

APPENDIX B

Comments Received to Public Notice 06-54

File No. 53937-00
Nucor Steel Decatur, LLC

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires February 28, 2009

Important: Read the instructions on pages 1-8.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name Nucor Steel Decatur LLC		For insurance Company Use:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 4301 Iverson Boulevard, Trinity, AL 35673 (P.O. Box 2249 Dec)		Policy Number
City Decatur State AL ZIP Code 35609		Company NAIC Number
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax Number 97-33-00-0-361-000.000		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Industrial</u>		
A5. Latitude/Longitude: Lat. <u>N 34D 39' 45"</u> Long. <u>W 87D 05' 00"</u>		Horizontal Datum: <input checked="" type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>N/A</u>		
A8. For a building with a crawl space or enclosure(s), provide		A9. For a building with an attached garage, provide:
a) Square footage of crawl space or enclosure(s) _____ sq ft		a) Square footage of attached garage _____ sq ft
b) No. of permanent flood openings in the crawl space or enclosure(s) walls within 1.0 foot above adjacent grade _____		b) No. of permanent flood openings in the attached garage walls within 1.0 foot above adjacent grade _____
c) Total net area of flood openings in A8.b _____ sq in		c) Total net area of flood openings in A9.b _____ sq in

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number City of Decatur 010176		B2. County Name Morgan		B3. State AL	
B4. Map/Panel Number 0015	B5. Suffix E	B6. FIRM Index Date May 2, 1999	B7. FIRM Panel Effective/Revised Date Dec 16, 2005	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 557.5
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-g below according to the building diagram specified in Item A7.
Benchmark Utilized MSL Vertical Datum _____
Conversion/Comments _____

Check the measurement used.

a) Top of bottom floor (including basement, crawl space, or enclosure floor)	<u>564.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	<u>N/A</u>	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	_____	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	_____	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments)	<u>564.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade (LAG)	<u>538.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade (HAG)	<u>566.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

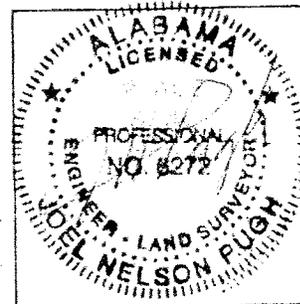
Check here if comments are provided on back of form.

Certifier's Name Joel N. Pugh License Number AL 6272

Title Chief Engineer Company Name Pugh, Wright and Associates, Inc.

Address P.O. Box 2619 City Decatur State AL ZIP Code 35602

Signature _____ Date 13 Oct 06 Telephone 256-353-3937



IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 4301 Iverson Blvd	Policy Number
City Trinity State AL ZIP Code 35673	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments This facility is an expansion of the existing Nucor Dock and adjacent sheet pile mooring cells. The finished elevation of the dock and top of the mooring cells is 564.0 MSL. The reservoir bottom elevation adjacent to the breasting line of the dock and the mooring cells will be dredged down to elevation 538. A copy of the facility and details are attached.

Signature _____

Date 13 October 2006

Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawl space, or enclosure) is _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawl space, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6-8 with permanent flood openings provided in Section A Items 8 and/or 9 (see page 8 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Joel N. Pugh, Pugh, Wright and Associates, Inc.

Address P.O. Box 2419

City Decatur

State AL

ZIP Code 35602

Signature _____

Date 13 Oct 06

Telephone 256-353-3937

Comments _____

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in items G8, and G9.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
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G7. This permit has been issued for: New Construction Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: 364.0 feet meters (PR) Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site: 537.5 feet meters (PR) Datum _____

Local Official's Name Tom Bolt

Title Plans Examiner

Community Name Decatur, AL (Morgan Co.)

Telephone 256-341-7448 4582

Signature Tom Bolt

Date 11/2/06

Comments This project is in compliance with the zoning ordinance of The City of Decatur. No permit will be issued for this project; it does not fall in the scope of the 2003

International Building Code

11-2-06: Design loads due w/ of
11-6-06

Check here if attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:

2006-FA-0245

June 20, 2006

District Engineer
U. S. Army Corps of Engineers
3701 Bell Road
Nashville, Tennessee 37214

Attention: Lisa R. Morris

Dear Sir:

The U. S. Fish and Wildlife Service reviewed the public notice listed below. There are no known federally listed threatened or endangered species within the project area or in the vicinity of the project; nor do we anticipate, given the location of the proposed project, that suitable habitat exists for any federally listed species onsite. We recommend strict adherence to Best Management Practices and utmost care be used in avoiding sedimentation of the Tennessee River during all stages of the proposed project. The sheer volume of dredge material proposed for removal has a likelihood of negatively impacting water quality within the Tennessee River/Wheeler Reservoir. Therefore, precautions to minimize the potential for dredge equipment failure or excessive disturbance of river substrates should be in place and monitored throughout dredging activities. Dredge spoil waste sites should be located in an upslope location where these spoil materials and waters are contained and not allowed to reach drainageways or tributaries to the Tennessee River. We recommend the proposed dredging activities, mooring cell construction, and dock expansion/construction be conducted during low pool or winter draw-down conditions on Wheeler Reservoir; typically during the months of November - March. If these recommendations are followed, no significant adverse effects on fish and wildlife resources are expected to result from this proposed work and we have no objections to issuance of this permit. However, we recommend you contact the Alabama Department of Conservation and Natural Resources, State Lands Division and Marine Resources Division concerning riparian rights on navigable water bodies, permission to impact state-owned water bottoms, which are public property, and possible effects to State trust resources. Our comments are provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Public Notice

06-54

Applicant

Nucor Steel Decatur, LLC
www.fws.gov

Due Date

06/26/2006

PHONE: 251-441-5181



FAX: 251-441-6222

JUN 22 2006

Please keep us informed of your action regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Tuttle', with a long horizontal flourish extending to the right.

Peter L. Tuttle
Acting Field Supervisor

cc: Mr. Jeff Garner, ADCNR, 350 County Rd 275, Florence, AL 35633
Ms. Tonya Mayberry, ADEM, Montgomery, AL
Ms. Andrea Wade, EPA, Atlanta, GA
Mr. James Cherry, Environmental Coordinator, ADCNR, Montgomery, AL
Mr. Rob Hurt, USFWS, Decatur, AL

September 1, 2006

Ms. Lisa R. Morris
Nashville District, COE
3701 Bell Rd.
Nashville, TN 37243

Re: AHC 06-1000
06-54
Port Facility Expansion
Morgan County, AL

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242•3184
fax 334 240•3477

Dear Ms. Morris:

Upon review of the proposed project, the Alabama Historical Commission has determined that the project activities will have no effect on any known cultural resources listed on or eligible for the National Register of Historic Places. Therefore, our office can concur with the proposed activities.

However, should any archaeological cultural resources be encountered during project activities, work shall cease and our office shall be consulted immediately. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your efforts on this issue. If we may be of further service or if you have any questions or comments, please contact Amanda McBride of our office and be sure to *include the project number referenced above*.

Sincerely,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

03 NOV 2006

Entered in ENTRAC on 09/22/06

SECTION 26a FILE 175117- CEC 13774 - EXPANSION OF EXISTING BARGE TERMINAL AND MOORING FACILITIES – NUCOR STEEL DECATUR, LLC – OPPOSITE TENNESSEE RIVER MILE 297.5L – WHEELER RESERVOIR - D-STAGE MAP 182D

Nucor Steel Decatur, LLC has submitted plans to expand their existing barge terminal and mooring facilities opposite Tennessee River Mile 297.5L, on the Decatur Morgan County Industrial Park back channel. Plans include expansion of the existing dock facility, dredging and addition of two mooring cells in Area 1, and dredging and addition of six mooring cells in Area 2.

The existing dock facility is 350 feet wide. Plans are to add 150 feet to the west end of the existing facility and 390 feet to the east of the existing facility for a total width of 890 feet. A scrap barge removal slip will be constructed adjacent to the west end of the expanded dock facility.

Area 1 is an existing fleeting area and currently has five mooring cells and is permitted for the fleeting of 16 barges on the upstream side. Plans are to construct two additional cells, each 21-foot diameter, lakeward of the existing cells as well as increasing the existing cells from 16-foot diameter to 21-foot diameter. After the proposed dredging, 34 additional barges will be able to fleet in Area 1 for a total of 50 barges. Except for the most lakeward mooring cell, each cell would hold 4 barges on the upstream side and 5 barges on the downstream side. The most lakeward mooring cell would only hold 5 barges on the downstream side and no barges on the upstream side so as not to interfere with entrance to the back channel.

Area 2 is proposed for the placement of six, 21-foot diameter mooring cells with a fleeting capacity of 37 barges. This area is located across the back channel from Nucor's dock facilities and will require dredging. Each section will hold 4 barges on either side of the mooring cells, except for the most downstream mooring cell, which will hold 3 barges on the southwest side and 2 barges on the northeast side for a total of 37 barges in Area 2.

This site was field inspected onsite on July 24, 2006 and on the M/V Sideview on August 2, 2006. So as not to interfere with the dredged back channel, it was requested that Nucor design their fleeting areas to provide at least 350 feet between fleeting Areas 1 and 2, or to the limits of the dredged channel. It was also discussed that fleeting in Area 2 should not extend upstream beyond Nucor's extended property line. It appears from the drawings that all requirements have been considered and that the proposal should not interfere with navigation. We, therefore, recommend issuance of the requested permit contingent upon the following conditions:

1. No fleeting should occur on the upstream face of the most lakeward mooring cell in Area 1 so as not to interfere with entrance to the back channel.
2. There should be a minimum of 350 feet between fleeting Areas 1 and 2 so as not to encroach upon the dredged limits of the back channel.
3. Fleeting in Area 2 should not extend upstream beyond Nucor's extended property line or downstream into the marked channel beyond the junction buoy.
4. The applicant is advised in writing that the facility will front on a commercial navigation channel at a location which makes the facility and any moored vessels vulnerable to wave wash and possible collision damage from passing vessels.
5. The 100-year flood elevation at this site is estimated to be 557.3 feet above mean sea level. The top elevation of mooring cells should be at least 5 feet above that elevation to ensure ample moorage of empty barges during a 100-year flood event.

6. It is recommended that terminals have at least 10 feet of working depth at the minimum pool elevation 550.5, 11 feet is preferred.

KHH

cc: EDMS, SP 1D-C
Lisa Morris, USACE, Decatur, AL
Wayne Ligon, USACE, Nashville, TN
26a Memo/175117

EDWARDS, MITCHELL & REEVES

ATTORNEYS AT LAW

123 Lee Street, N.E., Suite A
Decatur, AL 35601

Bingham D. Edwards
Phil D. Mitchell
Gregory A. Reeves †
Also admitted in Tennessee

256.353.6323
256.355.5787 fax

June 26, 2006

VIA HAND DELIVERY

Nashville District Corps of Engineers
Regulatory Branch Attn: Lisa R. Morris
3701 Bell Road
Nashville, TN 37243

RE: Public Notice No.: 06-54
 Application No.: 5393700

Dear Ms. Morris:

We represent Independence Tube Corporation and its wholly owned subsidiary, ITC-AL, L.L.C., and are writing regarding the referenced application of Nucor Steel Decatur, LLC. Our clients have owned land in the vicinity of the proposed application since the 1980's.

We request a public hearing on the referenced application and offer this letter to articulate our clients' concerns.

First, proposed Dredge Area 1 is located off the shores of Mallard-Fox Creek Wildlife Management Area. Dredging and installation of mooring cells will increase the number of barges moored, as well as an increase in barge traffic. This increase in barge traffic will have a negative impact on aesthetics, navigation, and raises general environmental concerns. The overall effect of this expansion is also detrimental to fishing, bird watching, hunting, water recreation, and safety.

JUN 26 2006

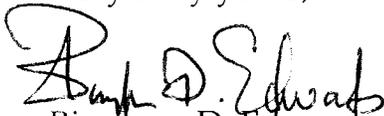
Secondly, proposed Dredge Area 2, indicates mooring cells and barges located in front of land owned by Independence Tube Company, hereinafter, "I. T. C." This proposal impacts and is likely to interfere with navigation in and out of I. T. C.'s existing barge slip, impairs I. T. C.'s future barge storage, and is detrimental to plans for a boat ramp to be used by I. T. C.'s employees. Further, the proposed additional cell moorings will detract from the aesthetics, potentially harm fishing, water sports, and general recreational use.

Significantly, proposed Dredge Area 2 indicates a dock expansion, cell mooring and barges parked in front of land owned by I. T. C. and, as such, this proposal encroaches onto the riparian boundaries of I. T. C. Therefore, considerations of property ownership, alone, should preclude approval of the referenced application.

As to Dredge Area 3, the dredging and installation of mooring cells will interfere with our clients' use of their property. The additional barge moorings will restrict and impede barge navigation to our clients' property. The proposed expansion will have a negative impact on aesthetics and also raises general environmental concerns. The overall effect of this expansion in Dredge Area 3 is also detrimental to fishing, bird watching, hunting, water recreation, and safety.

In conclusion, based on the issues raised in this letter, our client requests that a public hearing be held with respect to the referenced application

Very truly yours,


Bingham D. Edwards

cc: Mr. Rick Werner
Independence Tube Corporation

June 23, 2006

Nashville District Corps of Engineers
Regulatory Branch Attn: Lisa R. Morris
3701 Bell Road
Nashville, TN 37243

RE: Public Notice No.: 06-54
 Application No.: 5393700

Dear Ms. Morris:

We have hunted and fished along Wheeler Lake, individually and in groups, for many years. We request a public hearing on the above referenced application. We are concerned that the overall effect of this expansion will cause harm to our use of these shores and the lake. The vast number of barges moored and increase in barge traffic will be harmful to use that enjoy fishing, water recreation and hunting.

Based upon the issues raised in this letter we hope you will schedule a public hearing where our concerns can be heard.

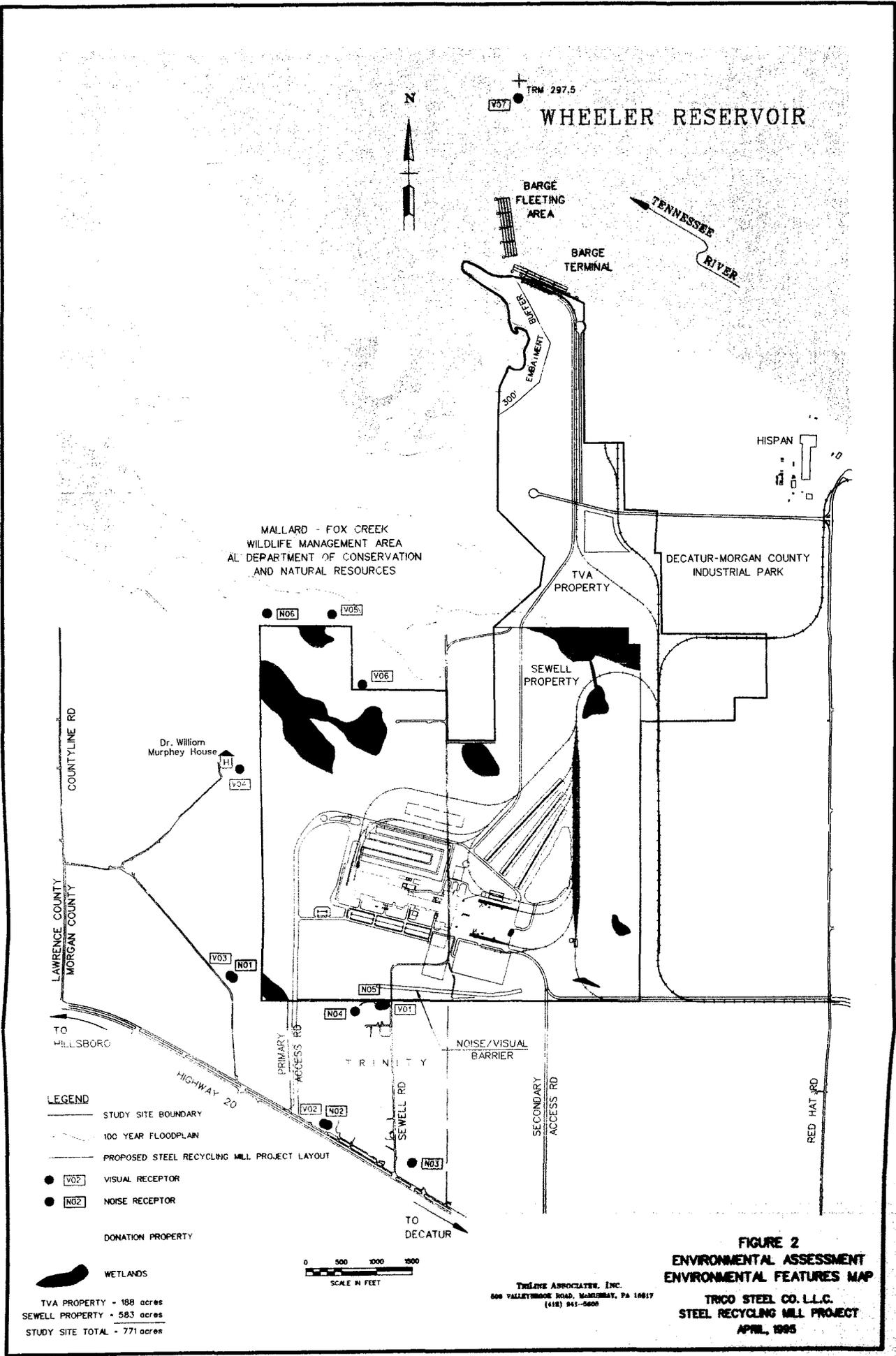
Thank you,

Tim Vanderploeg
509 Littrell Circle
Moulton, AL 35650

Don Moore
2206 Kirby Bridge Rd
Decatur, AL 35603

Tim Swoope
134 McEntire Lane b27
Decatur, AL 35601

JUN 26 2006



Morris, Lisa R LRN

From: Ligon, Benton W LRN
Sent: Tuesday, October 17, 2006 6:56 AM
To: Morris, Lisa R LRN
Cc: Ross, Jeffrey D LRN
Subject: RE: Two Proposed Mooring Cells in Decatur

Lisa,

The cells are scheduled to be built this FY. They have just been working on the planning and permitting phases as of now. Probably start them in the spring.

Wayne

From: Morris, Lisa R LRN
Sent: Monday, October 16, 2006 3:31 PM
To: Ligon, Benton W LRN; Ross, Jeffrey D LRN
Subject: Two Proposed Mooring Cells in Decatur

Wayne and Jeff,

Do you know the status for construction of the two proposed mooring cells alongside Wheeler Wildlife Refuge, Decatur, AL – TVA supposedly did EA?

I am writing an EA for proposed fleeting at the Nucor Steel Terminal and would like to include that info.

Thanks,
Lisa R. Morris, Project Manager
Nashville District Regulatory Branch
3701 Bell Road
Nashville, TN 37214
Phone: (615) 369-7504
Fax: (615) 369-7501
email: lisa.r.morris@usace.army.mil

Decatur Mooring Cell Project

TVA and the US Army Corps of Engineers are proposing to cooperate in the building of two public mooring cells which would be located at along the left (descending) edge of the navigation channel at TRM 296.8. They are needed to temporarily tie up while waiting to enter the port of Decatur because of congestion due to greatly increased barge traffic since 2003. The project has been in the planning since late 2004 but has been delayed because construction crews have been occupied with projects at Kentucky dam and Wilson Dam.

The two sheet piling cells would be 30 feet in diameter and would be placed 390 feet apart. The piling would be driven into the river bed and would then be filled with clean rock. Depending on the soil properties of the overburden material inside the cell, the overburden material may be dredged out for disposal at a permitted upland site. The construction is scheduled for April-June 2007. The estimated project cost is \$850,000 which will be shared between TVA and Corps. The Corps would do the construction. TVA is preparing the EA.

Preliminary environmental review, including sediment sampling and analysis and a mussel survey, has indicated no contamination of sediments and no sensitive environmental resources. Best management practices would be used to minimize sediment disturbance and dispersal. Because the construction of the proposed cells is to be later than the construction of the Nucor fleeting area, there would be no simultaneous adverse impacts of the two projects. No significant cumulative impacts from either project on the other are anticipated. With the additional traffic due to the Nucor fleeting area there would be additional benefit to navigation from the public cells.

MEMORANDUM FOR RECORD

SUBJECT: File No. 5393700; PN 06-54; Public Hearing Request, Proposed Port Facility Expansion at Tennessee River Mile 297.5, Left Bank, Wheeler Lake, Morgan County, AL

1. On 18 May 2006, Nucor Steel Decatur, LLC, Decatur, AL, submitted an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA). The application is for the expansion of an existing loading dock, construction of additional fleeting facilities, and dredging for the fleeting. The location of the proposed action is Nucor's existing terminal, along the backchannel of the Tennessee River Mile 297.5, Left Bank, Wheeler Reservoir, Morgan County, AL.
2. The U.S. Army Corps of Engineers (Corps), Tennessee Valley Authority, and the Alabama Department of Environmental Management (ADEM) issued Joint Public Notice 06-54 (Encl 1) soliciting public comments between 26 May 2006 and 26 June 2006. The notice was sent to numerous interested parties including federal, state, and local agencies, adjacent property owners, elected officials, and other groups and individuals.
3. In response to the notice, five comments were received; three from agencies and two from the public. The U.S. Fish and Wildlife Service stated that no adverse effects to fish and wildlife were expected to result from the proposed work. The Alabama Historical Commission stated that the proposed work would have no effect on National Register of Historic Places listed or eligible properties. The City of Decatur issued a no rise certification for the deposit of fill material proposed to be placed within the extended dock area and mooring cells.
4. The two letters from the public both requested that a public hearing be held (Encls 2 and 3). The first letter was from the law firm of Edwards, Mitchell & Reeves, representing adjacent property owner- Independence Tube Corporation (ITC), stating that some of the proposed facilities may encroach into the boundaries of ITC. In addition, the proposal may interfere with ITC navigation into and out of their existing barge terminal and may

CELRN-OP-F (1145b1)

SUBJECT: File No. 5393700; PN 06-54; Public Hearing Request, Proposed Port Facility Expansion at Tennessee River Mile 297.5, Left Bank, Wheeler Lake, Morgan County, AL

impair ITC's plans for future barge storage. The second letter came from three individuals (Tim Vanderploeg, Don Moore, Tim Swoope) stating concerns including increased barge traffic and possible impacts to fishing and recreation. The comments were forwarded to the applicant for resolution or rebuttal.

5. At this same time, Corps and TVA's Navigation representatives met with the applicant, field inspected the site, viewed the site from the river by boat, and determined that the proposal may impact navigation within the backchannel of the river. As a result, the Corps and TVA recommended that Nucor redesign their proposed fleeting areas to not extend upstream beyond Nucor's extended property line and maintain at least a 350-foot clearance between fleeting areas on the right and left sides of the back channel. In August 2006, the applicant agreed with the recommendation and submitted a new application showing a reduced the scope of work that would not to encroach onto ITC (Encl 4).

6. On August 18, 2006, the opposing parties were forwarded copies of the new application and asked to provide comments. No further comments were received. On 31 October 2006, ADEM issued Water Quality Certification (Encl 5). At this time, the Corps and TVA are currently preparing an Environmental Assessment for the reduced scope of work.

7. The public has been given ample opportunity to express their views and opinions regarding the proposed action through the Corps' Public interest review process. All issues and relevant factors that were brought forward during the comment period have been clearly identified and addressed. A public hearing is not likely to provide additional information that would assist me in reaching a final decision on the permit request, nor serve any valid interest. Therefore, I have decided not to hold a hearing. The requesting parties will be advised of this decision.

STEVEN J. ROEMHILDT, P.E.
LTC, EN
Commanding

5 Encls

CELRN-OP-F (1145b1)

SUBJECT: File No. 5393700; PN 06-54; Public Hearing Request,
Proposed Port Facility Expansion at Tennessee River Mile 297.5,
Left Bank, Wheeler Lake, Morgan County, AL

BISHOP/OP-F
GATLIN/OP-F
RIVERA/OP-S
ENSCH/OP
HILL/OC
PHILLIPS/DE-S
WARREN/XO
GUTH/DDE
LTC ROEMHILDT/DE

APPENDIX C

Applicant's Rebuttal and Application Modification

File No. 53937-00
Nucor Steel Decatur, LLC

Morris, Lisa R LRN

From: KimPritchard@nsdecatur.com
Sent: Friday, July 28, 2006 3:47 PM
To: Morris, Lisa R LRN
Subject: Nucor Dock Expansion Permit Drawings
Attachments: USACE Port Expansion Drawing 2.pdf; USACE Port Expansion large Scale.pdf

Attached are the latest revised drawings of the Nucor Steel Decatur Expansion Project.

Revisions were made to these drawings to address the comments made by Bingham Edwards representing Independence Tube Corporation in his June 23, 2006 letter to you concerning Public Notice No. 06-54 for Application No 5393700.

There have recently been several meetings and telephone conversations between Nucor Steel Decatur and Independence Tube Company officials

to discuss the ITC concerns and design revisions to adress them.

The revision drawings now show the proposed mooring cells and barges moved away from the front of the Independence Tube Company property.

We have reviewed these revised drawings to Jeremy Nails, Morgan County Economic Development Director. The EDA is marketing the

TVA owned property east of ITC for industrial development. Jeremy will soon send a letter to you expressing EDA support for the

Dock Expansion Project as revised.

Please contact me at (256) 301-3522 if you have any questions or need further information.

Thanks.

Kim

CONFIDENTIALITY NOTICE

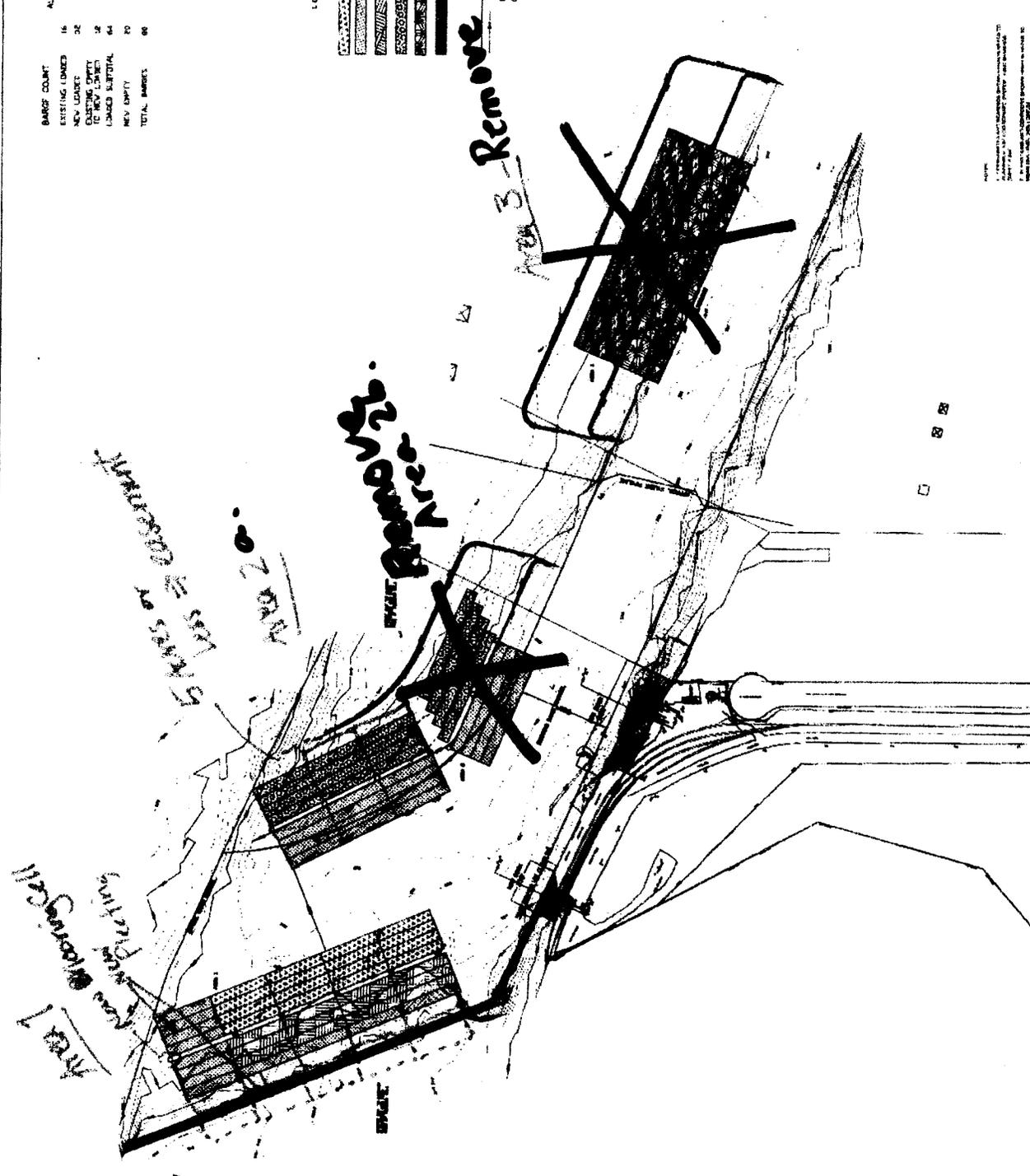
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7/31/2006

BARGE COUNT	ALTERNATE	TOTAL QUANTITY
EXISTING LOADED	16	16
NEW LOADED	32	48
EXISTING UNLOADED	18	18
NEW UNLOADED	44	62
LOADED SUBTOTAL	48	64
UNLOADED SUBTOTAL	60	60
TOTAL BARGES	108	124

- LEGEND
- EXISTING LOADED
 - NEW LOADED
 - EXISTING UNLOADED
 - NEW UNLOADED
 - EXISTING SUBTOTAL
 - NEW SUBTOTAL
 - TOTAL BARGES

PIUGH, WRIGHT AND ASSOCIATES, INC.
 1000 BUCK AREA - HYDROGRAPHIC TOPOGRAPHY
 AND CONCRETE EMBANKMENT LAYOUT
 1000 BUCK AREA - HYDROGRAPHIC TOPOGRAPHY
 AND CONCRETE EMBANKMENT LAYOUT
 1000 BUCK AREA - HYDROGRAPHIC TOPOGRAPHY
 AND CONCRETE EMBANKMENT LAYOUT



per August 1, 2006 meeting
 Actual Revised drawings to follow from Nucor / Piugh, Wright

JOINT APPLICATION FORM

Department of the Army/TVA

Paperwork Reduction Act Statement - Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

The Department of the Army (DA) permit program is authorized by **Section 10 of the Rivers and Harbors Act of 1899** and **Section 404 of the Clean Water Act (P.L. 95-217)**. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. **Section 26a of the Tennessee Valley Authority Act**, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

Name and Address of Applicant:		Name, Address, and Title of Authorized Agent:	
Nucor Steel Decatur, LLC P.O. Box 2249, Decatur, AL 35609 4301 Iverson Boulevard, Trinity, AL 35673		NA NA NA	
Telephone Number:	Home (256) 721-0385 Office (256) 301-3501	Telephone Number:	Home _____ Office _____

Location where activity exists or will occur (include Stream Name and Mile, if known):

Application submitted to DA TVA

Date activity is proposed to commence: 09/01/2006

Date activity is proposed to be completed: 09/01/2008

Description of the proposed activity, its purpose and intended use (private, public, commercial, or other). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

Dock Facility - Adding 150 feet extending to the west of the existing 350 foot dock; adding 390 feet extending to the east of the existing 350 foot dock, for a total of 540 additional feet to the dock (890 feet of dock face total after additions). A scrap barge removal slip will be constructed adjacent to the west end of the expanded dock.

Area 1 - Dredging of approximately 57,136 C.Y., adding two (2) - 21' diameter mooring cells and improving five (5) mooring cells from 16' to 21' diameter to add fleeting capacity from the present 16 barges to 50 barges within Area 1.

Area 2 - Dredging of approximately 63,564 C.Y., adding six (6) - 21' diameter mooring cells to add fleeting capacity of 37 barges within Area 2.

The total fleeting capacity will be increased from 16 to 87 barges.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I agree that, if this application is approved by TVA, I will comply with the attached terms and conditions and any special conditions that may be imposed by TVA at the time of approval. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.

09/12/2006

Date

Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

AUG 12 2006

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:

See List Attached

List of previous DA/TVA permits/approvals

DA 26a No. 14587
Permit Number

TVA 05/29/2006
Date

Is any portion of the activity for which authorization is sought now complete? Yes No (If "Yes" attach explanation)
Month and year the activity was completed: _____ Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval
USACE	Sections 10/404	Permit No. 53,937	03/27/1995	07/31/1995
ADEM	CWA Sec. 401	COE JPN# AL95-32	03/01/1995	06/25/1995
		53,93		

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
 Yes No (If "Yes" attach explanation)

Privacy Act Statement

This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

Project plans or drawings should accompany the application. These should be on paper suitable for reproduction no larger than 11 x 17 inches or contained on a 3-1/2 inch floppy computer disc in "dxf" format, and should be submitted to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

U.S.A.C.E. Offices		TVA Office Location
U.S. Army Corps of Engineers Eastern Regulatory Field Office P.O. Box 465 Lenoir City, Tennessee 37771-0465 (865) 986-7296	U.S. Army Corps of Engineers Savannah District The Plaza, Suite 130 1590 Adamson Parkway Morrow, Georgia 30260-1763 (678) 422-2729	Tennessee Valley Authority
U.S. Army Corps of Engineers Nashville District 3701 Bell Road Nashville, Tennessee 37214 (615) 369-7500	U.S. Army Corps of Engineers Western Regulatory Field Office 2042 Beltline Road, SW, Bldg C, Suite 415 Decatur, Alabama 35602 (256) 350-5620	
U.S. Army Corps of Engineers Norfolk District P.O. Box 338 Abingdon, Virginia 24212 (276) 623-5259	U.S. Army Corps of Engineers Asheville Regulatory Field Office 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006 (828) 271-4856	

EXHIBIT "A"
 LOCATION MAP
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L



TENNESSEE RIVER

GLOBAL MATERIALS
 BOEING DOCK

HEXCEL

MALLARD FOX DRIVE

MALLARD FOX RIVER SITE

INDEPENDENCE TUBE SITE

NUCOR DOCK SITE

INDEPENDENCE AVE NW

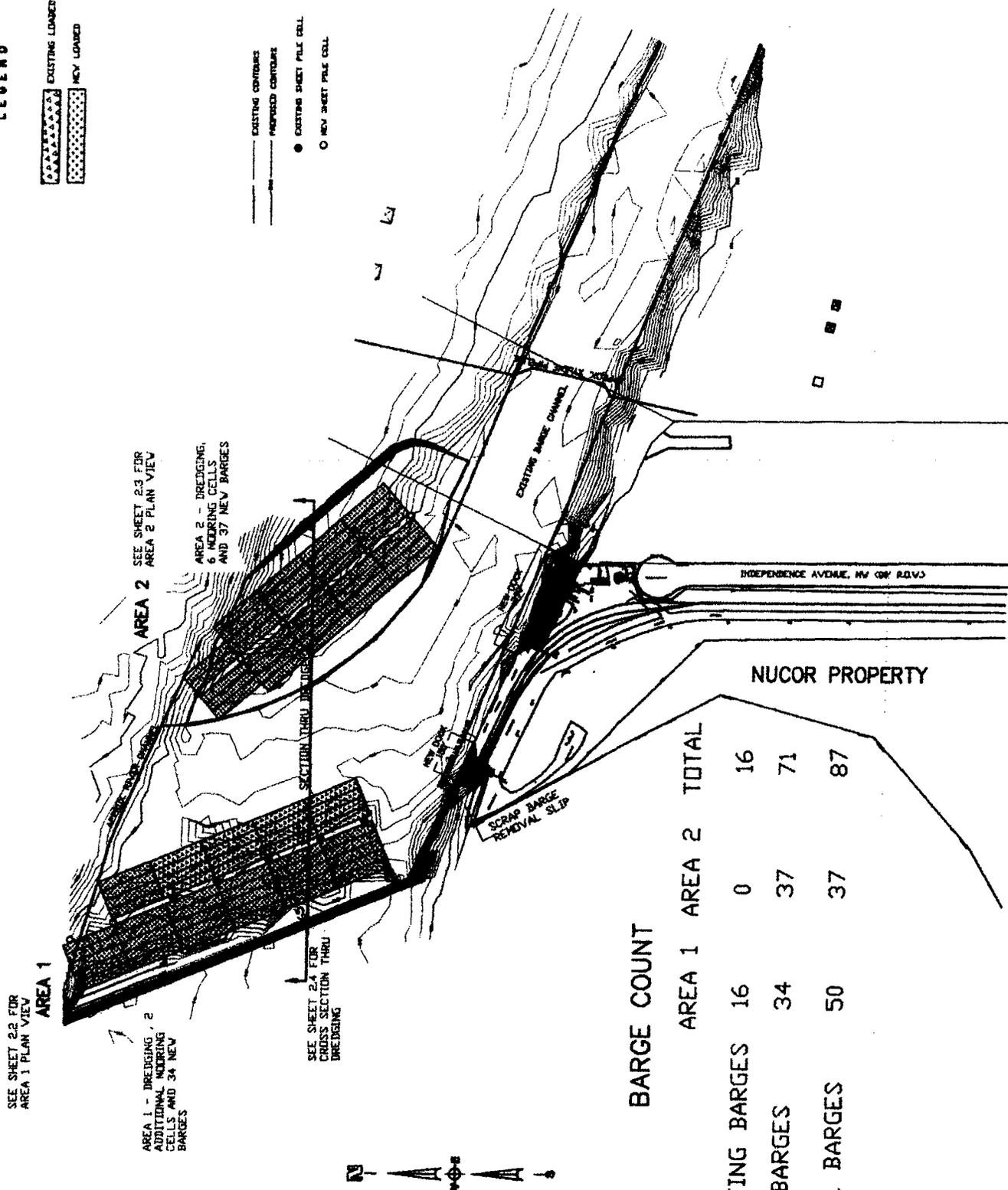
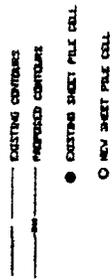
EXISTING MOORINGS
 CELLS

NUCOR STEEL DECATUR PROPERTY

SCALE: 1"=600'	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT	DATE: AUG., 2006	JOB NO: SK-99-06	PAGE 1 OF 4
APPROVED BY: PUGH			

EXHIBIT "B"
 GENERAL LAYOUT PLAN
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L

LEGEND



BARGE COUNT

	AREA 1	AREA 2	TOTAL
EXISTING BARGES	16	0	16
NEW BARGES	34	37	71
TOTAL BARGES	50	37	87



EXHIBIT "B"
 LAYOUT PLAN

TENNESSEE RIVER MILE 297.5 L

SCALE: 1"=500'

DRAWN BY: D.PUCKETT

APPROVED BY: PUGH

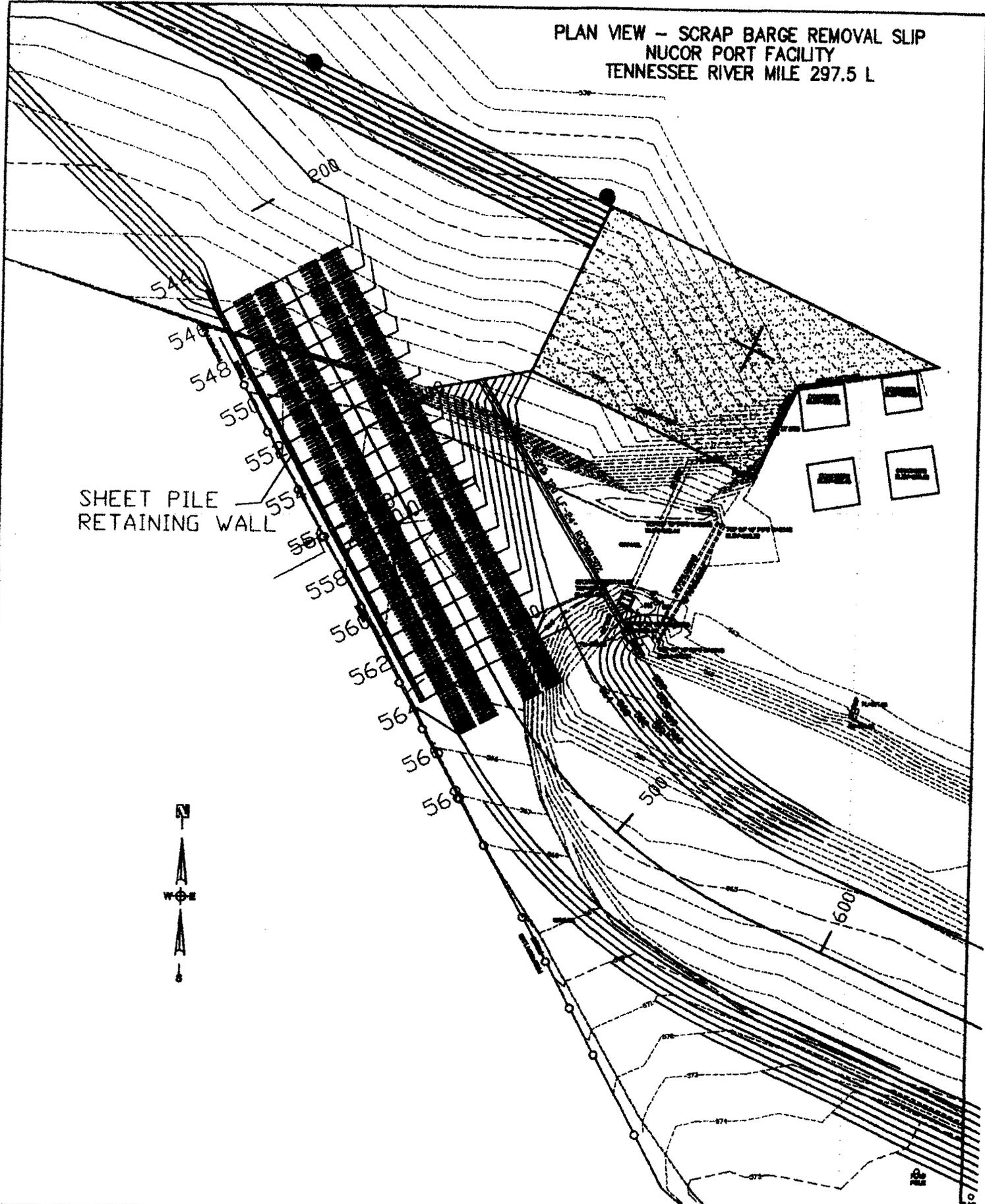
PUGH, WRIGHT AND ASSOCIATES, INC.
 Decatur, Alabama

DATE: AUG., 2006

JOB NO: SK-99-06

PAGE 2 OF 4

PLAN VIEW - SCRAP BARGE REMOVAL SLIP
NUCOR PORT FACILITY
TENNESSEE RIVER MILE 297.5 L

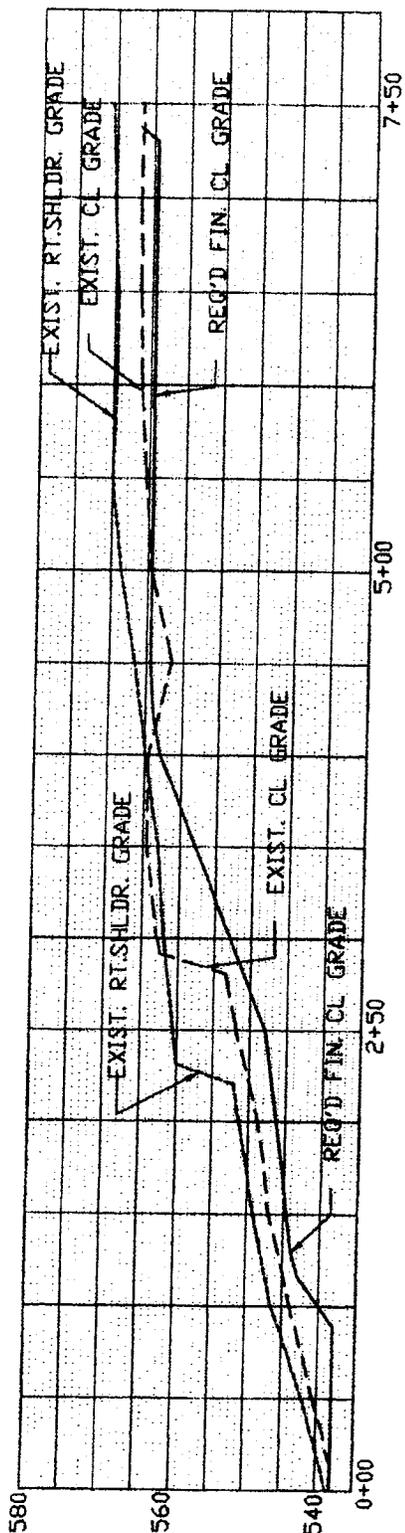


SHEET PILE
RETAINING WALL



SCALE: 1"=50'	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT	DATE: AUG., 2006	JOB NO: SK-99-06	PAGE 2.1 OF 4
APPROVED BY: PUGH			

PROFILE - SCRAP BARGE REMOVAL SLIP
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L



PROFILE - SCRAP BARGE REMOVAL SLIP
 NUCOR STEEL PORT FACILITY

SCALE: HDR - 1"=100', VERT - 1"=25'

SEE SHEET 2.1 FOR SECTION LOCATION

SCALE: H: 1"=100' V: 1"=25'

DRAWN BY: D.PUCKETT

APPROVED BY: PUGH

PUGH, WRIGHT AND ASSOCIATES, INC.
 Decatur, Alabama

DATE: AUG., 2006

JOB NO: SK-99-06

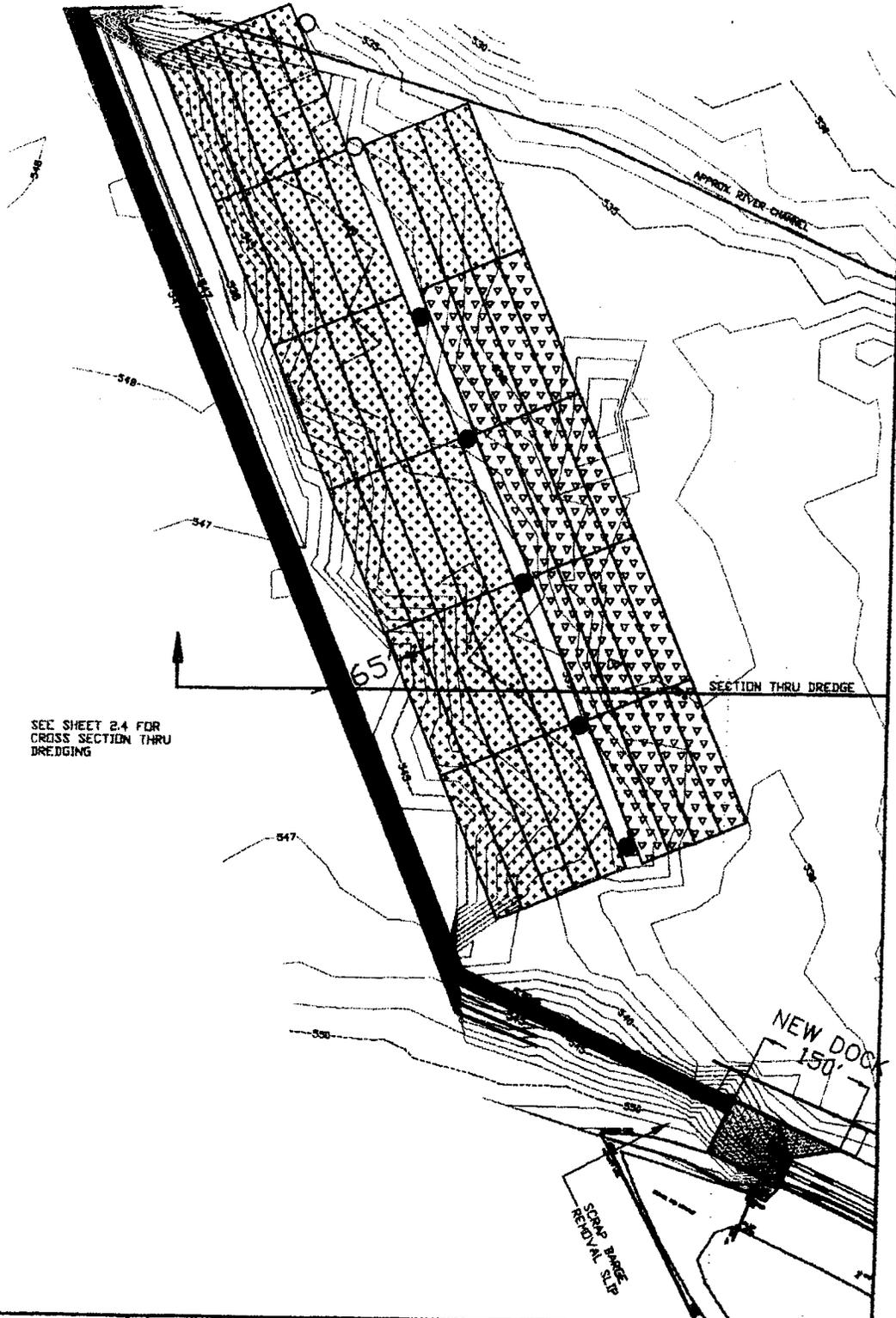
PAGE 2.1B OF 4

EXHIBIT "B.2"
 PLAN VIEW - AREA 1
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L

SEE SHEET 2.2 FOR
 AREA 1 PLAN VIEW

AREA 1

AREA 1 - DREDGING, 2
 ADDITIONAL MOORING
 CELLS AND 34 NEW
 BARGES

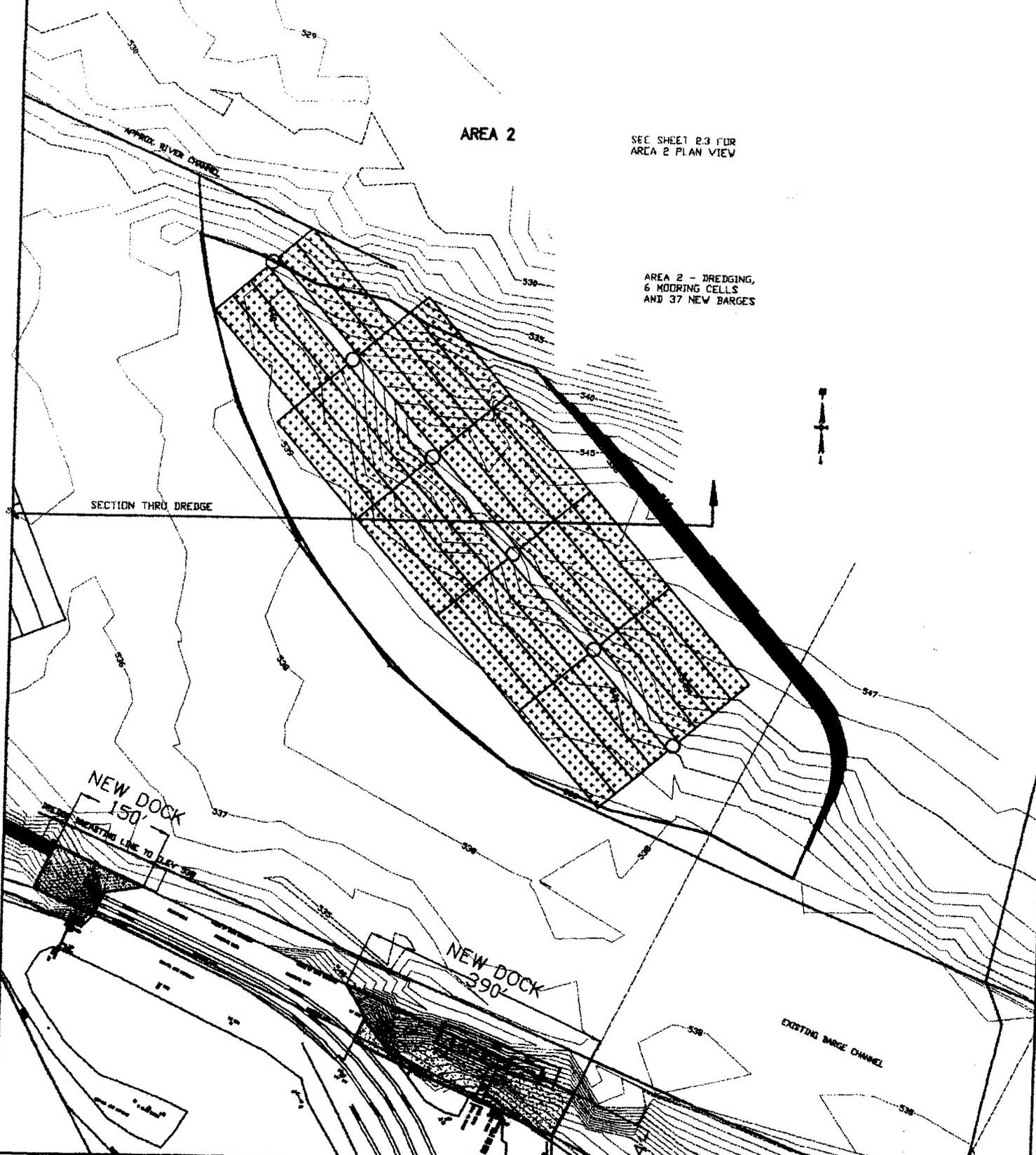


SEE SHEET 2.4 FOR
 CROSS SECTION THRU
 DREDGING



SCALE: 1"=200'	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT	DATE: AUG., 2006	JOB NO: SK-99-06	PAGE 2.2 OF 4
APPROVED BY: PUGH			

EXHIBIT "B.3"
 PLAN VIEW - AREA 2
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L



SEE SHEET B.3 FOR
 AREA 2 PLAN VIEW

AREA 2 - DREDGING,
 6 MOORING CELLS
 AND 37 NEW BARGES

SECTION THRU DREDGE

NEW DOCK
 150'

NEW DOCK
 390'

EXISTING BARGE CHANNEL

SCALE: 1"=200'

DRAWN BY: D.PUCKETT

APPROVED BY: PUGH

PUGH, WRIGHT AND ASSOCIATES, INC.
 Decatur, Alabama

DATE: AUG., 2006

JOB NO: SK-99-06

PAGE 2.3 OF 4

PUGH, WRIGHT AND ASSOCIATES, INC.
 NUCOR PORT FACILITY EXPANSION
 ESTIMATED FILL QUANTITIES - 31 AUG 06

21' DIAMETER SHEETPILE CELLS - ALL CRUSHED AGGREGATE FILL

AREA	NR CELLS	AVE BOT ELEV	CY BELOW ELEV 551	CY BET 551-556	CY BET 556-560	CY ABOVE ELEV 560
1	2	538.00	333.52	128.28	102.62	128.28
	5 (16' to 21')	538.00	349.76	134.52	107.62	134.52
2	6	538.00	1000.56	384.84	307.86	384.84
SUBTOTALS:		538.00	1683.84	647.64	518.10	647.64
DOCK	N/A	546.50	25.50	28.33	22.67	2444.44
TOTALS:			1709.34	675.97	540.77	3092.08
ALT SHEETPILE DOCK			1920	4800	5280	4960

ALTERNATE QUANTITY DETAILS

AREA	NR CELLS	AVE BOT ELEV	CY BELOW ELEV 550	CY BET 550-556	CY BET 550-558
1	2	538.00	307.86	153.94	205.25
	5 (16' to 21')	538.00	322.86	161.42	215.23
2	6	538.00	923.59	461.81	615.74
SUBTOTALS:		538.00	1554.31	777.17	1036.22
DOCK	N/A	546.50	23.54	34.00	45.33
TOTALS:			1577.85	811.16	1081.55
ALT SHEETPILE DOCK			1772	5760	7680

SCRAP BARGE REMOVAL SLIP EXCAVATION QUANTITIES

CY BELOW ELEV 550	CY BET 550-556	CY BET 550-558	CY ABOVE 558-560	CY ABOVE ELEV 560
821	1129	1463	237	218

User Name: donnap
Project: NUCOR NEW DOCK DREDGE CALCS
Prismoidal Volume Results

untitled

Date: 08-09-06
Time: 14:19:33
Page: 1

Prismoidal Volume Results

Original Surface Model: Modified Bottom of Dredge
Final Surface Model: area one
Cut Compaction Factor: 0.00
Fill Compaction Factor: 0.00

Raw Cut Volume: 57135.75 cu yd
Compacted Cut Volume: 0.00 cu yd
Total Cut volume: 57135.75 cu yd

Raw Fill Volume: 416.87 cu yd
Compacted Fill Volume: 0.00 cu yd
Total Fill volume: 416.87 cu yd

User Name: donnap
Project: NUCOR NEW DOCK DREDGE CALCS
Prismoidal Volume Results

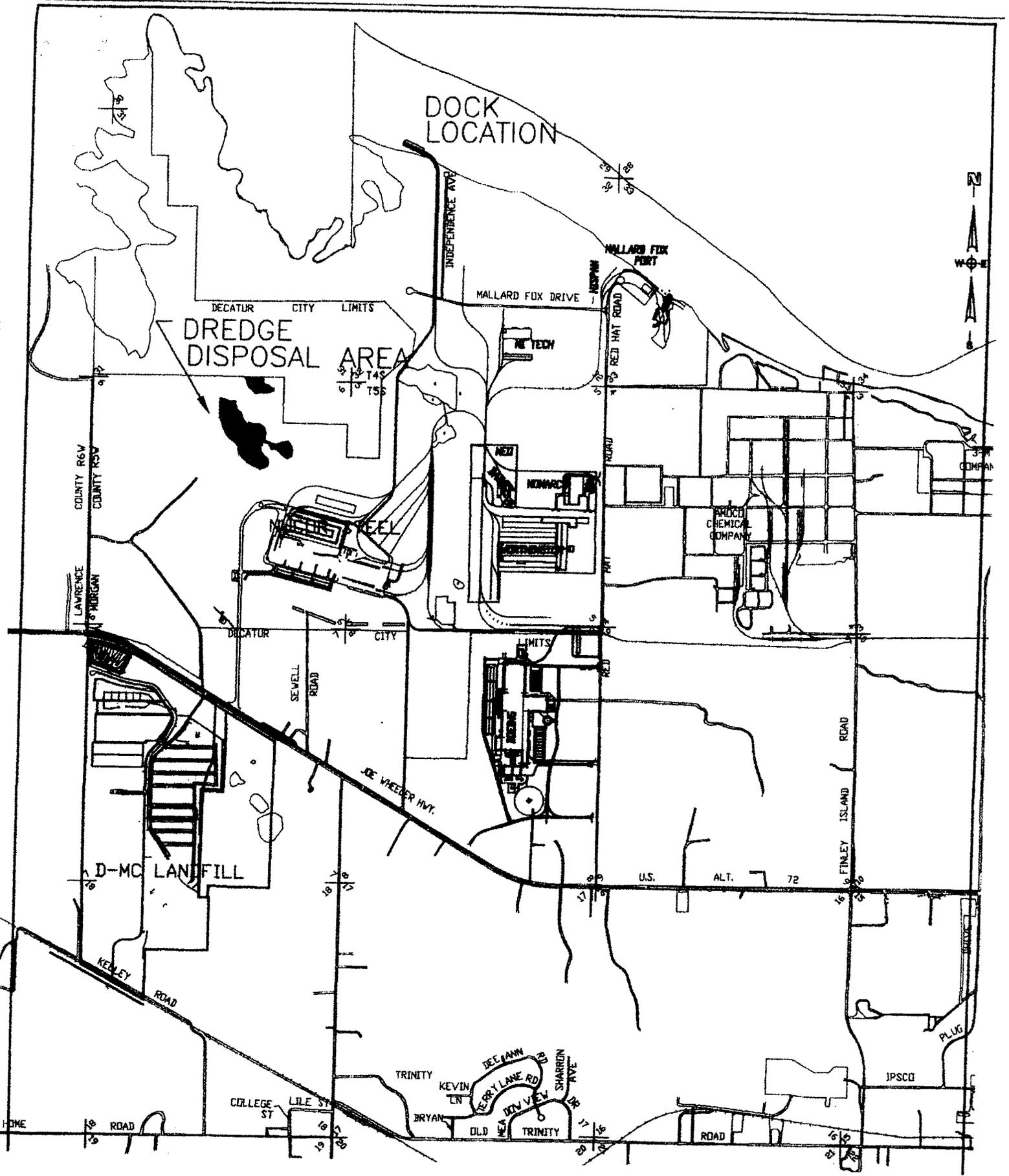
Date: 08-31-06
Time: 16:02:10
Page: 1

Prismoidal Volume Results

Original Surface Model: Modified Bottom of Dredge
Final Surface Model: area two
Cut Compaction Factor: 0.00
Fill Compaction Factor: 0.00

Raw Cut Volume: 63564.46 cu yd
Compacted Cut Volume: 0.00 cu yd
Total Cut Volume: 63564.46 cu yd

Raw Fill Volume: 2.57 cu yd
Compacted Fill Volume: 0.00 cu yd
Total Fill volume: 2.57 cu yd



DOCK
LOCATION

DECATUR CITY LIMITS
DREDGE
DISPOSAL AREA

MALLARD FOX
PORT

MALLARD FOX DRIVE

INDEPENDENCE AVE

DECATUR CITY LIMITS

COUNTY R6V
COUNTY R5V

LAWRENCE
MORGAN

DECATUR CITY LIMITS

SEWELL
ROAD

JEE WHEELER HWY.

D-MC LANDFILL

KEELEY
ROAD

U.S. ALT. 72

FINLEY ISLAND ROAD

COLLEGE ST
LILE ST

TRINITY

KEVIN LN

DEE FARM

FERRY LANE RD

OLD TRINITY

SHARRIN AVE

IPSCO

HOME ROAD

ROAD

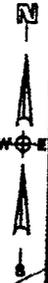
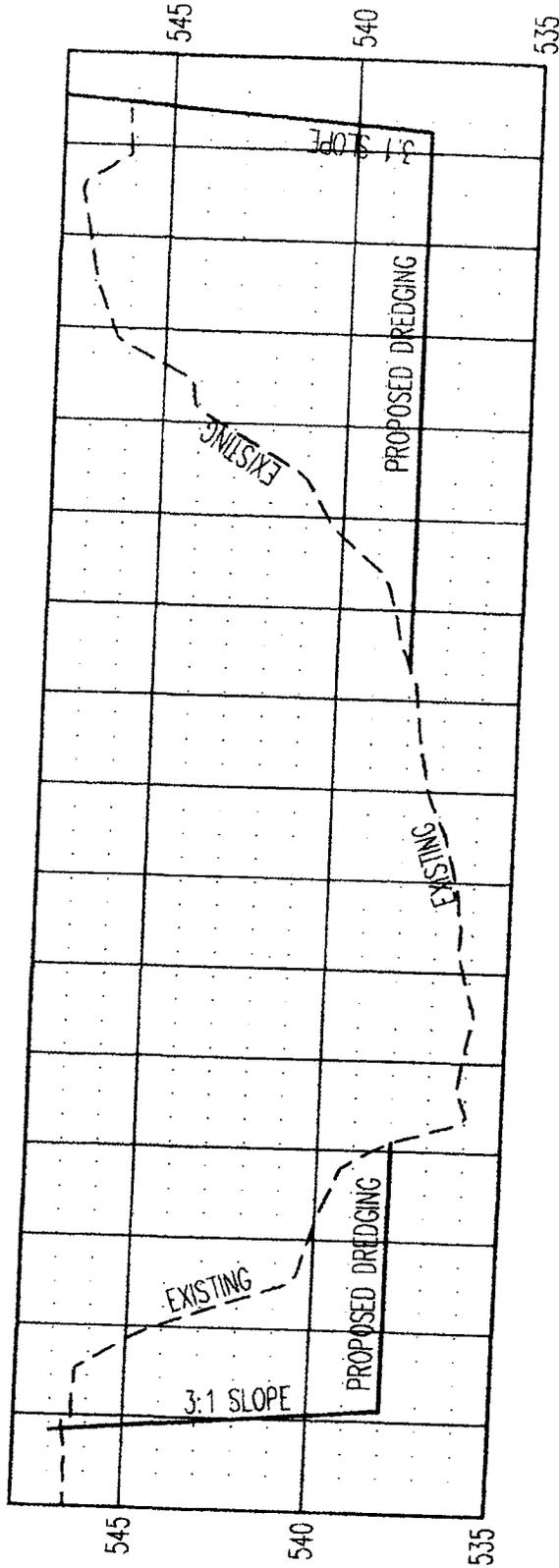


EXHIBIT "B.4"
 CROSS SECTION THROUGH DREDGE AREA
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L



SEE SHEET 2 FOR LOCATION OF SECTION

SCALE: H:1"=200' V:1"=5'

DRAWN BY: D.PUCKETT

APPROVED BY: PUGH

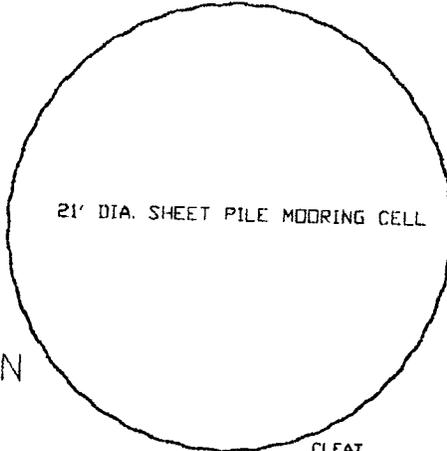
PUGH, WRIGHT AND ASSOCIATES, INC.
 Decatur, Alabama

DATE: AUG., 2006

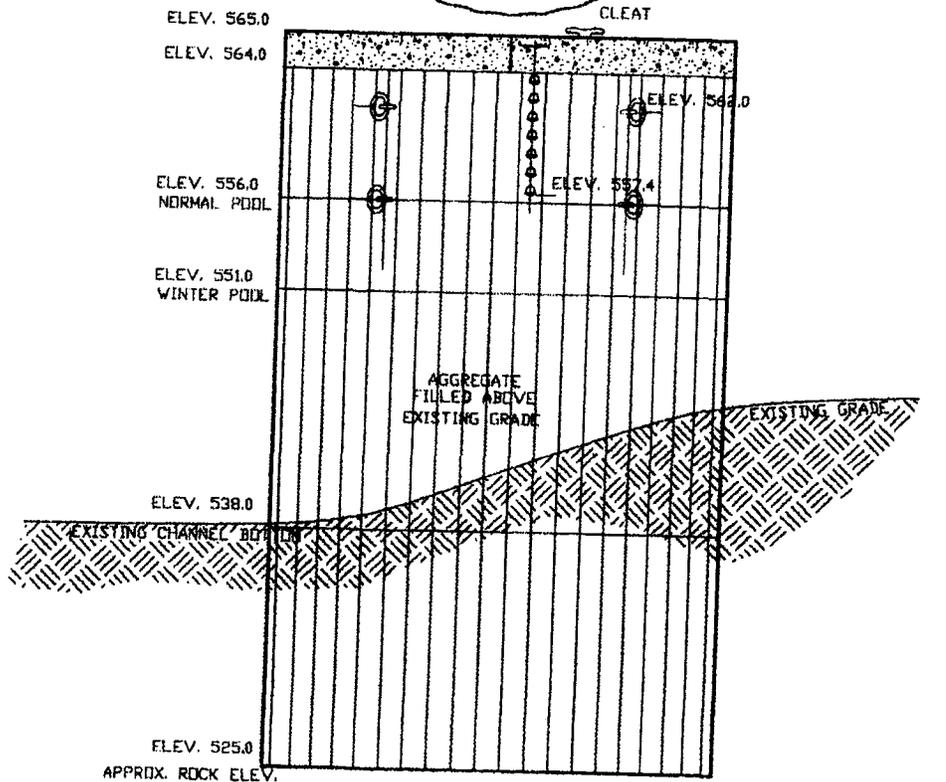
JOB NO: SK-99-06

PAGE 2.4 OF 4

EXHIBIT "C"
 TYPICAL MOORING CELL DETAIL
 NUCOR PORT FACILITY
 TENNESSEE RIVER MILE 297.5 L



PLAN

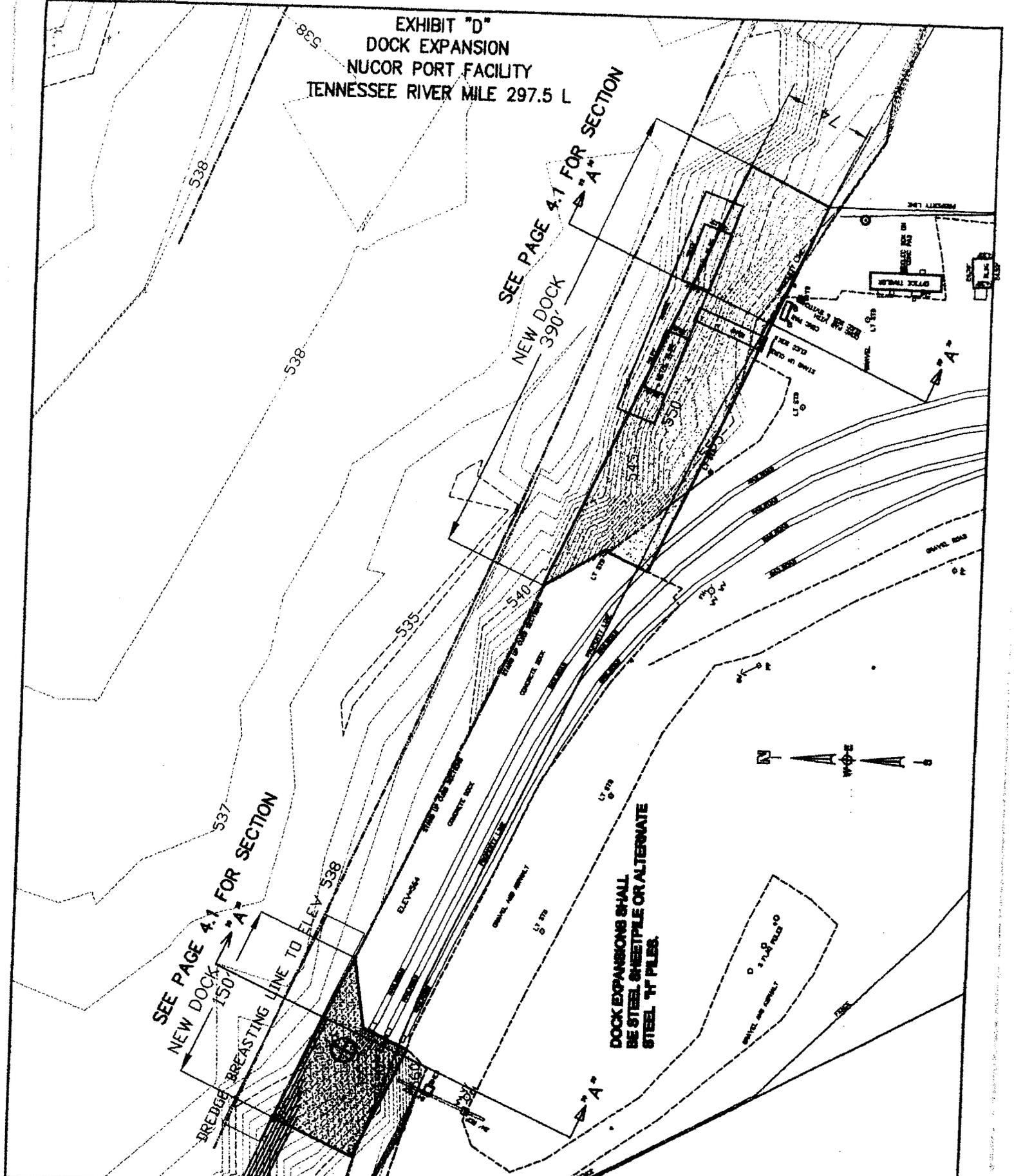


ELEVATION

MSL DATUM

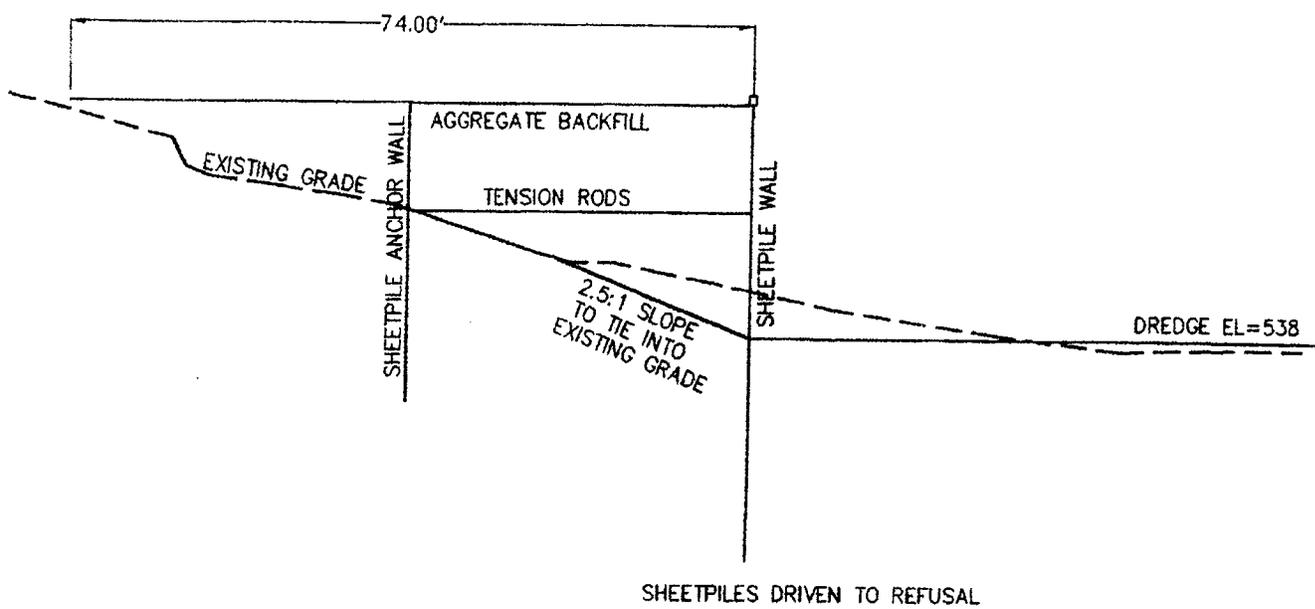
SCALE: N.T.S.	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT			
APPROVED BY: PUGH	DATE: AUG., 2006	JOB NO: SK-99-06	PAGE 3 OF 4

EXHIBIT "D"
DOCK EXPANSION
NUCOR PORT FACILITY
TENNESSEE RIVER MILE 297.5 L

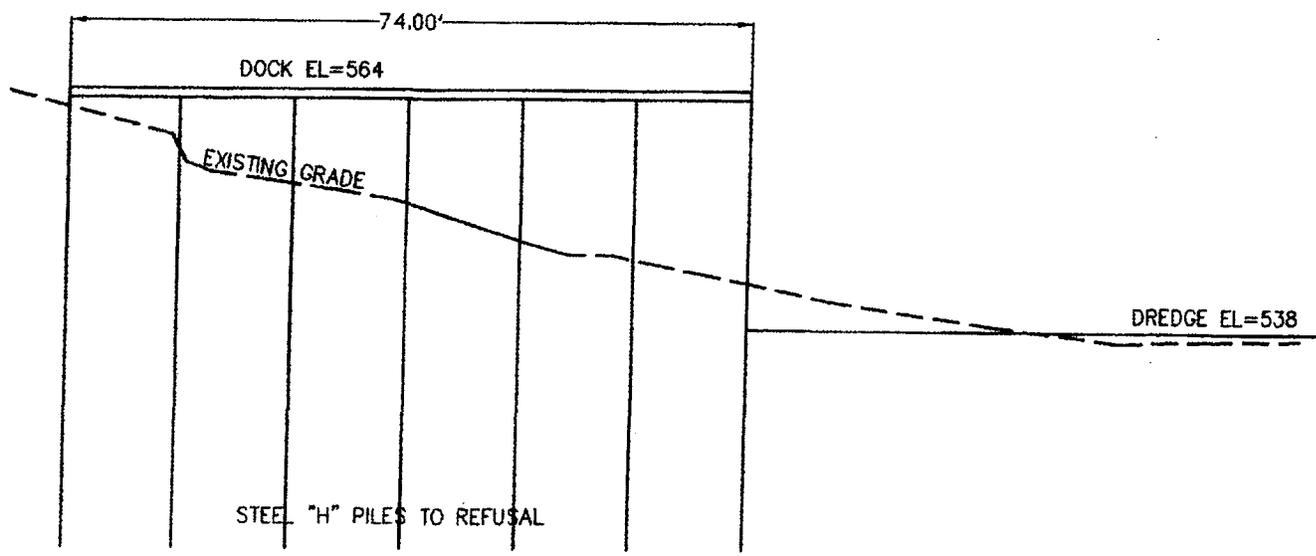


SCALE: 1"=100'	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT			
APPROVED BY: PUGH			

**EXHIBIT "D.1"
DOCK EXPANSION
NUCOR PORT FACILITY
TENNESSEE RIVER MILE 297.5 L**



**TYPICAL
SHEETPILE WALL SECTION**



**ALTERNATE
STEEL SHEET PILES**

**SECTION THRU NEW DOCK
SEE PAGE 4 FOR SECTION LOCATION**

SCALE: 1"=20'	PUGH, WRIGHT AND ASSOCIATES, INC. Decatur, Alabama		
DRAWN BY: D.PUCKETT			
APPROVED BY: PUGH	DATE: AUG., 2006	JOB NO: SK-99-06	PAGE 4.1 OF 4

NUCOR

SHEET MILL GROUP

NUCOR STEEL DECATUR, LLC

September 12, 2006

Mr. William R. (Randy) McCann
Land Use Specialist
TVA Pickwick-Wheeler Watershed Team
Post Office Box 1010
Muscle Shoals, Alabama 35662-1010

RLR'S NO 175084 AND 175117 – REQUEST FOR BARGE TERMINAL EXPANSION – ADDITIONAL MOORING FACILITIES AND EXCAVATION
– FRONTING TRACT NO XWR -624 – TENNESSEE RIVER MILE 297.5L

Dear Mr. McCann:

As per your request August 31, 2006 we are providing the following information to process our proposal for the expansion of the referenced project. We appreciate the effort and cooperation you have provided in this process.

1. Summary and description of Nucor's proposal including purpose, objectives, economics and alternatives considered..

Nucor Steel Decatur, LLC proposes to expand the existing mooring and fleeting facilities to support logistical needs of the steel making production facility on site. Barge traffic activities include both bringing in raw materials and shipping finished goods from the port. Nucor has steadily ramped up production since purchasing the facilities from Trico Steel Company, LLC in 2002. The existing port facilities are now running at or near capacity. Nucor is now projecting a 40% increase in barge traffic volume in the next 4 years as the facility continues to ramp up operations. In practical terms, we would like to increase the traffic volume from an average of 3.5 barges per day, to about 5 barges per day. With the current configuration of Barge terminal frontage and mooring space we will not be able to operate safely or efficiently at the higher traffic volume. During the same time frame we expect to receive more raw material on dedicated ships via the port of Mobile. The material would be transloaded into barges at the state docks and brought up the Tenn-Tom waterway. The dedicated ship will unload its entire payload into as many as 40 barges and immediately leave for another load of product in the Caribbean. The 40 full barges will then be pushed to Decatur to be unloaded, and return to Mobile for another load of product. The extra 40 or so barges require mooring facilities at Nucor that do not exist currently. The expanded mooring facility request is to handle the surges of barges from the port of Mobile, in addition to the increased volume from the expected production increase.

The raw material coming in by vessel to Mobile is a scarce resource, and is vital for the operation of Nucor. The material is a virgin iron product required to make the high quality product used in automotive and other high quality steels. Domestic supplies of iron are now unable to meet the demand, and iron must be imported. Moving Iron by rail or truck from Mobile to Decatur proved to be difficult with the volumes we are discussing. Therefore transport by water is the only practical method to bring the material in to Nucor. Attached are the historical and projected traffic at the facility by the three transportation modes.

Alternatives considered were as follows:

- A. Transporting the additional material and product via Trucks (20 ton capacity each). This would increase the daily truck traffic by 200 trucks a day, seven days a week by the end of the 4th year. The current daily truck traffic for incoming and outgoing scrap and steel is 170 trucks a day, and we already experience frequent congestion and delays at this level of traffic. Note: this does not include deliveries of other materials or shipments of waste.
- B. Transporting the additional material and product via rail car (90 ton capacity each). This would increase the daily rail car traffic by over 40 rail cars a day, seven days a week. The increase in rail car traffic is not possible with the current length of rail spur available on site.
- C. Transport the additional material and product with a combination of alternative A and B. This option improves the flexibility of the logistics; however, even this option would require double handling of the material when dedicated ships arrive in Mobile. The 50,000 tons of material must be off loaded in a short period of time to release the ship. The material would require a dedicated storage facility at the docks that does not exist today. The material must be kept dry (wet material is flammable) during transfer and storage. Finding covered storage space with adequate rail and truck loading service is costly when it is available.
- D. Transport the additional material and product utilizing a combination of Trucks, Railcars and Barges. This is how we run the business today. Depending on the distance the material is to be transported, and the modes of transportation the supplier or customer can receive, the decision is made on how to transport the material. Increasing the Barge terminal and mooring facility to accommodate the peak traffic referenced and a sustained daily rate of 5 barges a day, the most efficient way to meet the business plan.

Alternatives A, B and C are not reasonable options for Nucor Decatur. The high peak loads of material coming in from Mobile could not be handled efficiently with trucks or railcars. One dedicated ship of material would require 2500 trucks to make a one way trip from Mobile to Decatur. This would burn more fuel, and add congestion to our highway system that could be avoided by using the available waterway system. Alternative D is the preferred option by Nucor Decatur.

2. The environmental information supplied in the Environmental Assessment prepared in June 1995 for Trico Steel, details the environmental concerns and impacts to air and water quality, solid waste disposal, land use and wetland impacts and Floodplain impacts. Socioeconomic, navigation, transportation, noise, visual, recreation and energy resource impacts are also evaluated within this assessment.

With respect to air quality, Nucor Decatur has performed PSD Class Review to determine impact on air quality on the Sipsey Wilderness. All Class I screening impacts at the Sipsey Wilderness are below the screening criteria and detailed modeling has demonstrated that Nucor will not exceed the NAAQS. Nucor Steel has obtained a NPDES permit that regulates the quality of the water discharged into the Tennessee River from the site. This permit regulates the toxicity and temperature of the discharge water. All solid waste is transported and disposed of offsite at a regulated landfill. Land use patterns will not change, with the exception there will be a higher rate of use of the port facility and use of the Port Road. The wetland impacts are shown on the Attached Vicinity Map indicated as Dredged Disposal Area. Dredge spoils from the dredging activities will be deposited in previously mitigated areas. The volumes of material dredged are also attached, see page titled Nucor New Dock Dredge Calcs. Floodplains are not expected to be impacted.

Socioeconomic impacts include jobs generated during construction of the port expansion and jobs in Mobile where the dedicated ships arrive and are unloaded. Ensuring the delivery of the raw material prevents business interruption and potential loss of income to 700 Nucor employees and the indirect jobs that depend on the facility production. For the navigation impacts, refer to the attached drawings. Land-based transportation and noise impacts will change very little from what is described in the Environmental Assessment done in 1995. The proposed port expansion will prevent a significant increase in land-based transportation effects. Visual impacts are not anticipated to be significant due to the presence of barge traffic already in this area. The effects of increased barge traffic on recreational boating are expected to be minor. The proposed port expansion is not expected to result in significant impacts on either the water-based or land-based recreational activities associated with any public, private, or commercial recreation activity in the project area.

For effects on energy, the Nucor Decatur facility is connected to the Browns Ferry via 500 kV transmission line. Nucor Decatur has secured a contract with TVA to supply all the foreseeable power needs and with this project Nucor Decatur will not impose any new operative needs on TVA's system.

3. Detailed plans of the excavation and mooring facility are attached.

Please contact myself at (256) 301-3508 if you need any further information.

Sincerely,



Jeff Braun

Environmental Manager

TRANSPORTATION HISTORY AND DRI / DOCK FA

2004 OUTBOUND MODES	BARGE	CC	CT	RAIL
Pieces of Equipment	400	24,825	16,164	3,898
Percentage / Mode	31%	30%	20%	19%

2005 OUTBOUND MODES	BARGE	CC	CT	RAIL
Pieces of Equipment	380	20,247	19,373	5,634
Percentage / Mode	28%	23%	22%	27%

2006 OUTBOUND MODES	BARGE	CC	CT	RAIL
Pieces of Equipment	344	28,105	19,646	6,444
Percentage / Mode	24%	29%	20%	27%

2004 INBOUND MODES	BARGE	TRUCK	RAIL
Pieces of Equipment	833	8,400	7,300
Percentage / Mode	61%	8%	31%

2005 INBOUND MODES	BARGE	TRUCK	RAIL
Pieces of Equipment	729	21,000	5,961
Percentage / Mode	54%	20%	26%

2006 INBOUND MODES	BARGE	TRUCK	RAIL
Pieces of Equipment	975	13,063	6,663
Percentage / Mode	64%	11%	25%