

APPENDIX C

Agency Correspondence



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, VA 23061



July 17, 2002

Ms. Janice Bell
U.S. Department of Energy
3610 Collins Ferry Road, P.O. Box 880
Morgantown, West Virginia 26507-0880

Re: Universal Aggregates Demonstration
Project, # 2589,
King George County, Virginia

Dear Ms. Bell:

The U.S. Fish and Wildlife Service (Service) has received your request for comments regarding environmental impacts for the referenced project. The proposed action is for cost-shared financial support by the U.S. Department of Energy (DOE), through a cooperative agreement with Universal Aggregates, LLC, for the construction and operation of a lightweight aggregate manufacturing plant at the Mirant-Birchwood Power Facility. The aggregate will be manufactured using the ash generated by spray dryers that control SO₂ emissions from the power facility. This letter is submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (FWCA) of 1958 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

ENDANGERED SPECIES ACT

Based on the project description and location, it appears that this project is not likely to adversely affect any federally listed or proposed species or their designated critical habitat.

FISH AND WILDLIFE COORDINATION ACT

The Service is concerned about potential adverse impacts to water quality and fish and wildlife resources that may occur as a result of coal combustion byproducts being used in construction and stabilization projects and subsequently leaching toxic chemicals into the surrounding landscape. The Service recommends your environmental assessment include the complete record of tests of this technology mentioned in the project narrative as well as a description of the lightweight aggregate specifications (ASTM-C331) and how they were developed.

*Commercial Demonstration of the Manufactured Aggregate Processing Technology
Utilizing Spray Dryer Ash, King George County, Virginia
DRAFT ENVIRONMENTAL ASSESSMENT*

Ms. Bell

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If you have any questions or need further assistance concerning this project, contact Ms. Jolie Harrison at (804) 693-6694, extension 208.

Sincerely,



for Karen L. Mayne
Supervisor
Virginia Field Office



COMMONWEALTH of VIRGINIA

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

W. Taylor Murphy, Jr.
Secretary of Natural Resources

Kathleen S. Kilpatrick
Director

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August 1, 2002

Janice L. Bell
NEPA Development Manager
U.S. Department of Energy
Nuclear Energy Technology Laboratory
626 Cochran Mill Road
P.O. Box 10940
Pittsburgh, PA 15236-0940

Re: Proposed Lightweight Aggregate Manufacturing Plant
King George County, Virginia
DHR No. 2002-1201

Dear Ms. Bell:

Thank you for requesting our comments on the referenced project.

We understand that an archeological survey was conducted in 1991 prior to construction of the Mirant-Birchwood Power Facility and that the area surveyed included the present project area. While we do not have a copy of the report in our archives, we have reviewed the inventory forms for the two sites located in the vicinity of the proposed plant, 44KG100 and 44KG103 and agree with your assessment that no further archeological investigations are warranted at these two sites due to their compromised integrity. We also agree that no further identification efforts are warranted in connection with the proposed plant. Based upon the information provided, we find that no historic properties will be affected by the proposed undertaking.

Inclusion of your finding of *no historic properties affected* in the final Environmental Assessment, along with our letter of concurrence, will provide the interested public with the opportunity to inspect the documentation prior to approval of the undertaking in accordance with §800.4(d)(1) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended through 1992.

If you have any questions or if we may provide any further assistance, please do not hesitate to contact me at (804) 367-2323, ext. 112; fax (804) 367-2391; e-mail eeaton@dhr.state.va.us.

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We apologize for the delay in our response and look forward to working with you on future projects.

Sincerely,



Ethel R. Eaton, Ph.D., Manager
Office of Review and Compliance