTSBURGH - CLINTON COUNTY, N.Y.  
NYSDEC SITE No. 510017 / ACOE # 97830YN

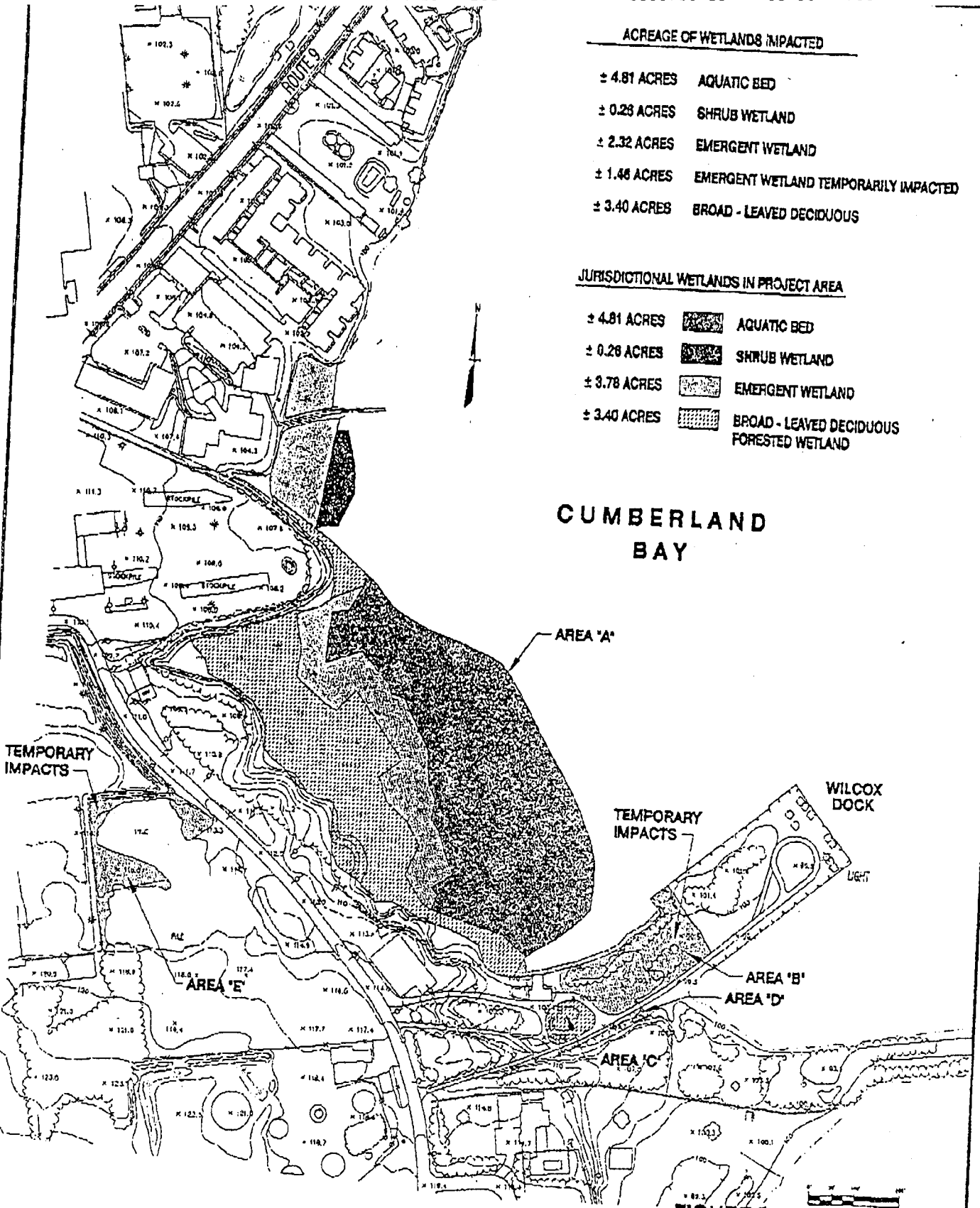
**ACREAGE OF WETLANDS IMPACTED**

- ± 4.81 ACRES AQUATIC BED
- ± 0.28 ACRES SHRUB WETLAND
- ± 2.32 ACRES EMERGENT WETLAND
- ± 1.48 ACRES EMERGENT WETLAND TEMPORARILY IMPACTED
- ± 3.40 ACRES BROAD - LEAVED DECIDUOUS

**JURISDICTIONAL WETLANDS IN PROJECT AREA**

- ± 4.81 ACRES  AQUATIC BED
- ± 0.28 ACRES  SHRUB WETLAND
- ± 3.78 ACRES  EMERGENT WETLAND
- ± 3.40 ACRES  BROAD - LEAVED DECIDUOUS FORESTED WETLAND

**CUMBERLAND BAY**

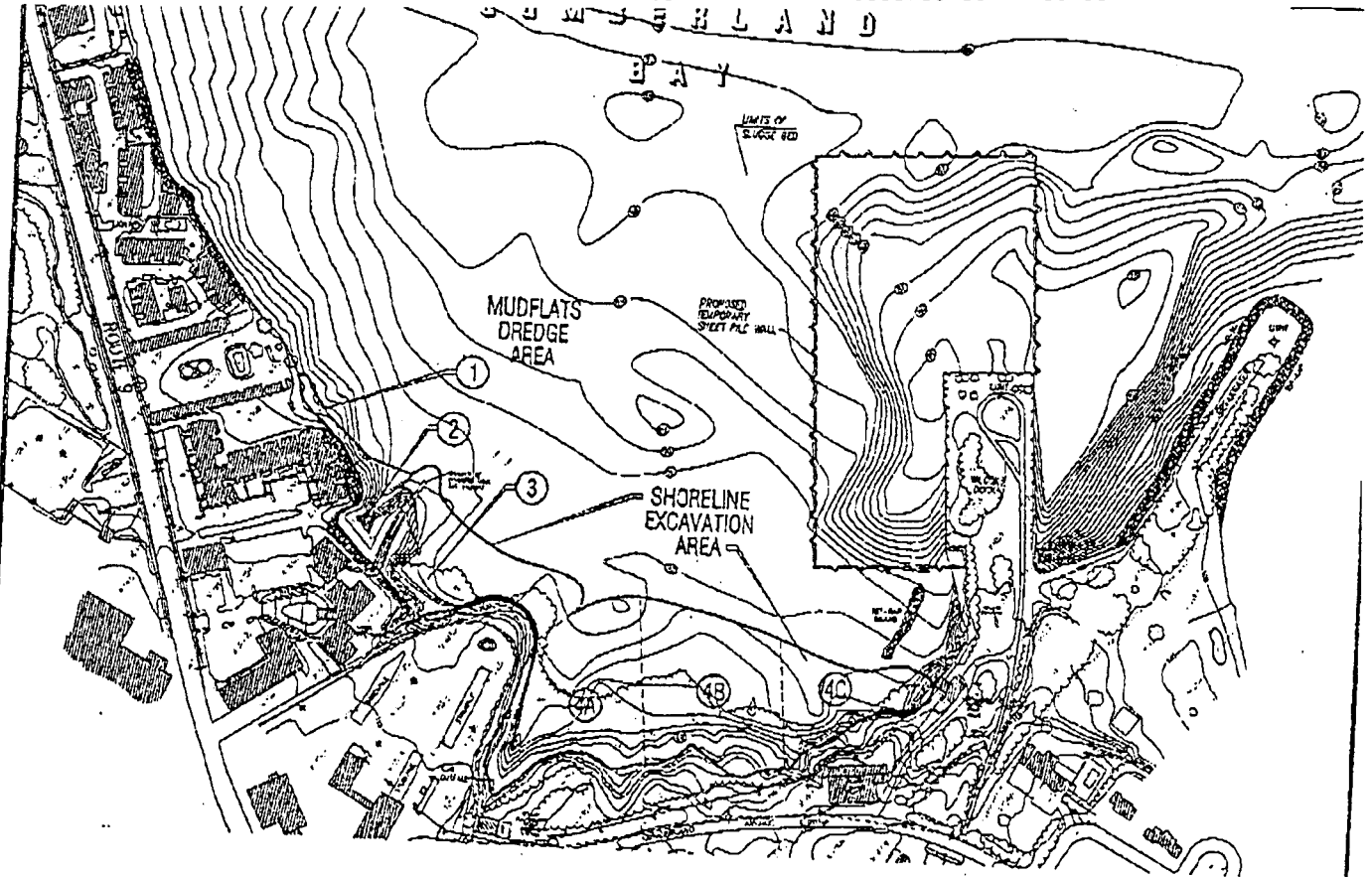


**FIGURE 3 OF 12**

JURISDICTIONAL WETLANDS BOUNDARY MAP / EXISTING CONDITION

**RUST**  
Rust Environment & Infrastructure Inc.

**CUMBERLAND BAY SLUDGE BED SITE**  
**PLATTSBURGH - CLINTON COUNTY, N.Y.**  
**NYSDEC SITE No. 510017 / ACOE # 97830YN**



8-10-98

NOTES

1. SHORELINE EXCAVATION AREA IS DIVIDED INTO SUBAREAS 1, 2, 3 AND 4 AND COMPARTMENTS A, B, C, ETC. FOR REFERENCE PURPOSES ONLY. CONTRACTOR MAY ALTER SITE LOCATION AND SEQUENCING OF SUBAREAS AND COMPARTMENTS EXCEPT AREA 1 SHALL BE EXCAVATED WHEN THIS AREA IS EXPOSED ABOVE THE SHORELINE DURING LOW LAKE LEVELS AFTER LABOR DAY.
2. ACCESS TO SHORELINE EXCAVATION AREA SHALL BE AT LOCATIONS SHOWN OR AS OTHERWISE APPROVED IN WRITING BY DISTRICT.
3. INSTALL TEMPORARY WATER RETENTION STRUCTURE(S) (WMS), DAMPS AND UPSTREAM AND DOWNSTREAM DIVERSION DITCHES AS NECESSARY TO ALLOW FOR DEWATERING OF THE SHORELINE EXCAVATION AREA AND SLUDGE REMOVAL "IN THE DRY". ALIQUOTS AND STAGONS ARE AT CONTRACTOR'S DISCRETION SUBJECT TO DISTRICT'S APPROVAL. EXCAVATION SHALL BE COMPLETED WHEN LAKE LEVELS ARE LOW TO FACILITATE SURFACE AND GROUNDWATER DEWATERING.
4. INSTALL WMS A SUFFICIENT DISTANCE WITHIN THE EXCAVATED AREA TO PROVIDE ADEQUATE SPACE FOR CONSTRUCTING THE LATERAL DEWATERING DAMPS WITHIN THE EXCAVATED AREA. PROBABILITY OF DREDGING TO SHORELINE EXCAVATION AREA MAY VARY (DEPENDENT ON LAKE LEVEL, ACCESS, VEGETATION AND DEBRIS THAT MAY AFFECT CONTRACTOR'S DREDGING PLAN AND SEQUENCING).
5. TEMPORARILY REMOVE AND REPLACE ERAP (LIGHT STONE) WHERE NECESSARY TO REMOVE SLUDGE. CLEANED STONE MAY BE REUSED IN DESIGNATED AREAS. NOTIFY DISTRICT IMMEDIATELY IF SLUDGE IS ENCOUNTERED BENEATH THE EXPOSED BANK AND MATERIAL COVER THE SLUDGE LEFT IN PLACE.
6. TEMPORARILY REMOVE CHAMBER OF CONVERGENCE DOCK AND ASSOCIATED ERAP AS NECESSARY TO GAIN ACCESS TO THE MUDFLATS DREDGING AREA AND SHORELINE AREAS 1 AND 2. REPLACE DOCK AND ERAP IN KIND WHEN EXCAVATION IN AREAS 1 AND 2 IS COMPLETE.
7. TEMPORARILY DIVERT CSO WATER FLOW AND ANY OTHER POINT SOURCE SURFACE RUNOFF OR SPRING FLOWS AROUND ACTIVE EXCAVATION AREAS. ALL DISCHARGES SHALL BE IN ACCORD WITH CONTRACTOR'S APPROVED WORK PLAN.
8. EXCAVATION IN AREA 3 SHALL EXTEND UP TO BUT NOT INCLUDE FORTIOR CENTER PILE.
9. SLUDGE EXCAVATION SHALL BE CONDUCTED IN A MANNER TO MINIMIZE DISTURBANCE OF SOFT SUBGRADE MATERIALS AND MINIMIZE OF EXCAVATED VEGETATION, DEBRIS AND SLUDGE MATERIALS. CONTRACTOR SHALL USE CONSTRUCTION MATS, LOCATE ACCESS ROADS AND SELECT ITS EXCAVATION AND HAULING EQUIPMENT ACCORDINGLY.
10. EXCAVATION SHALL NOT BE CONDUCTED IN A WAY THAT WILL UNDERMINE EXISTING BANKS AND LEAD TO SLOPE INSTABILITY.
11. CLEARING AND CRUSING EXCAVATION, ACCESS, MANAGEMENT OF REMOVED MATERIALS AND RESTORATION SHALL BE IN ACCORD WITH CONTRACTOR'S APPROVED WORK PLAN.

FIGURE 4 OF 12

SHORELINE EXCAVATION PLAN

**RIJST**  
Rust Environment & Infrastructure Inc.

CUMBERLAND BAY SLUDGE BED SITE  
PLATTSBURGH - CLINTON COUNTY, N.Y.  
NYSDEC SITE No. 510017 / ACOE # 97830YN



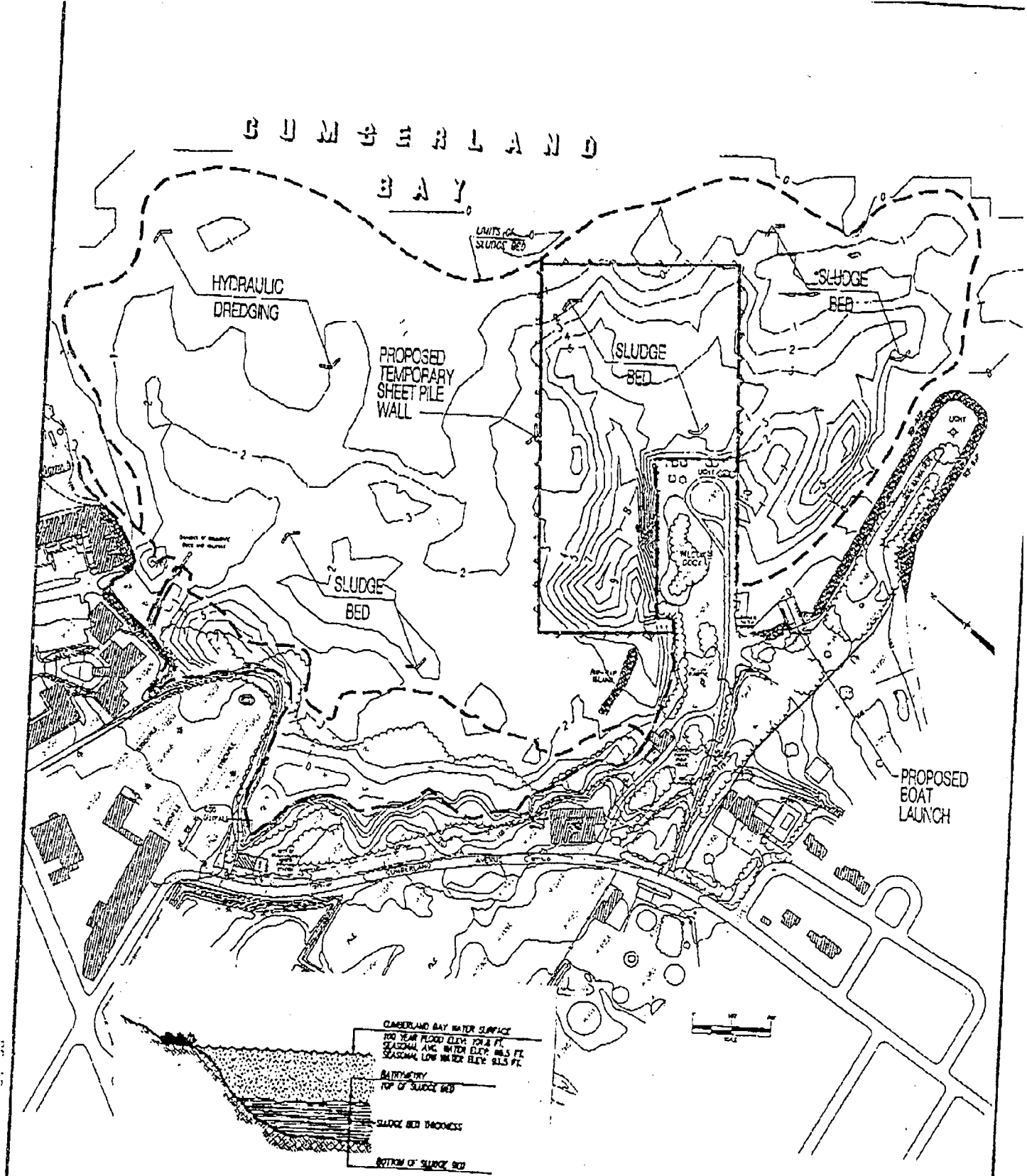


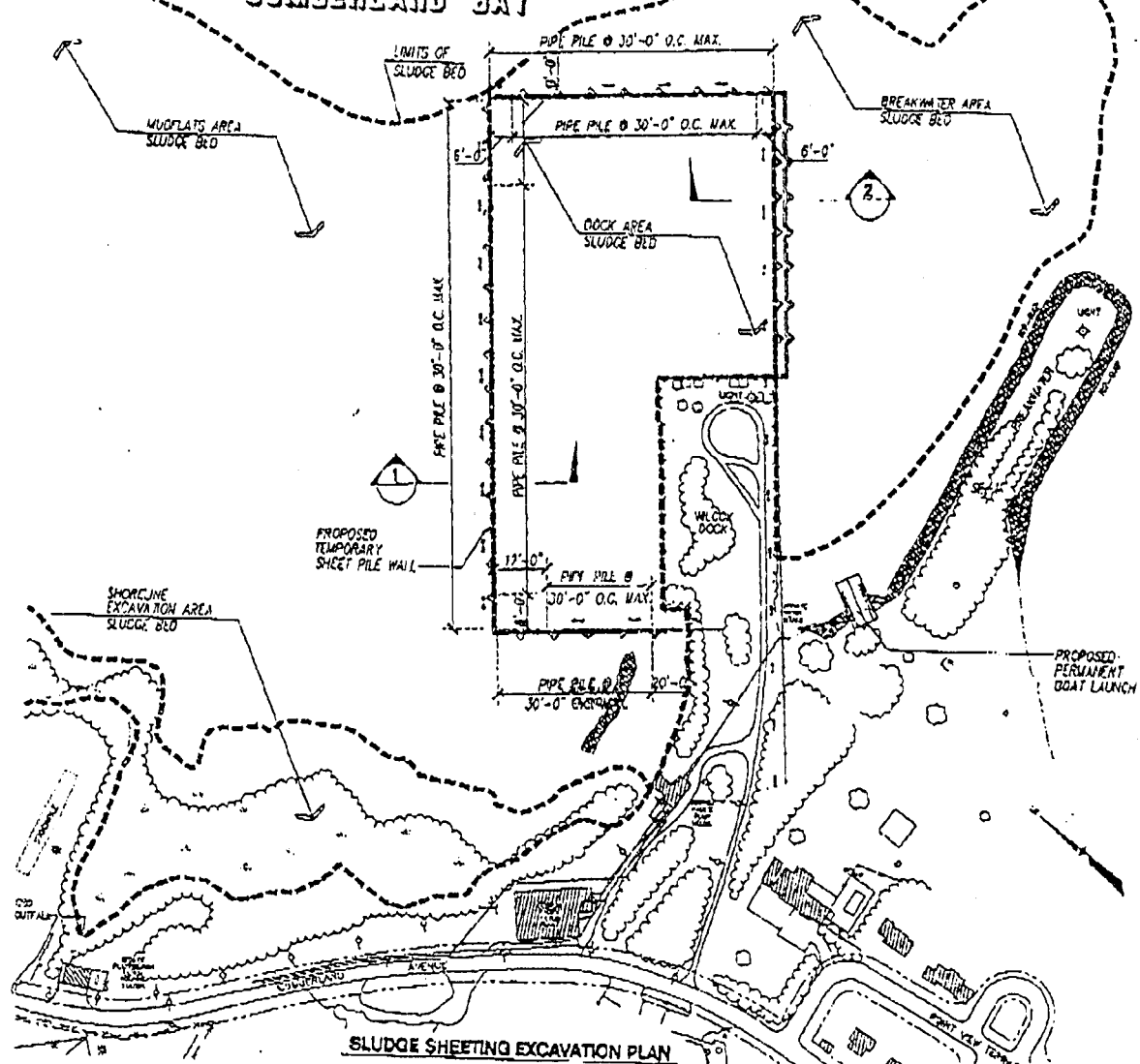
FIGURE 5 of 12

SLUDGE BED ISOPAC / SLUDGE REMOVAL PLAN

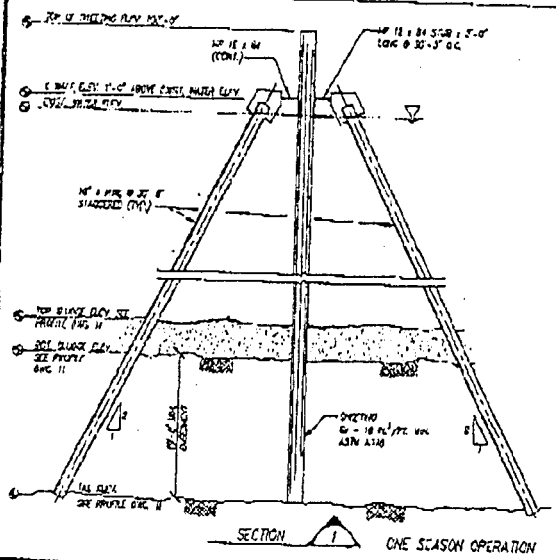
**RUST**  
Rust Environment & Infrastructure Inc.

**CUMBERLAND BAY SLUDGE BED SITE**  
**PLATTSBURGH - CLINTON COUNTY, N.Y.**  
**NYSDEC SITE No. 510017 / ACOE # 97830YN**

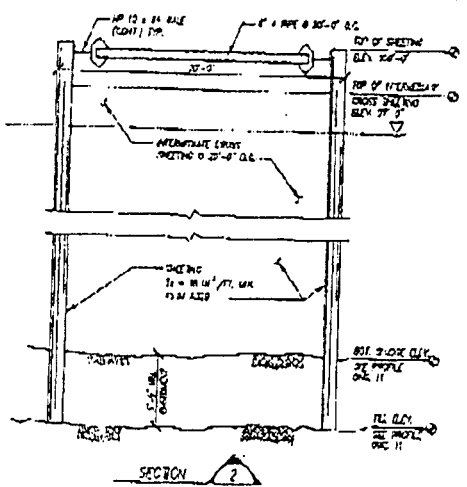
# CUMBERLAND BAY



SLUDGE SHEETING EXCAVATION PLAN



SECTION 1 ONE SEASON OPERATION



SECTION 2

TYPICAL SECTIONS THROUGH SHEETING

FIGURE 6 of 12

## SHEET PILE WALL PLAN AND DETAILS

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CUMBERLAND BAY SLUDGE BED SITE  
PLATTSBURGH - CLINTON COUNTY, N.Y.  
NYSDEC SITE No. 510017 / ACOE # 97830YN

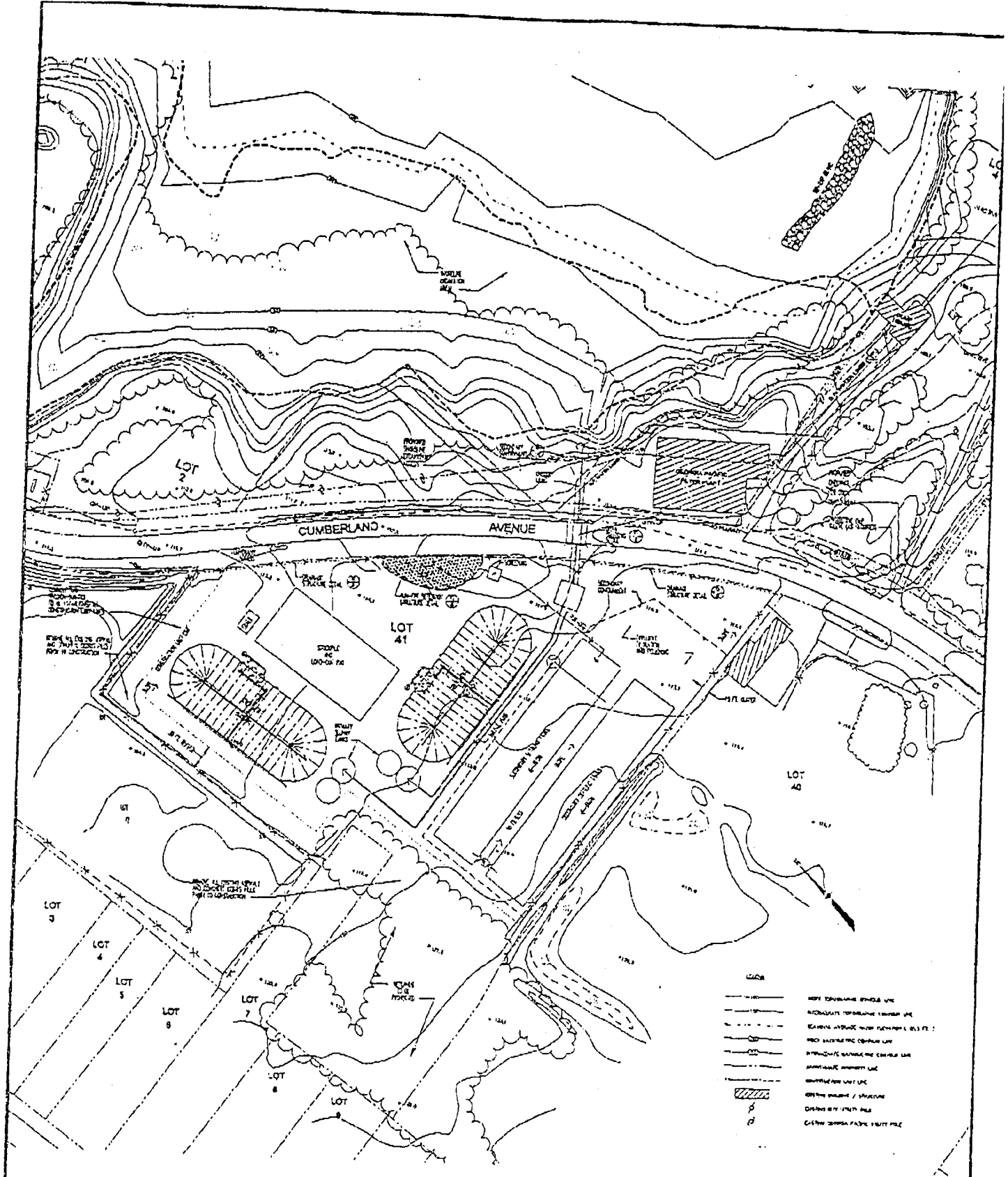


FIGURE 7 of 12

SITE LAYOUT AND CONSTRUCTION LIMITS - (WEST)

**RUST**  
 Rust Environment & Infrastructure Inc.

**CUMBERLAND BAY SLUDGE BED SITE**  
**PLATTSBURGH - CLINTON COUNTY, N.Y.**  
 NYSDEC SITE No. 510017 / ACOF # 97830VN

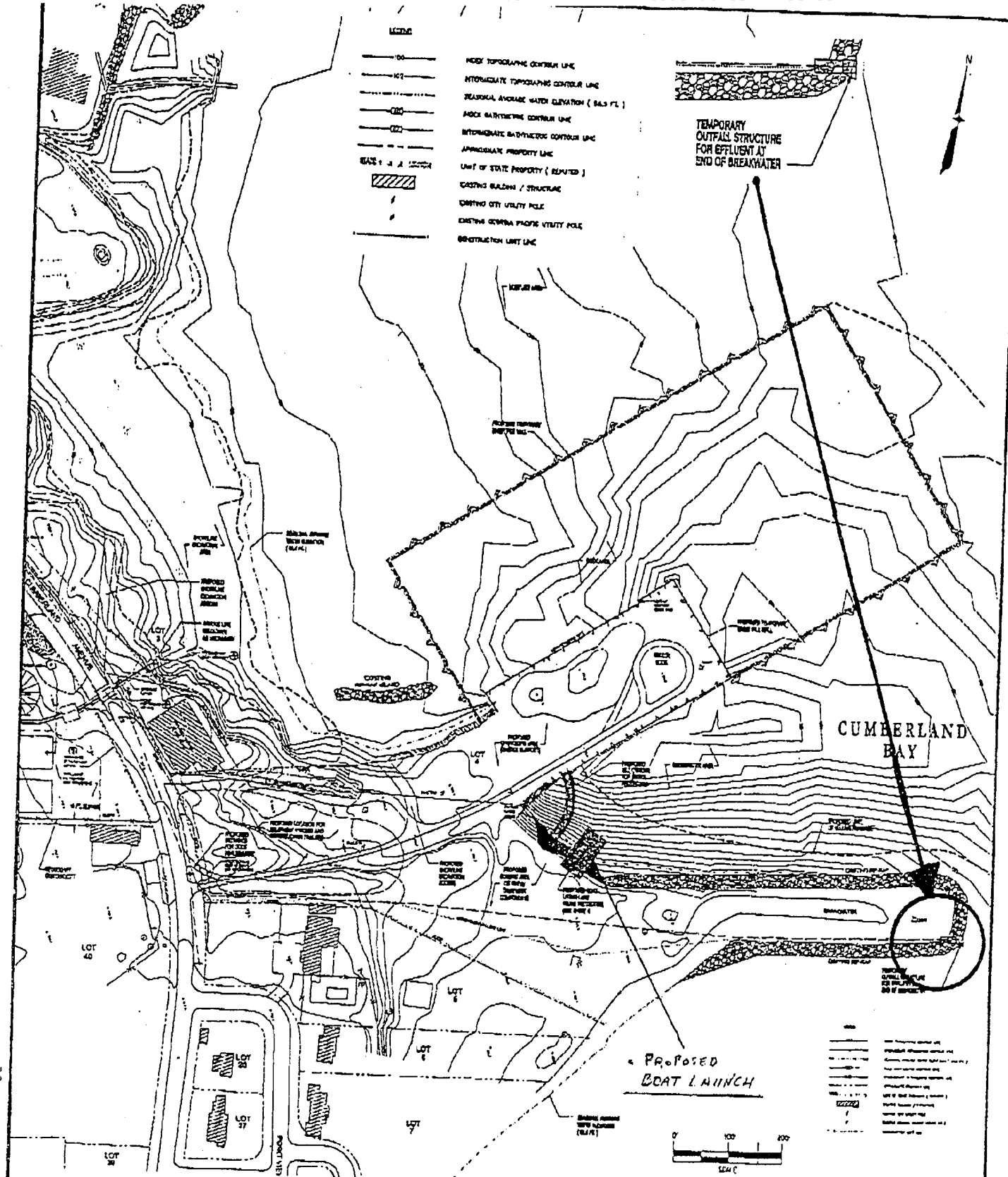


FIGURE 8 of 12

SITE LAYOUT AND CONSTRUCTION LIMITS - (EAST)

**RUST**  
Rust Environment & Infrastructure Inc.

**CUMBERLAND BAY SLUDGE BED SITE**  
**PLATTSBURGH - CLINTON COUNTY, N.Y.**  
**NYSDEC SITE No. 510017 / ACOE # 97830YN**

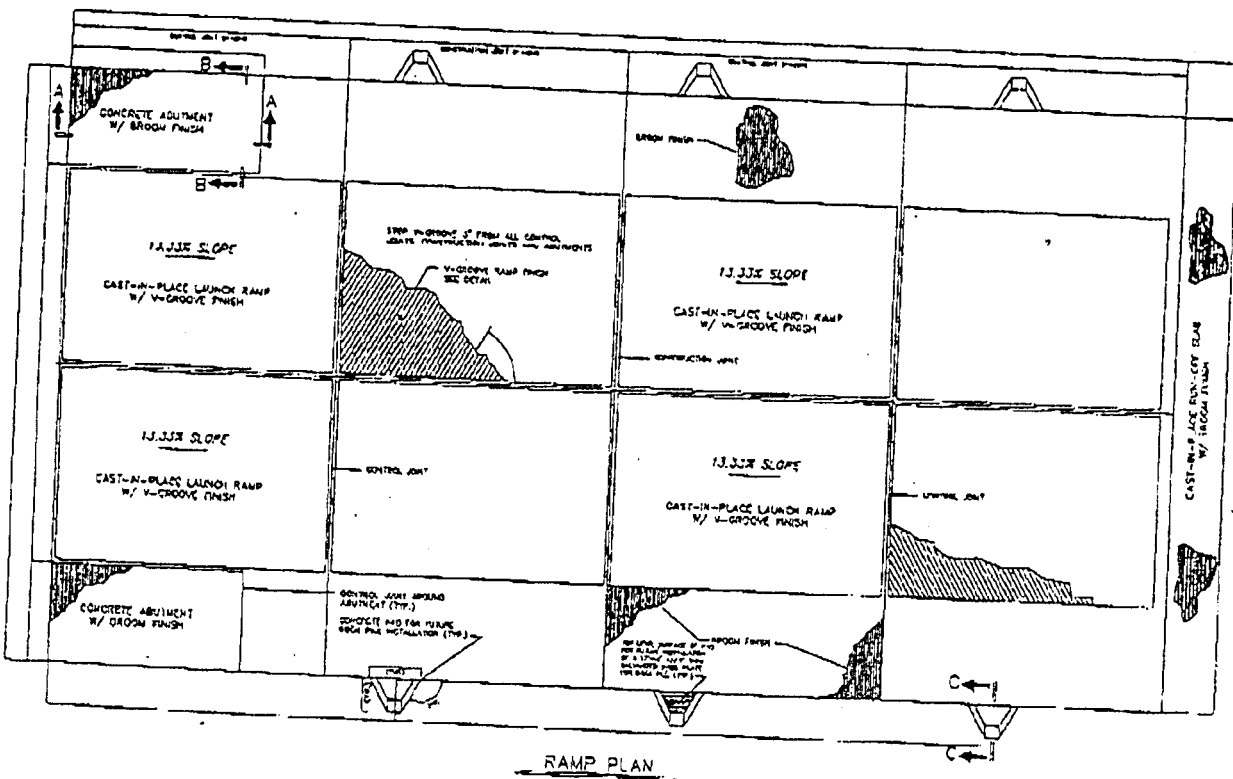
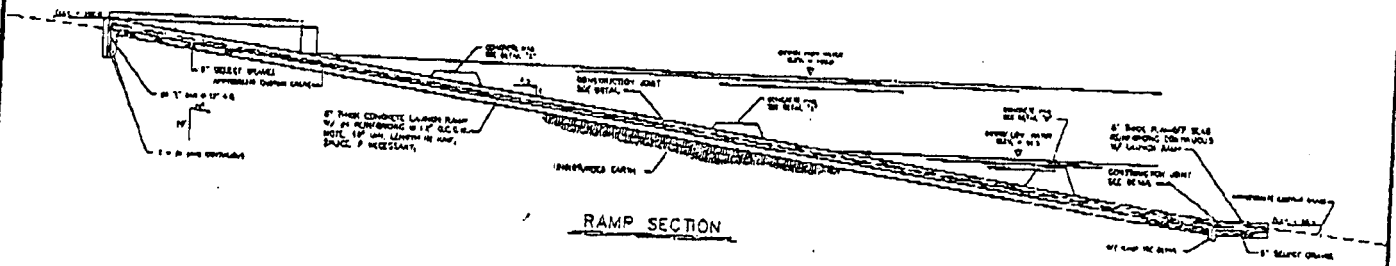
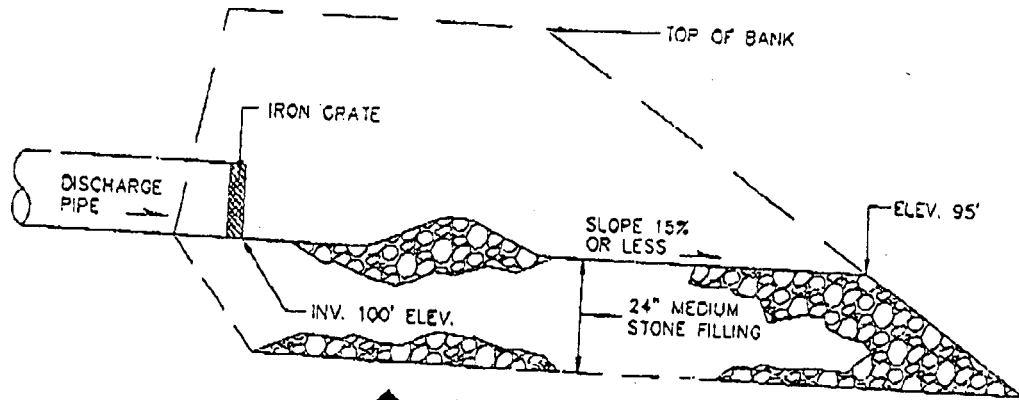


FIGURE 9 of 12

BOAT LAUNCH SITE PLAN DETAILS

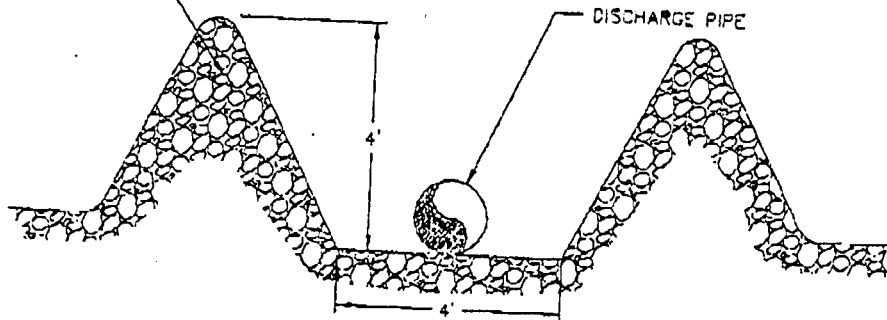
**RUST**  
Rust Environment & Infrastructure Inc.

**CUMBERLAND BAY SLUDGE BED SITE  
PLATTSBURGH - CLINTON COUNTY, N.Y.  
NYSDEC SITE No. 510017 / ACOE # 97830YN**



**B PROFILE**

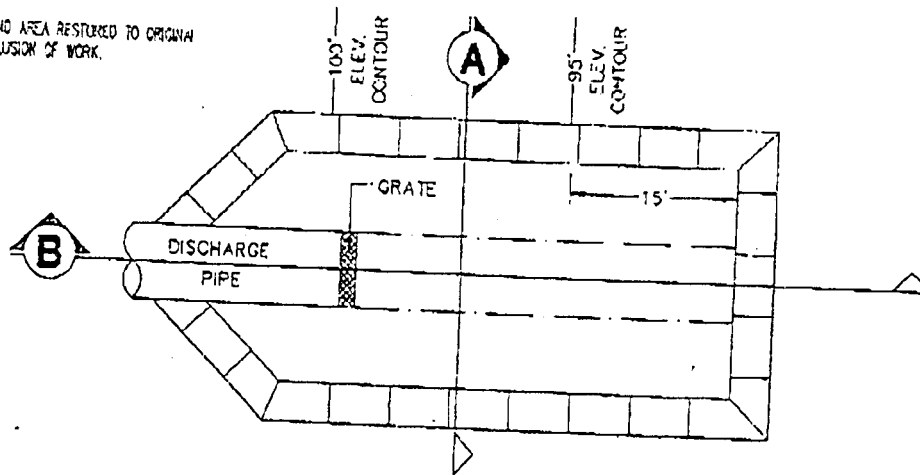
BANKS AND BED OF CHANNEL LINED WITH MEDIUM STONE FILLING RIP-RAP



**A SECTION**

NOTE:

1. TEMPORARY OUTFALL TO BE CONSTRUCTED BY EXCAVATING SPILLS AS NEEDED AND PLACING RIP-RAP AS SHOWN.
2. GRADES TO BE PROVIDED TO DIFFUSE FLOW ENERGY ON THE RIP-RAP CHANNEL.
3. STONE TO BE REMOVED AND AREA RESTORED TO ORIGINAL CONDITIONS AT THE CONCLUSION OF WORK.



**PLAN**

**TEMPORARY OUTFALL DETAIL**






NO SCALE

FIGURE 10 OF 12

TEMPORARY OUTFALL DETAIL

**RUJST**  
Rust Environment & Infrastructure Inc.

CUMBERLAND BAY SLUDGE BED SITE  
PLATTSBURGH - CLINTON COUNTY, N.Y.  
NYSDEC SITE No. 510017 / ACOE # 97830YN

-  PROPOSED WETLAND CONTOUR
-  25,834 sq.ft. 0.59 acres SHRUB WETLAND
-  104,462 sq.ft. 2.40 acres EMERGENT WETLAND
-  63,434 sq.ft. 1.46 acres EMERGENT WETLAND TEMPORARILY IMPACTED
-  144,655 sq.ft. 3.32 acres BROAD-LEAVED DECIDUOUS FORESTED WETLAND

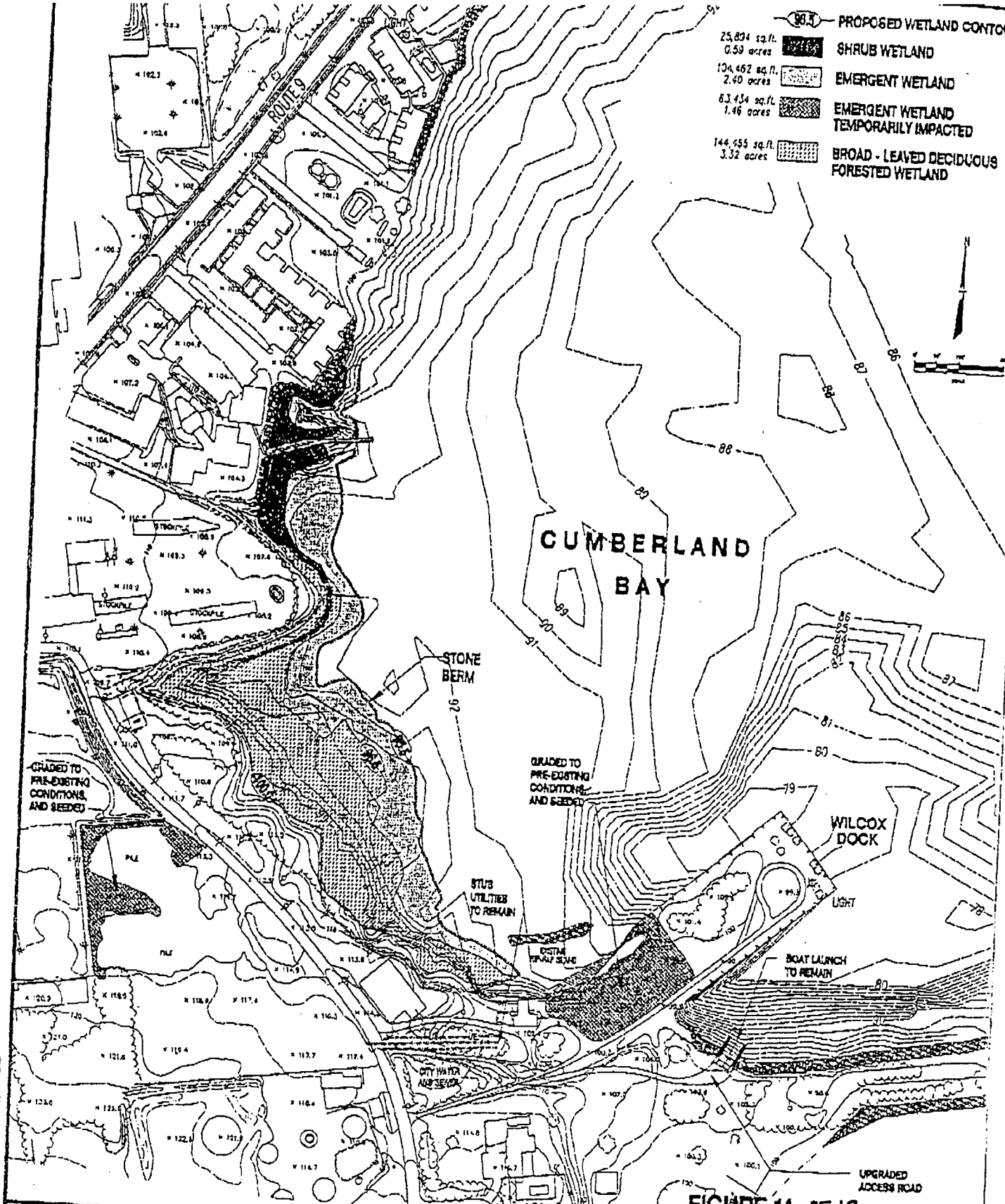


FIGURE 11 OF 12

<p>WETLANDS RESTORATION PLAN / PROPOSED FINAL CONDITIONS</p> <p style="text-align: center;"><b>RUST</b> Rust Environment &amp; Infrastructure Inc.</p>	<p style="text-align: center;"><b>CUMBERLAND BAY SLUDGE BED SITE</b> PLATTSBURGH - CLINTON COUNTY, N.Y. NYSDEC SITE No. 510017 / ACOE # 97830YN</p>
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TABLE 1  
Wetland Plants

PLANTS	TYPE	QUANTITY	SIZE	AREA Acres
Forested Wetland Area: Trees				3.32
Acer rubrum	Bare root transplant or container	165	12-24 inches	
Salix Nigra	Bare root transplant or container	165	12-24 inches	
Populus deltoides	Bare root transplant or container	35	12-24 inches	
Emergent Area				2.40
Typha latifolia	Bare root	15,500	NA	
Sparganium eurycarpum	Bare root	15,500	NA	
Scirpus validus	Bare root	15,500	NA	
Shrub Area				0.59
Cornus sericea	Bare root transplant or container	165	12-24 inches	

FIGURE 12  
OF  
12