JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 1835 Assembly Street, Room 865B-1 Columbia, South Carolina 29201

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street

Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # SAC-2012-00386-5Z 03 February 2014

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

Republic Services of South Carolina, LLC
And
Republic Services of Kentucky, LLC
c/o Brandon Smith
Environmental Services, Inc.
PO Box 2383
Savannah, Georgia 31421

for a permit to place fill material in

unnamed tributaries to Frenchman Creek and Elishas Creek

at a site located southeast of the intersection of HWY 56 and HWY 49, in Union County, South Carolina (Latitude 34.612315°N, Longitude 81.813407°W).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the Corps until

30 Days from the Date of this Notice,

and SCDHEC will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the expansion of the existing Upstate Regional MSW (municipal solid waste) Landfill (URL). Per the applicant, "[t]he 1,781 acre site includes +/- 83.3-acres of existing permitted waste disposal area and +/-249.1-acres of proposed waste expansion/disturbance limits mainly north and east of the existing waste disposal. Another +/-304-acres is planned for landfill operations, such as borrow material for daily waste cover use, internal roads, parking, stormwater ponds, scale house, offices, and maintenance shops, none of which will be used as waste disposal area." The project as proposed will require the filling of 4,501.8 linear feet of waters of the United States, unnamed tributaries to Frenchman Creek and Elishas Creek. As stated by

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the applicant, the purpose of the project is "to expand the URL in order to continue to accommodate the proper and safe disposal of waste for an additional 40-50 years." The applicant notes that "[a]II impacts are filling of intermittent stream channels, or relatively permanent waters, for the purposes of expanding waste handling capacity, with a small amount of intermittent impact required for side slope requirements for a stormwater retention facility." The compensatory mitigation plan proposed by the applicant consists of the purchase of 20,853.6 stream credits over a period of 5 years. Purchase of the credits would be such that 50% of the credits would be restoration and 50% would be preservation, all from the Arrowhead Farms Mitigation Bank, which directly abuts the proposed project site. The applicant notes that "given the scope of the necessary mitigation credit purchase take-down, the mitigation bank's release schedule, credit type, and quantity of credits available, the applicant will have to purchase the credits over a multi-year period." Regarding mitigation purchase time frames, the applicant states that the "[t]he mitigation purchases will minimally stay ahead of stream impacts." The District Engineer has not reached a decision as to the proposed mitigation plan's compliance with the 2008 Final Compensatory Mitigation Rule and the Charleston District's Guidelines for Preparing a Compensatory Mitigation Plan. Prior to this public notice, the applicant completed an intensive cultural resources survey which they provided to the State Historic Preservation Office (SHPO). November 5, 2012, the SHPO stated that their office "believes that no properties listed in or eligible for listing in the National Register of Historic Places will be affected by this project."

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 0.35 acre of freshwater habitat well inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

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03 February 2014

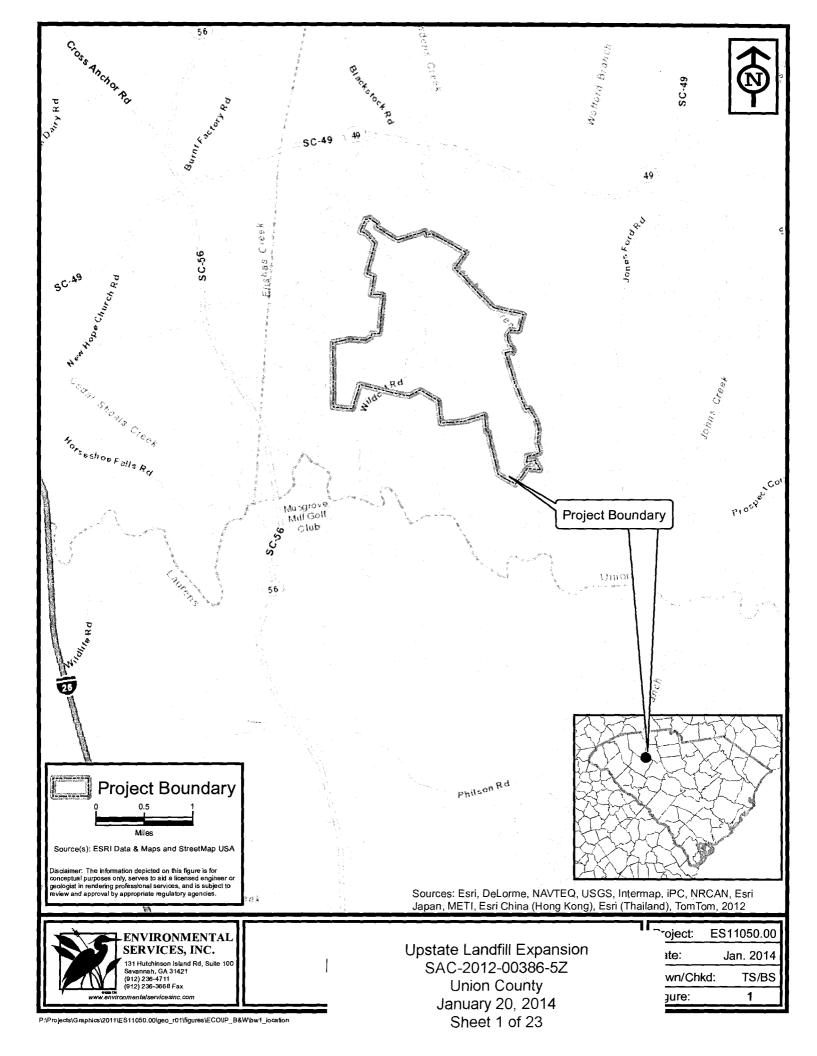
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Due to the elapsed time since the above-referenced survey and to insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

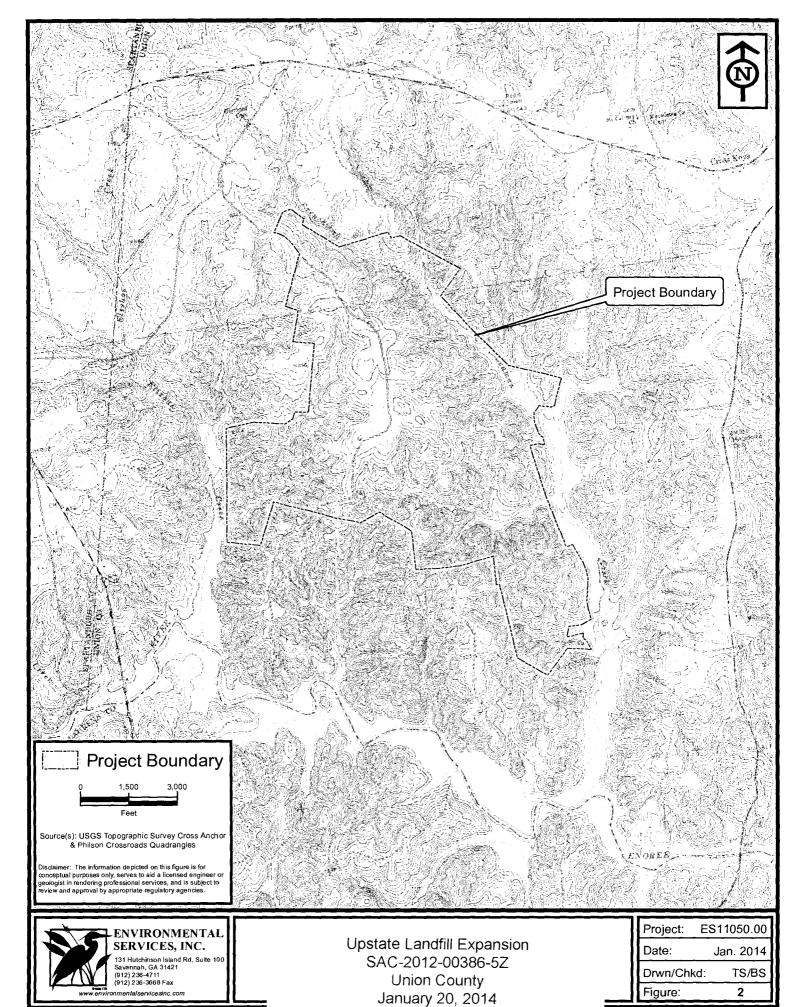
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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 project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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 and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

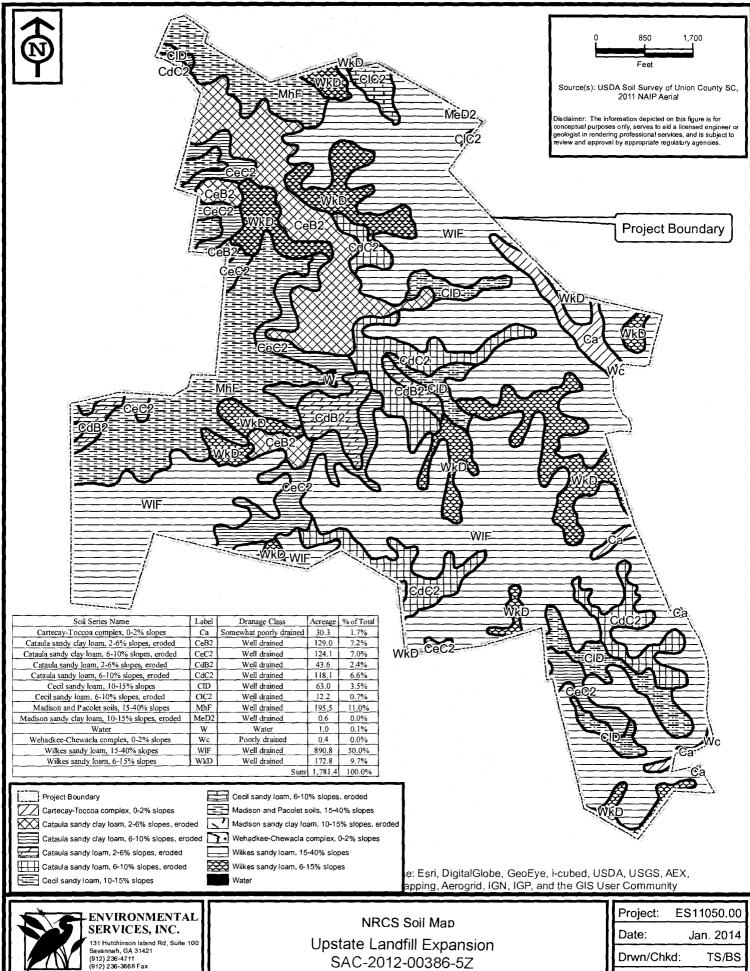
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. 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 activity.

If there are any questions concerning this public notice, please contact Laura Boos at 803-253-3902.





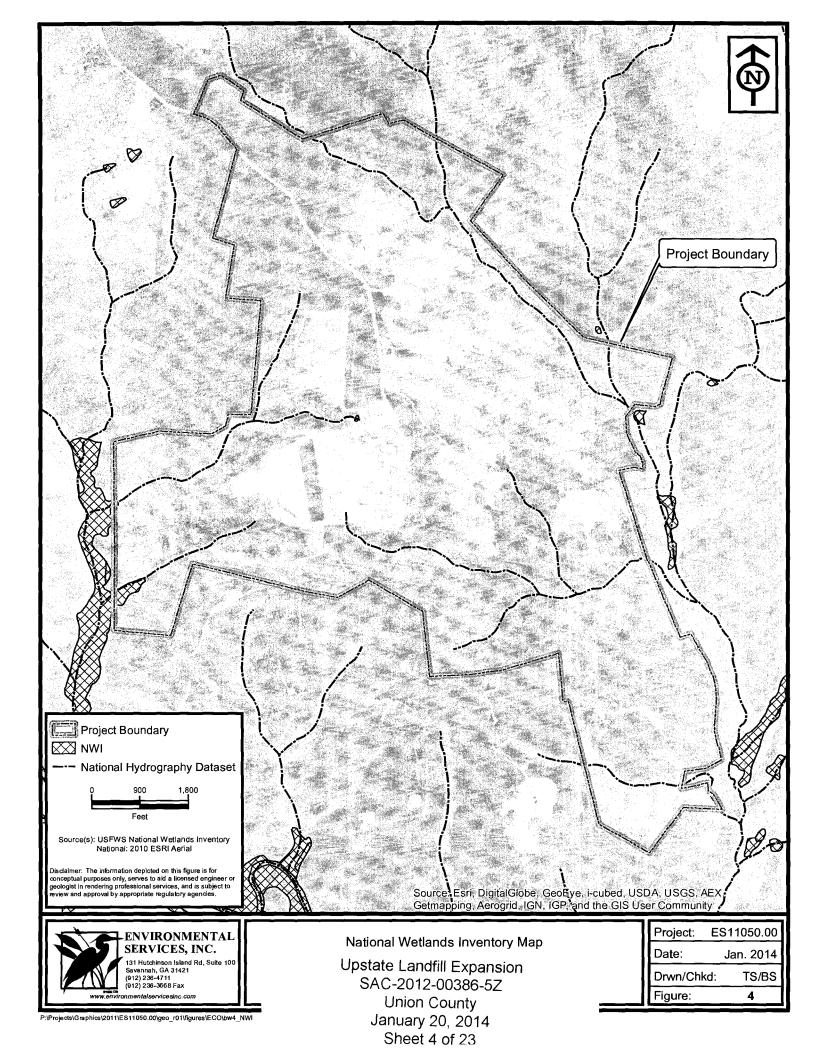
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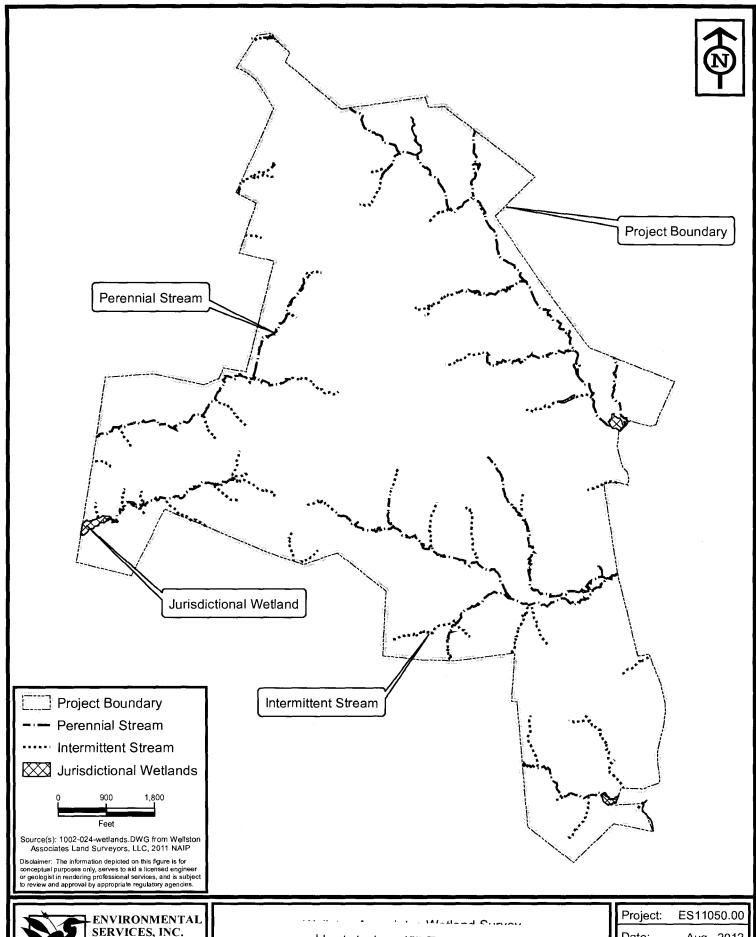


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Figure: 3

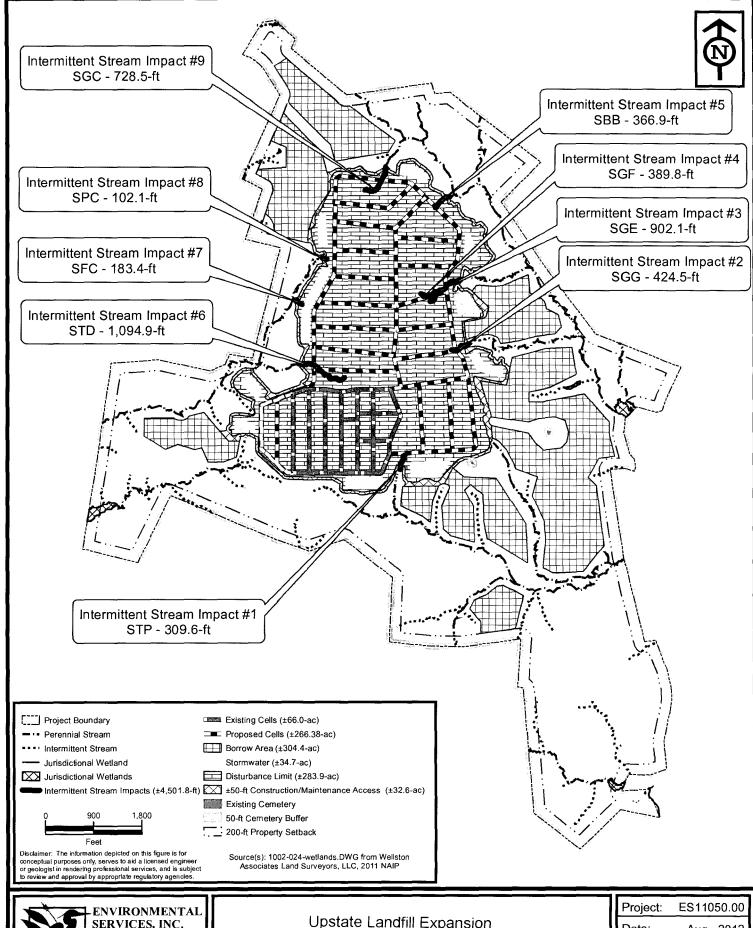






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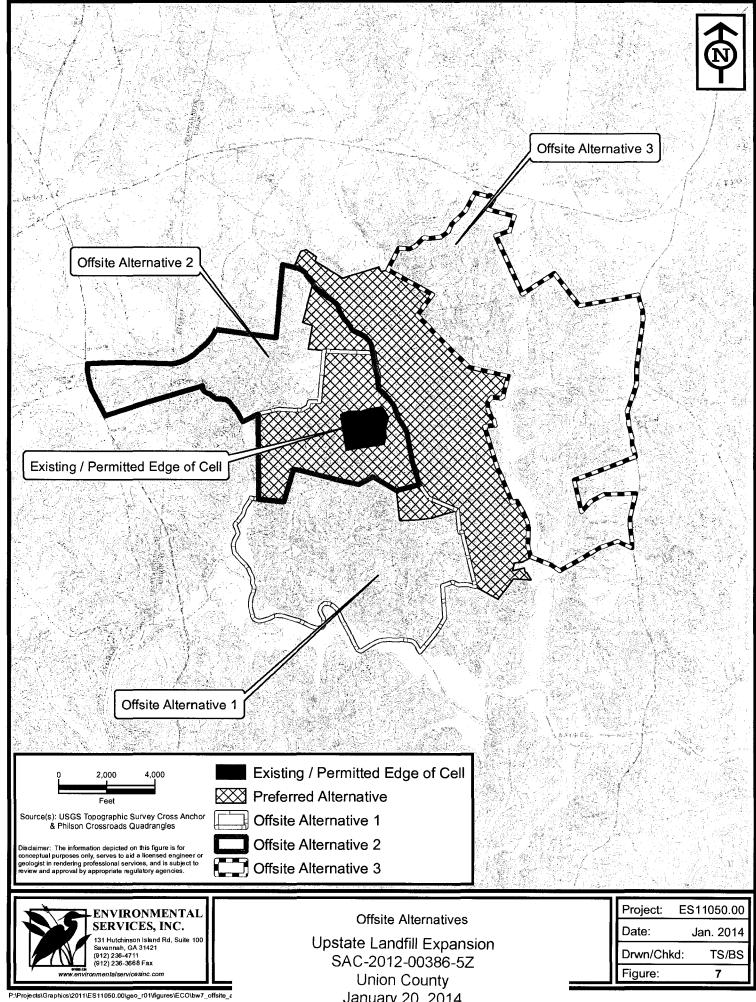
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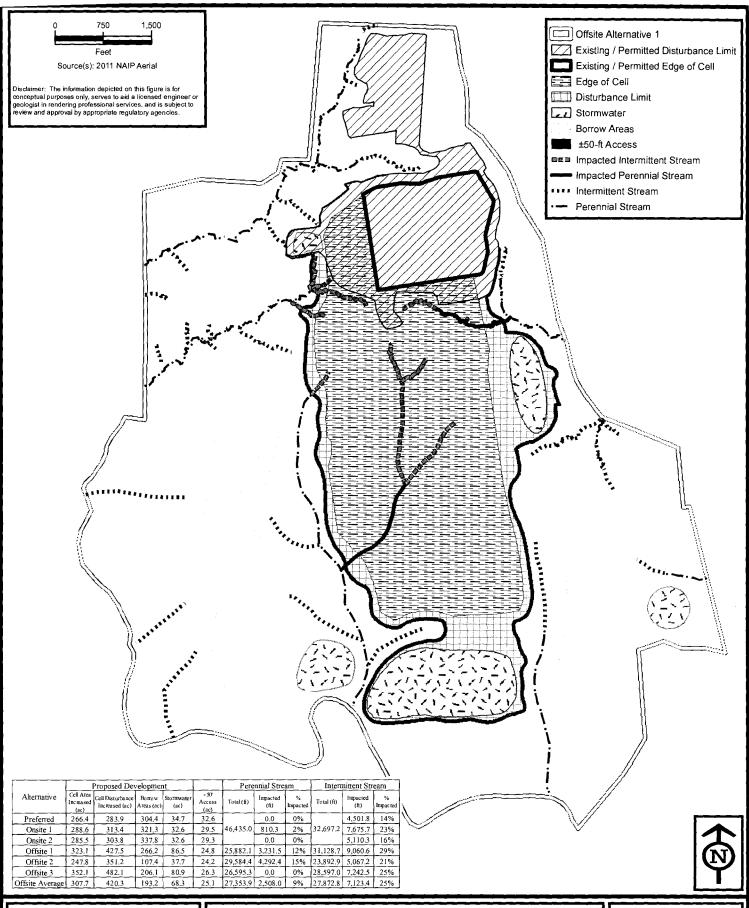
Upstate Landfill Expansion SAC-2012-00386-5Z Union County January 20, 2014 Sheet 6 of 23

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January 20, 2014

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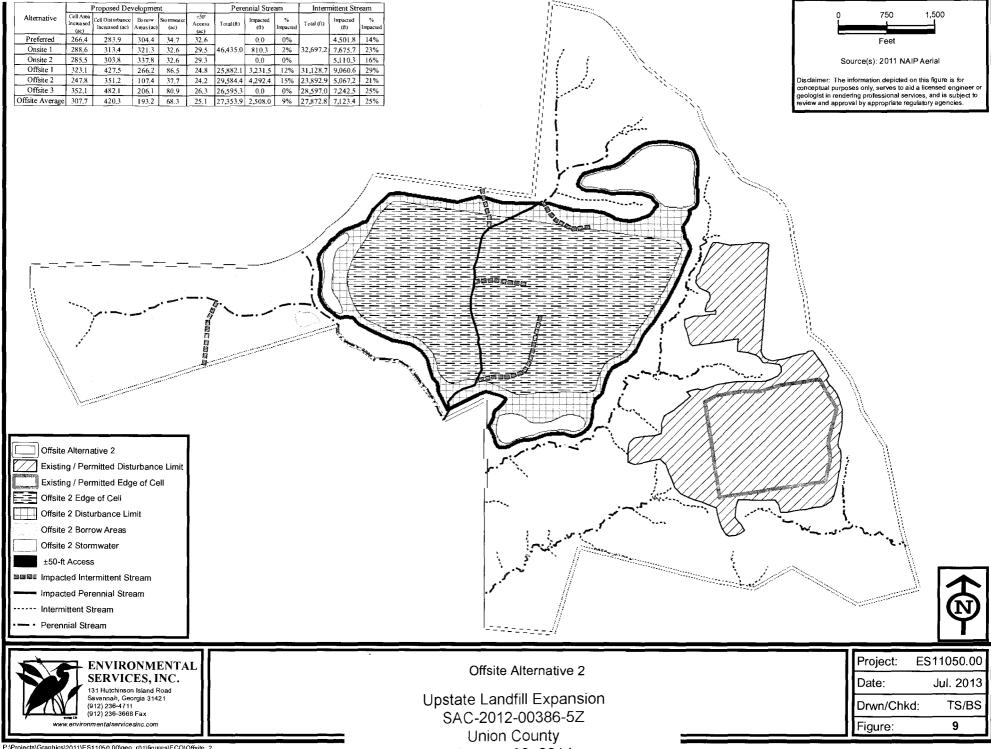
www.environmentalservicesinc.com

131 Hutchinson Island Rd, Suite 100 Savannah, GA 31421 (912) 236-4711 (912) 236-3668 Fax

Offsite Alternative 1

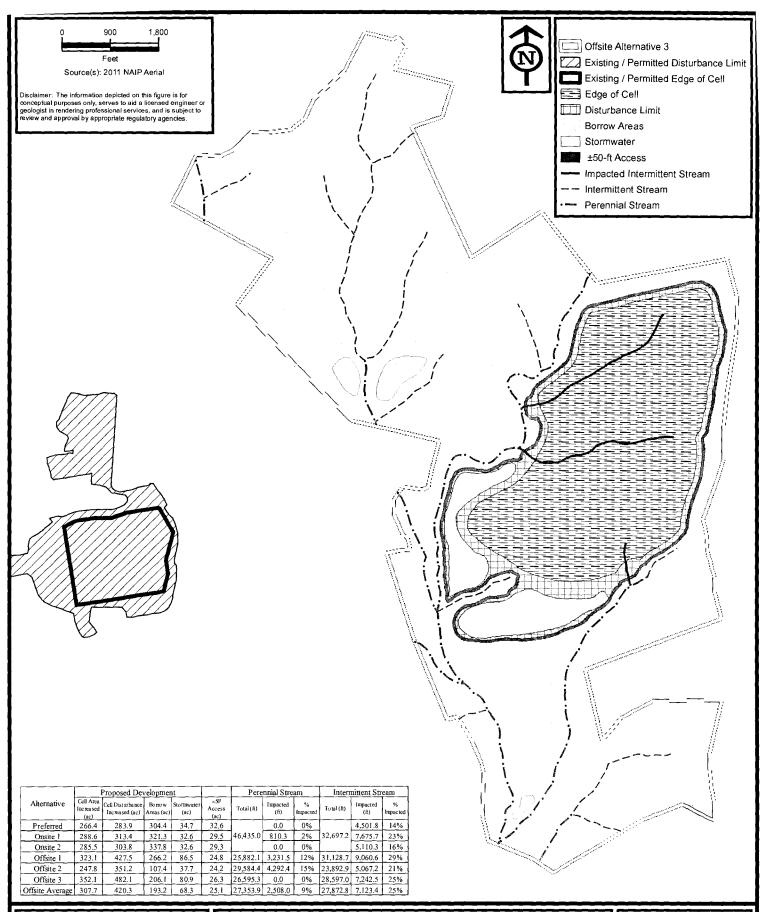
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ENVIRONMENTAL SERVICES, INC.

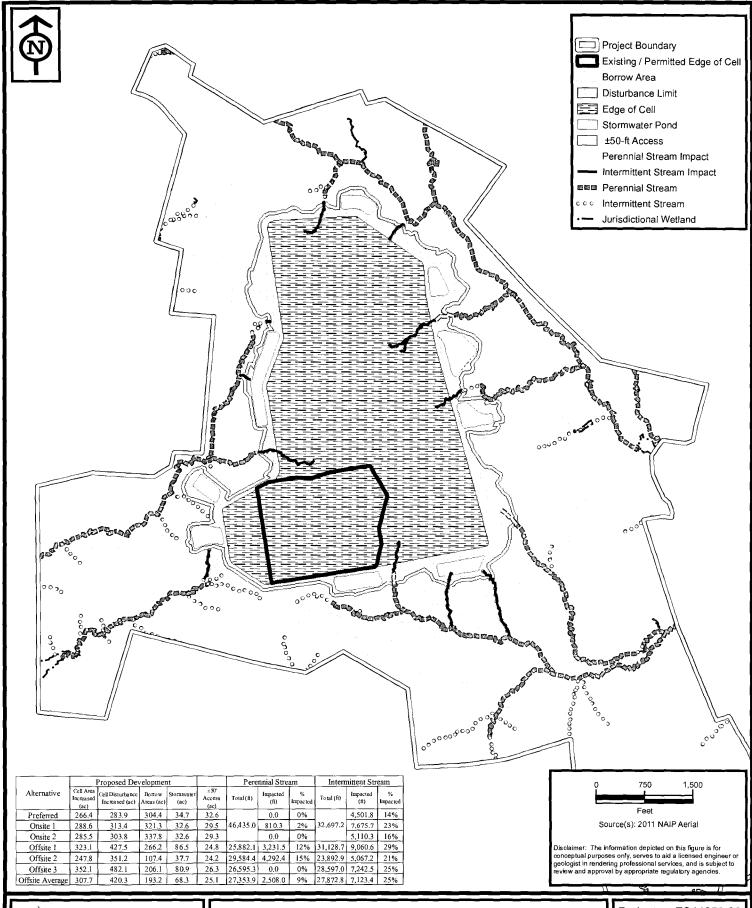
131 Hutchinson Island Rd, Suite 100 Savannah, GA 31421 (912) 236-4711 (912) 236-3668 Fax

Upstate Landfill Expansion

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ENVIRONMENTAL SERVICES, INC.

131 Hutchinson Island Rd, Suite 100 Savannah, GA 31421 (912) 236-4711 (912) 236-3668 Fax

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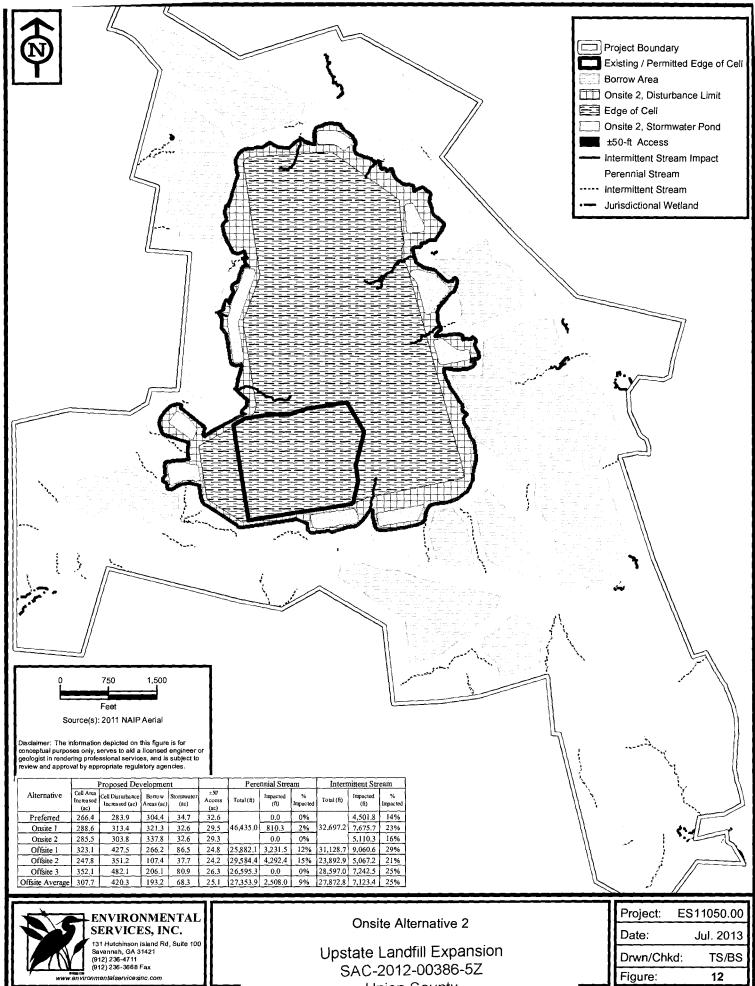
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Onsite Alternative 1

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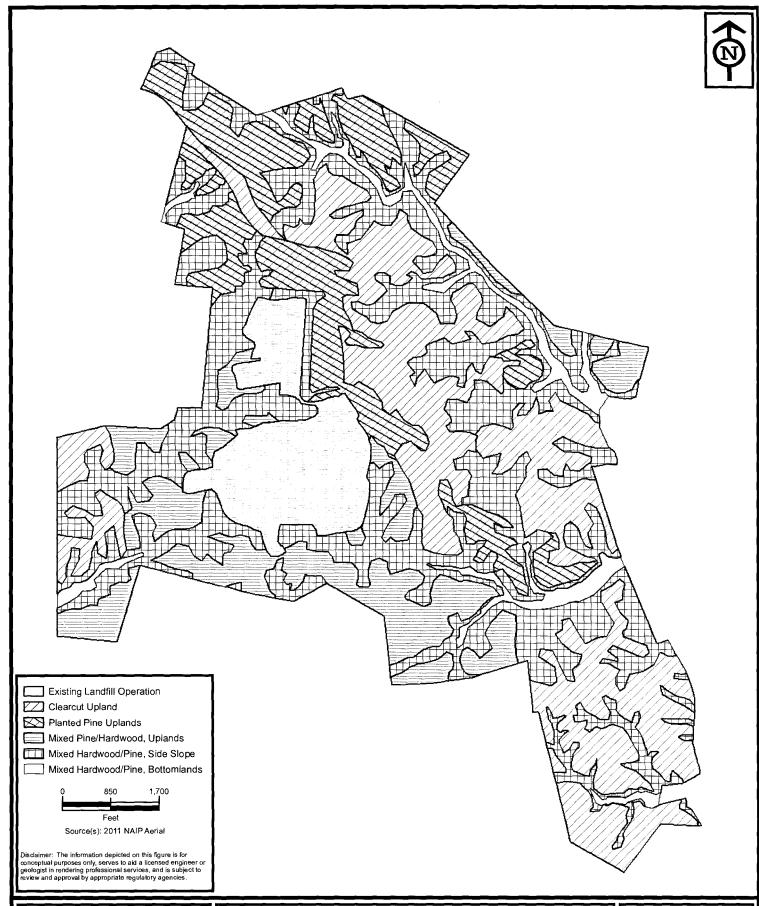
Project:	ES11050.00
Date:	Jul. 2013

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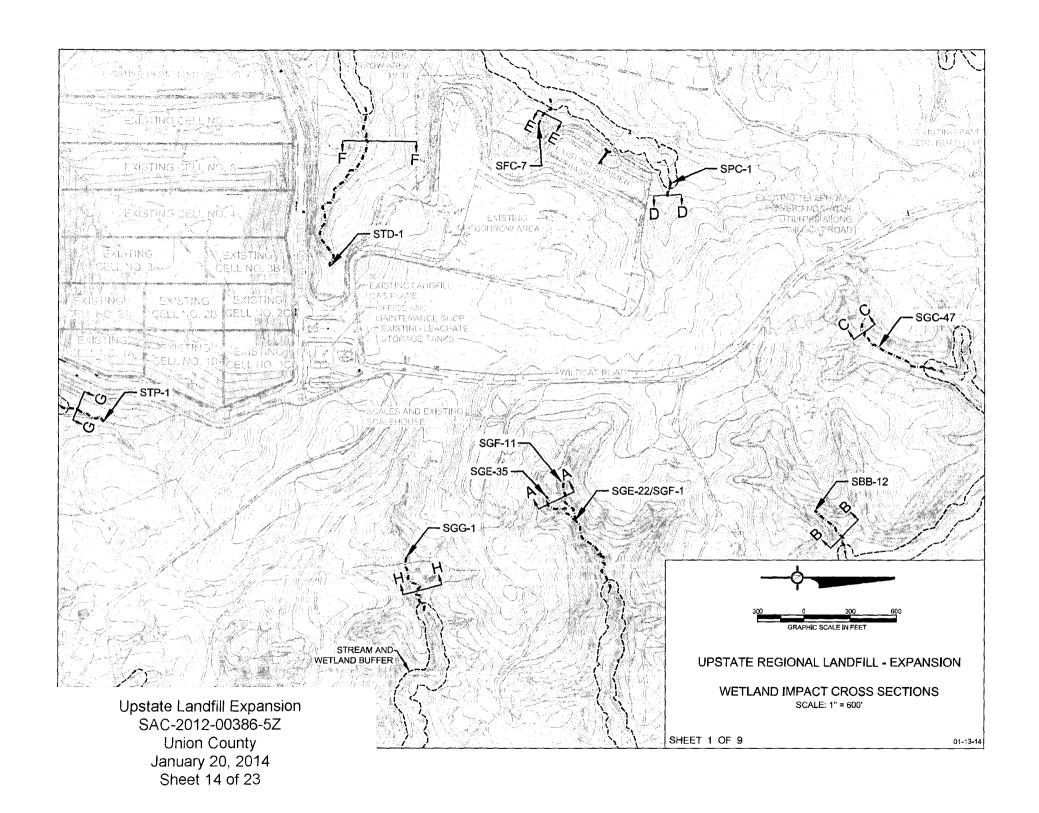


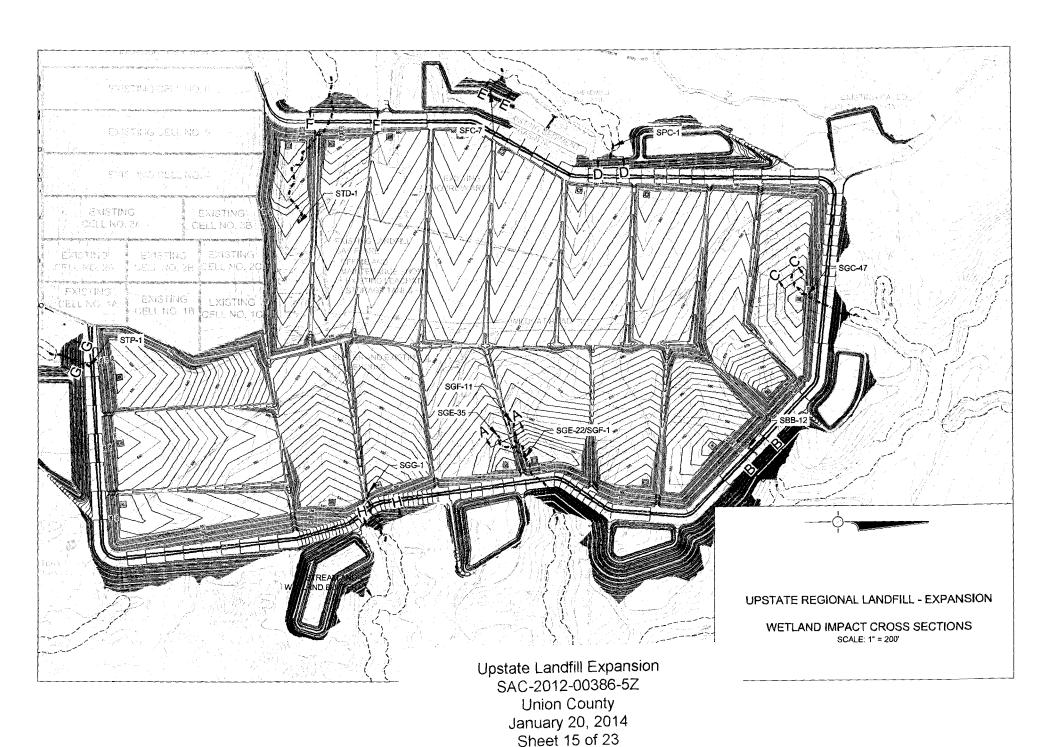


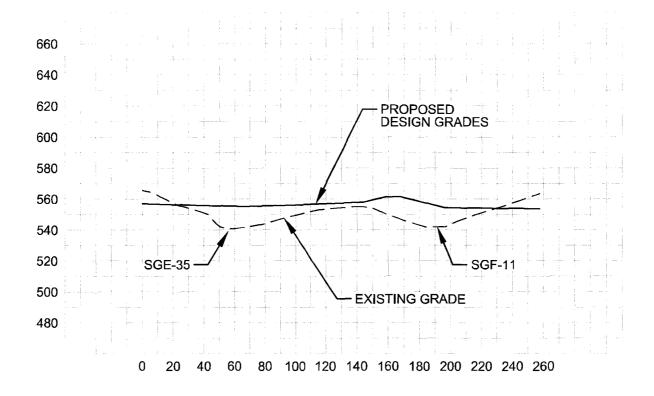
Existing Conditions

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Date:	Oct. 2012
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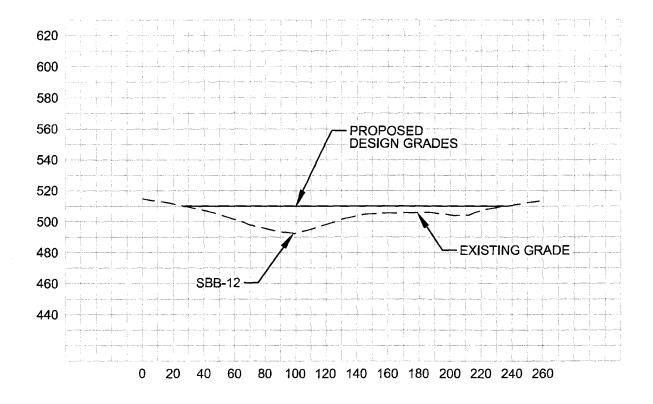
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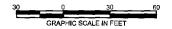
Upstate Landfill Expansion SAC-2012-00386-5Z Union County January 20, 2014 Sheet 16 of 23 **UPSTATE REGIONAL LANDFILL - EXPANSION**

WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

ET 2 OF 9



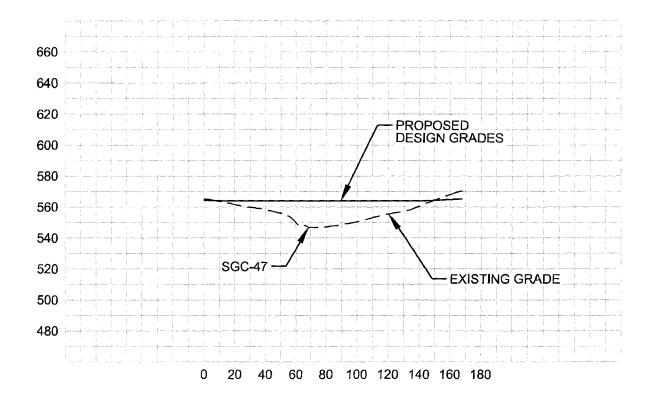
CROSS SECTION B



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WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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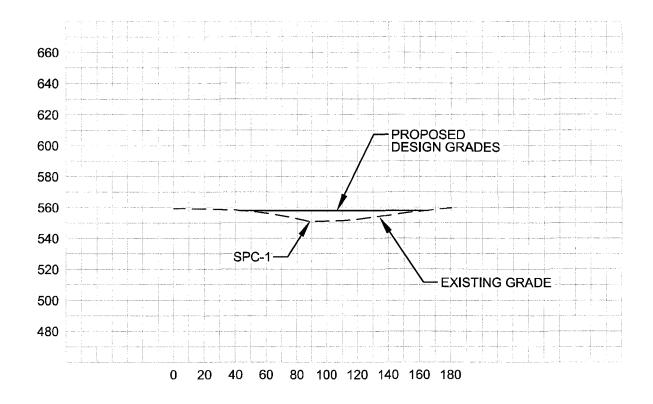
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Upstate Landfill Expansion SAC-2012-00386-5Z Union County January 20, 2014 Sheet 18 of 23 **UPSTATE REGIONAL LANDFILL - EXPANSION**

WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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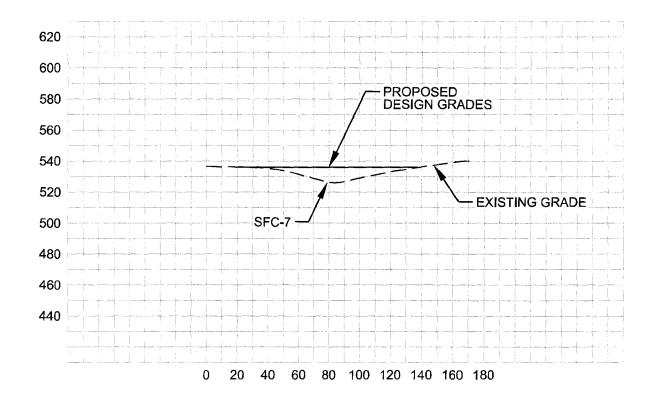
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WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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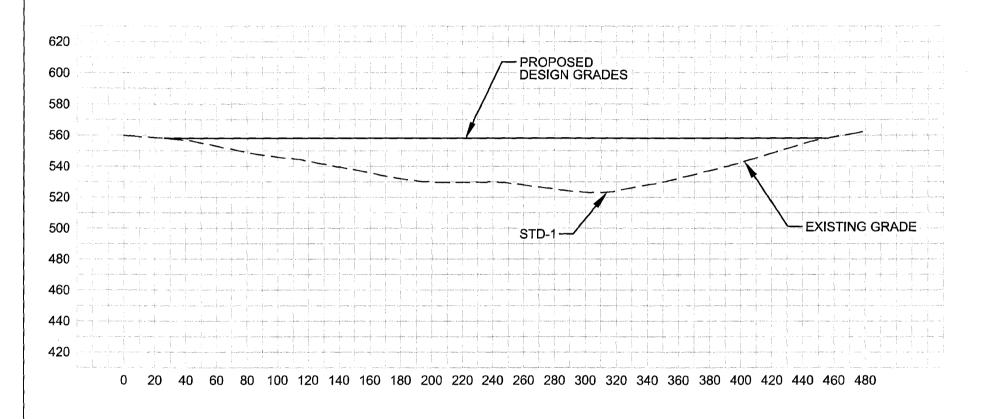
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Upstate Landfill Expansion SAC-2012-00386-5Z Union County January 20, 2014 Sheet 20 of 23 **UPSTATE REGIONAL LANDFILL - EXPANSION**

WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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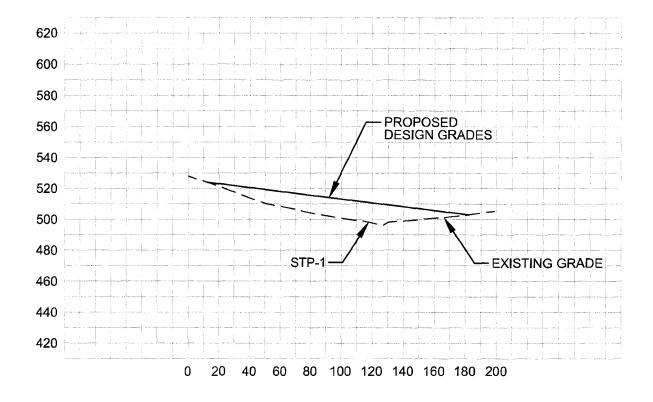
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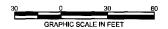
Upstate Landfill Expansion SAC-2012-00386-5Z Union County January 20, 2014 Sheet 21 of 23 **UPSTATE REGIONAL LANDFILL - EXPANSION**

WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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CROSS SECTION G



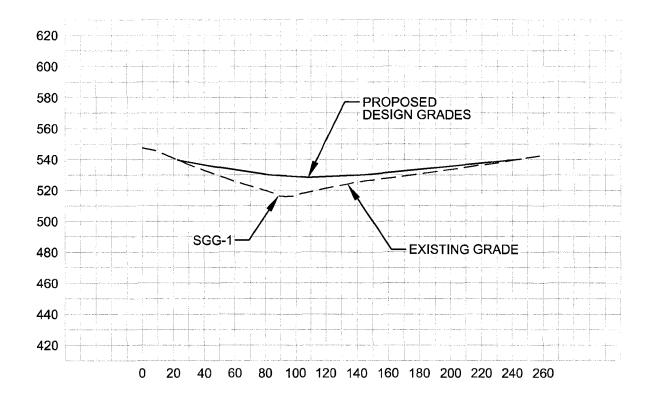
UPSTATE REGIONAL LANDFILL - EXPANSION

Upstate Landfill Expansion WETLAND IMPACT CROSS SECTIONS
SCALE: 1" = 60"

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CROSS SECTION H



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WETLAND IMPACT CROSS SECTIONS SCALE: 1" = 60'

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