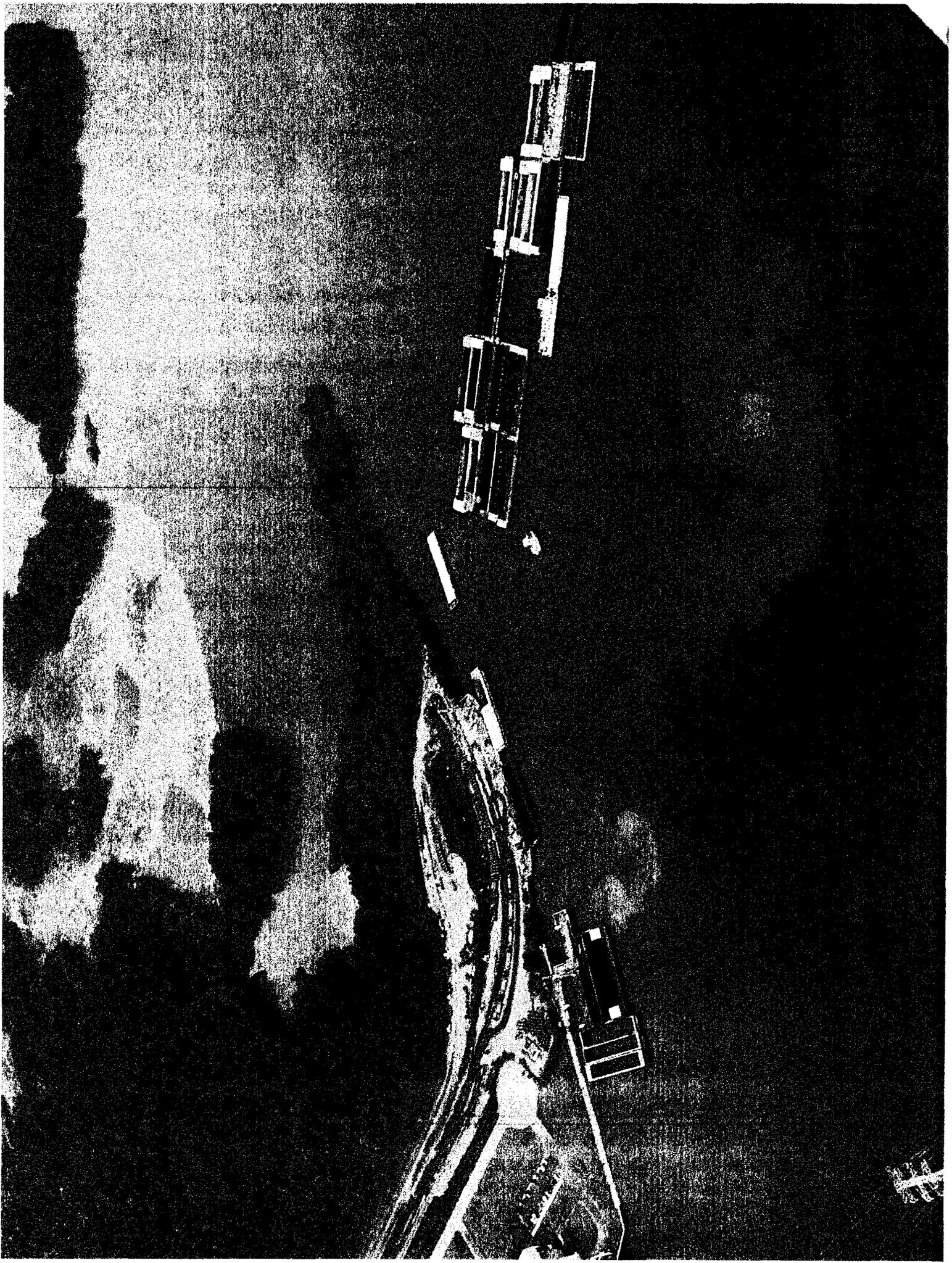
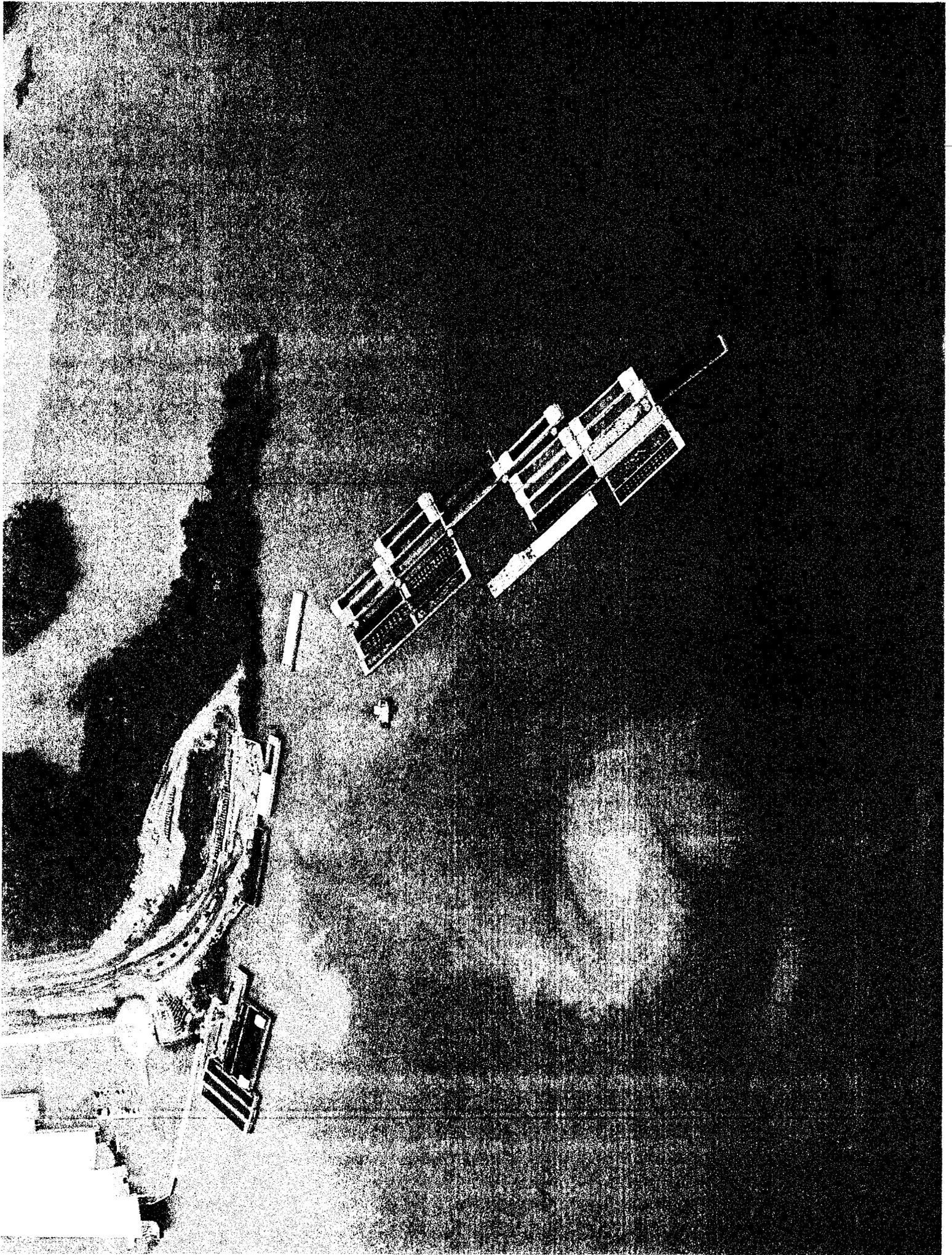


## APPENDIX D

Pre-Application Field Investigation on January 29, 2004  
Inspection Required for Permit Processing on July 31, 2006  
with Memorandum and Photographs

File No. 53937-00  
Nucor Steel Decatur, LLC





## PRE-APPLICATION MEETING RECORD

DATE OF MEMORANDUM: February 3, 2004

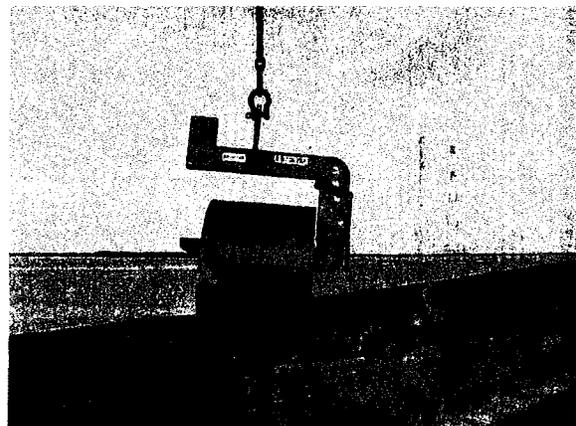
DATE OF MEETING: January 29, 2004 (1:00pm)

NAME OF PERSONS PRESENT: See attached listing of attendees with telephone numbers. Representatives of Nucor Steel (Kim Pritchard, point of contact, [kpritchard@nsdecatur.com](mailto:kpritchard@nsdecatur.com)) and their consultants (Pugh Wright & Associates-engineers and Marine Terminals-contractors), the Corps Regulatory Branch Nashville District and Decatur Field Office, and TVA Wheeler Land Management and Knoxville (Navigation and Economic Development).

FILE NO. 5393700

SUBJECT: Proposed Expansion of Nucor Steel Plant's Existing Terminal fleeting areas, loading dock. and associated dredging on a back channel of the Tennessee River Mile 297.5, left bank, Decatur, Morgan County, AL. Dredged material disposal site would be onto a previously permitted and mitigated wetland area on the uplands.

PURPOSE OF THE MEETING: To Review Preliminary Plans for Expansion with Respect to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act and Document an On-site Preliminary Jurisdiction Determination



*Photo 1 and 2 – Nucor Steel Meeting and Inspection (1-29-2004, Morris). Above - Steel “Coil” being Loaded onto Barge.*

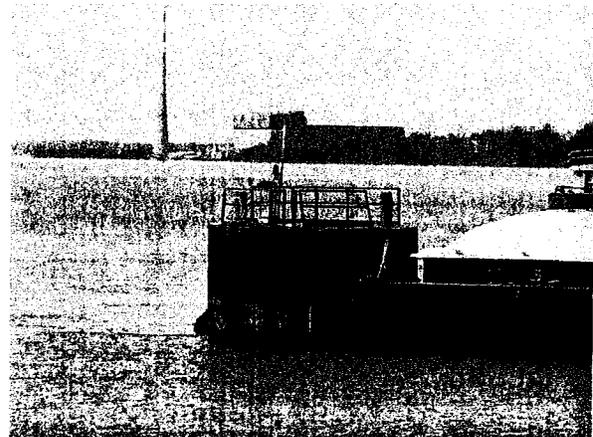
SUMMARY: The meeting commenced with Kim Pritchard of Nucor giving an overview of the existing facilities on the river. He said that Nucor had recently purchased the terminal from bankrupt Trico Steel Company and ~~had~~ the DA and TVA permits for the Trico facilities have been transferred to Nucor. Nucor purchases and transports salvaged metals and scrap steel materials to their plant for recycling them into steel coils. The finished steel coils are generally transported from the plant by truck or rail. Pritchard said that in addition to the riverfront facilities, the Trico permit allowed for the filling of 21-acres of headwater wetlands on the property for future development, some of which

has not occurred. The DA permit expires in 2005. As mitigation for the fill, Trico donated 224-acres of property to the Mallard-Fox Creek TVA Wildlife Management Area and caused the acreage to inundated to lake and wetland levels. TVA said this effort has been successful. Currently, the riverfront facilities consist of a barge terminal with a dock unloading area and a series of mooring cells with fleeting. Currently fleeting exists only on the left bank of the channel, adjacent the shoreline. At this location, five of the six permitted mooring cells have been constructed. A tow of sixteen loaded (with scrap metals) barges fleets on the riverside of the five cells. Behind the cells, an empty tow of twelve barges moors to the cells.



*Photo 3 and 4 – Above Existing Loading Platform. Another is Proposed just downstream. (1-29-2004, Morris). Scrap and Recycled Metals being Unloaded from Barge and Loaded into Trucks for Transport to the Plant.*

Pritchard said that in the early 1990's, the Corps performed a dredging project on 7,000' of the back channel (240' wide) in front of the terminal and adjacent terminals for local Sponsor City of Decatur. Plans show the Corps channel to have a varying bottom elevation of 536 to 537 (aka Decatur Port project). At that time, Trico performed dredging under the proposed fleeting areas to bottom elevation of 538 and disposed the dredged material into wetlands on the property, in accordance with DA permit. Pritchard asked if the Corps was planning on maintenance dredging the channel anytime soon,

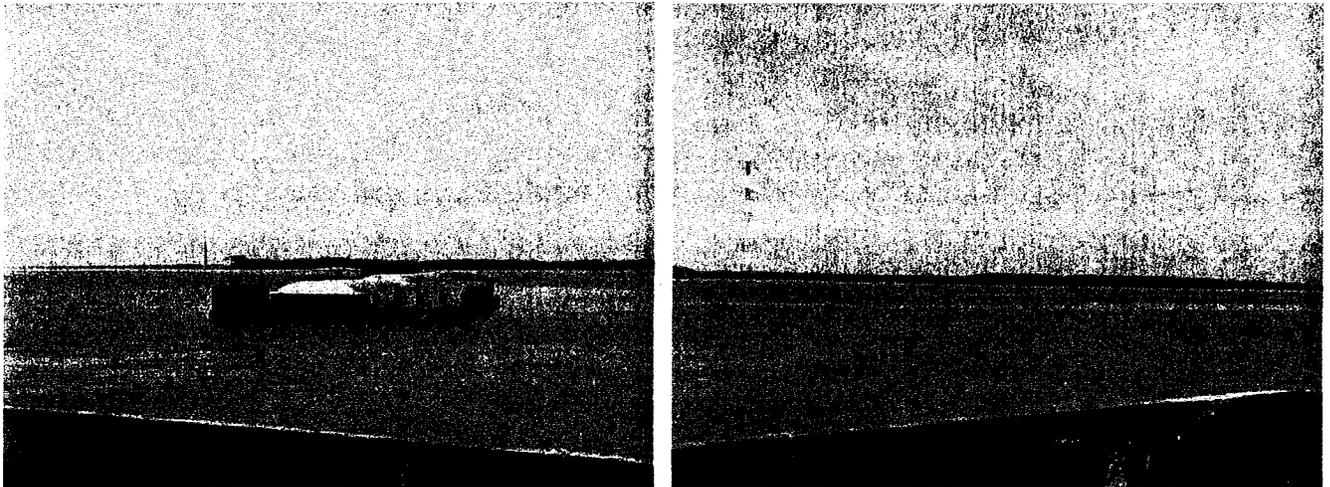


*Photo 5 and 6 – Existing Dolphins and Mooring Cells on the Back Channel. See main river channel in the distance. An island that divides is under water (1-29-2004, Morris).*

because Nucor needed to dredge additional areas to provide for more fleeting and would like to join forces. I told Mr. Pritchard that I would check with the Corps Civil Work group or our operations people and/or provide him with a point of contact.

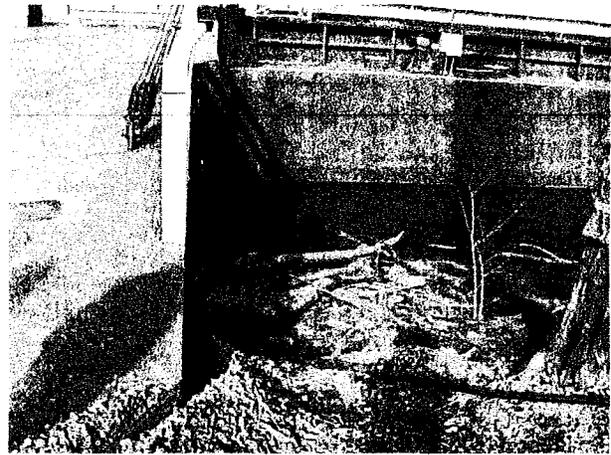
At this time, Joel Pugh with Pugh Wright and Associates displayed a plan for the proposed work, attached. The plan provides for additional mooring cells to be constructed across the channel. Two sets of four mooring cells would be constructed. Each mooring configuration would fleet twelve loaded barges on the front of the cells and nine empty barges behind. The sixth mooring cell along the shoreline, previously permitted, would be constructed to allow for the fleeting of nine more barges. Upstream of the existing loading dock three more mooring cells would be constructed along the shoreline to allow for fleeting nine loaded barges. Under the plan, the total barges fleeting at the terminal would be 85 (61 loaded and 24 empty). The proposed configurations provide for a 300' navigation channel between the fleeting barges. Pritchard said that only one company adjacent to theirs (Independence Tube) uses the channel to access the main river channel.

To provide sufficient water depths for the new fleeting, the sides of the existing 240' channel would have to dredge to 500' wide for about 2000'. A bottom elevation 538 is desired. Plans show the areas to be dredged have elevations of 542 to 545. Pugh said that the quantity of dredged material would be about 40,000 cubic yards. Dredged materials would be pumped upland to the unfilled wetland areas. Side slopes of the channel are about 3:1 slope. Pugh said that they could stabilize with riprap if needed. In addition, Nucor desires to construct a second filled loading dock on the river (390' long x 74' wide). Preliminary plans show the dock to have a metal face retaining wall then backfilled to desired elevation.



*Photo 7 and 8 – Existing Setup and Buoy Channel Marker and Location of Proposed Fleeting (1-29-2004, Morris).*

After viewing the plans, we discussed the 300' navigation channel and if it would be sufficient for navigation maneuvering. TVA's navigation advisor said that they would consider the plan. Finally, Mr. Pritchard said that when he submits an application for the new work, he would want to reference ALL previously permitted work. At that time, he will show what has been performed from the previous permit and timeframes for completing the permitted work. He said that he would like a new expiration date for filling wetlands and it could be approached as a new proposal. He said that with all the previous permits and subsequent modification that TRICO made, Nucor is somewhat unclear as to what has been permitted. So, in the new proposal he wants to have just one permit that detail the existing work and the proposed work. I explained that due to the magnitude of the proposed work, we would put out a 30-day public notice and need a water quality certification, possibly a new certification for the wetland fill if the state permit has expired. TVA said that if the fill for the dock did not exceed one-acre foot, then effects to flood storage would be negligible.



**Photo 9 and 10** – Proposed Location for Second Dock. Riprap fill would be placed to top elevation as existing from the face of the moored barge here back to the shoreline (1-29-2004, Morris).

At this time, we drove to the site for inspection. The island between the back channel and the main river channel would under water. Existing mooring cells appeared to be positioned as shown on the plans. See attached photographs for more details. Mr. Pritchard said that immediately, they would like to perform maintenance dredging as

permitted under the existing Trico/Nucor permit. He said that he made that request in writing to the Corps Decatur Field Office. At that time, Eric Sinclair provided me a copy. I told Pritchard that I would acknowledge his notification to maintenance dredge in writing when I got back to work. I would also provide him with a notice to navigation by email and the dredging would be subject to existing DA permit conditions.

Next, we drove around the plant site and Mr. Pritchard showed us the filled and unfilled permitted wetland areas. He also showed us an isolated ponded area on the property that he wished to fill. He called this a sediment pond. The small less than one-acre area had trapped water along side their rail track. Eric Sinclair and I inspected the site and determined that it was isolated. Mr. Pritchard said that Carl Olsen had looked at the site in the 1990's along with Rueben Hernandez and determined the site not be a wetland. He said that he would send a request in writing to fill the area and asked if I could send him some sort of non-jurisdictional letter.



*Photo 11 and 12 – Isolated Ponded and Non-Wetland Non-Jurisdictional Area Proposed to be Filled.  
(1-29-2004, Morris).*

As the meeting concluded, Mr. Pritchard said that an application for the proposed work would be forthcoming. Photographs taken during the inspection are attached, along with the meeting attendance list.

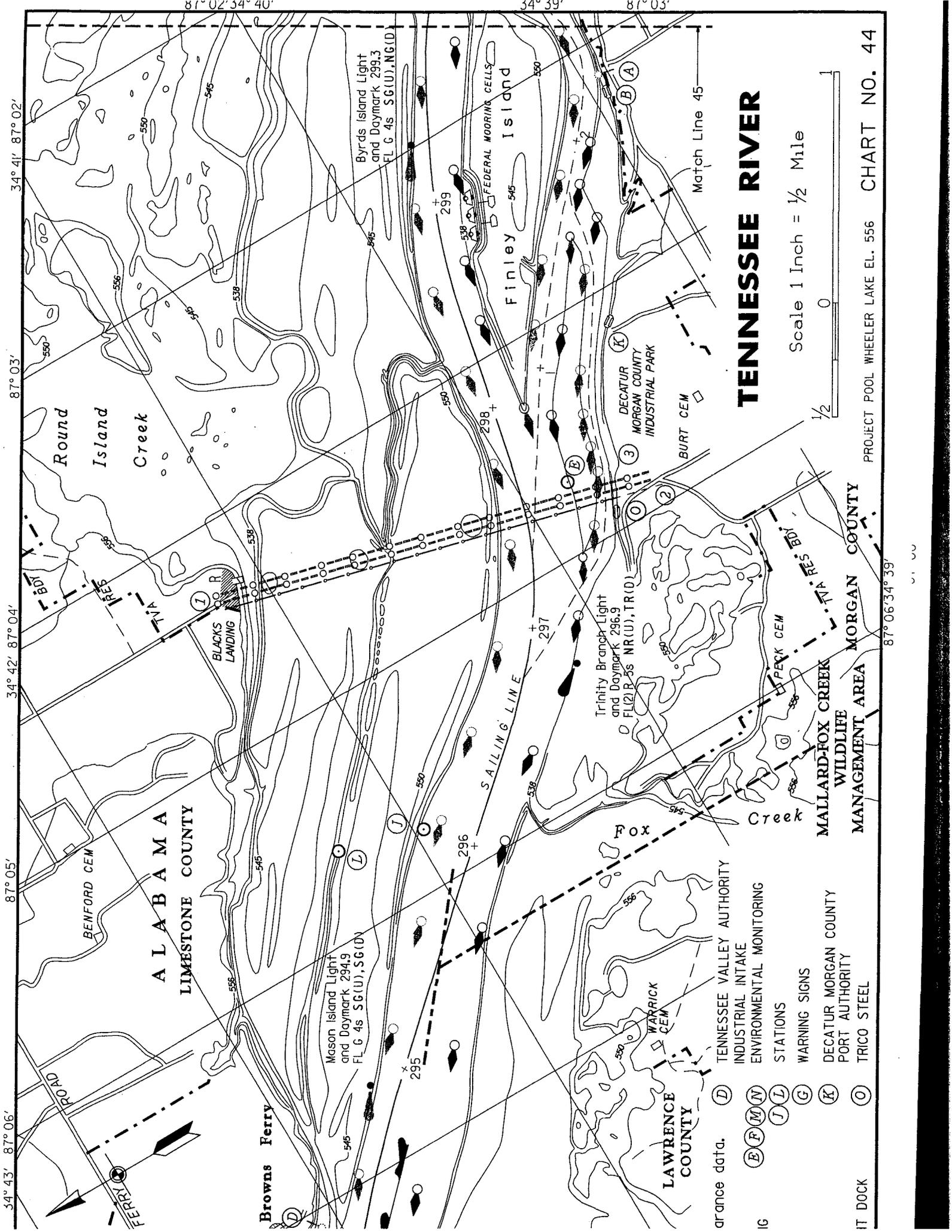
*Lisa Morris*  
Lisa Morris  
Project Manager  
Operations Division

2/3/04  
Date

Jan. 29, 2004

Barge Dock Expansion Scoping Meeting  
TVA, ASACE, Marine Terminals, Nucor

<u>Name</u>		<u>Phone</u>
Kim Richard	Nucor	256-301-3541
Stanley McCall	Nucor	256-301-3507
John Elliott	Nucor	256-301-3536
LISA MORRIS	CORPS - NASHVILLE	615-369-7504
Kellie Hammond	TVA - Knoxville	865-632-2906
Eric Sinclair	Corps - Decatur	256-350-5620
BRIAN WILLIAMS	NUCOR	256-301-3542
Tim Gilbert	TVA, Wheeler WT	256-386-3068
Ron Ribicich	TVA, Knoxville	865-632-8872
Cardyn Korac	TVA, Knoxville	865-632-2523
Dan Mullins	NUCOR	256-301-3643
Pete Wahl	Marine Terminals	256-306-9474
Joel N. Pugh	Pugh, Wright & Assoc	256-353-3937
DARLE WARE	MARINE TERMINALS	843 336 6510
DAVID STONE	MARINE TERMINALS	843 336 6500
Tim Carter	NUCOR	256-301-3503



34° 43' 87° 06' 34° 42' 87° 04' 34° 41' 87° 02'

81° 02' 34" 40' 34° 39' 81° 03'

# TENNESSEE RIVER

Scale 1 Inch = 1/2 Mile

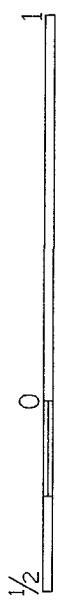


CHART NO. 44

PROJECT POOL WHEELER LAKE EL. 556

87° 06' 34" 39'

- ance data. (D)
- (E) (F) (M) (N)
- (J) (L)
- (G)
- (K)
- (O)
- TENNESSEE VALLEY AUTHORITY
- INDUSTRIAL INTAKE
- ENVIRONMENTAL MONITORING
- STATIONS
- WARNING SIGNS
- DECATUR MORGAN COUNTY
- PORT AUTHORITY
- TRICO STEEL

IT DOCK



**Morris, Lisa R LRN**

---

**From:** Hartsell, Samantha A [sahartsell@tva.gov]  
**Sent:** Wednesday, August 02, 2006 3:06 PM  
**To:** Morris, Lisa R LRN  
**Cc:** McCann, William R; Hammond, Kelie H  
**Subject:** FW: Nucor Dock Permit Drawing & Independence Tube Objections - @ Morgan County Port  
**Attachments:** 08-01-2006\_revisions.pdf

Lisa,

Randy, Kelie and I met with Nucor representatives yesterday and looked at the site on the Sideview. Wayne Lignon and Bob from the COE Navigation were also there. After discussing the options available to them, and looking at the projected timeline for an associated TVA land action, the following was decided:

- 1) Nucor is not going to pursue the dredge or barge terminals at Area 3 at this time.
- 2) Area 2 will be modified to place the rectangle of 24 barges outside of the channel, eliminate the proposed barges located in the "turn" and adding two additional to the block of 24. This will be pursued in conjunction with an easement application with TVA.
- 3) The immediate 26a application will address addition of another mooring cell to Area 1 for eight additional barges, and authorize the fleeting of at least one more row of barges on the landward side of that block.

Revised drawings should be coming ASAP. A sketch is attached. Anything we get from Nucor we will coordinate with you. If I am not clear about anything, just let me know.

Thanks

Samantha

*Samantha Hartsell*  
Watershed Representative  
Pickwick-Wheeler Watershed Team  
Tennessee Valley Authority  
(256) 386-3620  
[sahartsell@tva.gov](mailto:sahartsell@tva.gov)

-----Original Message-----

**From:** McCann, William R  
**Sent:** Wednesday, August 02, 2006 7:20 AM  
**To:** Hartsell, Samantha A  
**Subject:** FW: Nucor Dock Permit Drawing & Independence Tube Objections - @ Morgan County Port

Sam, thanks for going yesterday. Please summarize where we are & send Lisa & Kelie a short note.

Appreciate it.

Randy  
256-386-2568

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-----Original Message-----

8/3/2006

**From:** Hammond, Kelie H  
**Sent:** Monday, July 31, 2006 10:20 AM  
**To:** 'Morris, Lisa R LRN'; Ligon, Benton W LRN; McCann, William R  
**Cc:** Bishop, Bradley N LRN  
**Subject:** RE: Nucor Dock Permit Drawing & Independence Tube Objections - @ Morgan County Port

Lisa,

Randy and I met with Nucor folks on-site last Monday to discuss their plans and met with Jeremy Nails of the Morgan County Economic Development Assoc. on Tues. morning also.

From a navigation standpoint, I have several concerns with the Nucor proposal. One of those concerns is their proposal to fleet across from the vacant lot - their "Area 3". We discussed this with Jeremy Nails and he indicated that they had not agreed to let Nucor fleet there and that he would be discussing that with them. I don't think it's a good idea. I'm hoping that we can come up with some better options for the fleeting expansion when we meet tomorrow on the Sideview. Hopefully you will be there. I know that Wayne Ligon and Bob Taphorn will be meeting us.

Thanks,  
Kelie

Kelie H. Hammond, P.E.  
Tennessee Valley Authority  
Manager, Navigation (Interim)  
Navigation and Hydraulic Engineering

WT 10D-K  
865-632-2906  
865-632-4255 fax

-----Original Message-----

**From:** Morris, Lisa R LRN [mailto:Lisa.R.Morris@lrn02.usace.army.mil]  
**Sent:** Monday, July 31, 2006 10:02 AM  
**To:** Ligon, Benton W LRN; Hammond, Kelie H; McCann, William R  
**Cc:** Bishop, Bradley N LRN  
**Subject:** FW: Nucor Dock Permit Drawing & Independence Tube Objections - @ Morgan County Port

To address the objections from Independence Tube, Nucor Steel Decatur submitted an application mod, attached, for the fleeting arrangement (PN 06-54). They have not reduced the barges, just shifted area #3 to the east (leaving the area in front of IndepTube open). (three industrial tracts in the port -Nucor, IndepTube, and vacant).

Keep in mind

- #1 - IndepTube told me, by phone call, that they would likely be applying for mooring in this new "open area" opposite their tract.
- #2 - It says in the email below that the property (opposite the shifted #3 fleeting) is currently vacant and being marketed by Morgan County.
- #3 - So since the property is vacant and Morgan County is the owner/overseer of the county port tracts/operations, I asked Nucor to have the County send me a letter regarding the fleeting. Email below says that a letter of support will be sent.

Thanks, Lisa

---

**From:** KimPritchard@nsdecatur.com [mailto:KimPritchard@nsdecatur.com]  
**Sent:** Friday, July 28, 2006 3:47 PM  
**To:** Morris, Lisa R LRN  
**Subject:** Nucor Dock Expansion Permit Drawings

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 address 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 with 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

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