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**Notice of Proposal to Conduct**  
**Brakes Bayou Contaminated Sediments**  
**Dredging and Capping Pilot Study**  
for  
**International Creosoting**  
as published in the  
***Texas Register***  
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remain within the basin and will not be bladed into the HSC. During the demonstration project, water samples will be collected at different locations to determine the concentration of total suspended solids within the water column as a result of this technique. The demonstration will be conducted for one trial period before the scheduled hydraulic maintenance dredging which is scheduled for late November 2003. The CARE Terminal has an existing permit, DA Permit 17203(06), for mechanical and/or hydrologic dredging of the terminal basin. The authorized depth of the basin is -36 feet mean low tide (MLT) at Dock #1 and -38 feet MLT at Dock #2. CCC Project No.: 03-0318-F1; Type of Application: U.S.A.C.E. permit application #23162 is being evaluated under §10 of the Rivers and Harbors Act of 1899 (33 U.S.C.A. §403) and §404 of the Clean Water Act (33 U.S.C.A §125-1387). NOTE: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

Applicant: Kerr-McGee Chemical, L.L.C.; Location: The project is located in Brakes Bayou, at the International Creosoting State Superfund Site, near 1110 Pine Street, in Beaumont, Jefferson County, Texas. The project extends from the confluence of Brakes Bayou and the Neches River north to approximately 800 feet north of the Interstate 10 Bridge. The project can be located on the U.S.G.S. quadrangle map entitled: Beaumont East, Texas. Approximate UTM Coordinates: Zone 15; Easting: 394503; Northing: 3328683. Project Description: The applicant proposes to conduct dredging and capping pilot studies that are designed to provide technical and environmental information necessary in determining if dredging and/or capping can be expanded to serve as the final remedy for the containment and remediation of contaminated sediments in Brakes Bayou. The bayou-based operable unit (BBOU) portion of the project is divided into three types (A, B, and C) of remediation areas based on the concentrations of polycyclic aromatic hydrocarbons (PAH's) and or the presence of free-phase creosote. The dredging pilot study will consist of mechanically dredging up to 300 cubic yards (areas of 50 by 50 feet) of sediment at one or two sites in the bayou, placing the material in an on-site settling pond for subsequent dewatering and stabilization for capping. To minimize the potential of re-suspension contaminated material the sediment removal will be conducted using a sealed clamshell bucket from the shore. Surface water and air monitoring will be conducted to monitor the impact of dredging. The capping pilot study consists of constructing three 10,000-square-foot caps of one foot of fine-grained sand overlain by one foot of gravel, two feet of finegrained sand overlain by one foot of gravel, and a split cell of geotextile overlain by one foot of fine-grained sand and two feet of fine-grained sand, respectively. The capping materials will be placed by clamshell, long-reach excavator, and/or conveyor from shore at Areas 1 and 2. The placement of capping materials at Area 3 may require use of a barge. The capping project will result in the discharge of 3,000 cubic yards of fine-grained sand, 1,000 cubic yards of gravel, and the use of 1,200 square yards of geotextile fabric. Surface water, sediment, and air monitoring will be conducted during the study and monitoring of the test caps will be conducted for one year. Containment barriers (silt curtains, oil booms) will be used during both pilot studies. Mobilization and execution of the work for dredging study will take approximately 30 days. Mobilization and execution of the capping study will take approximately 60 days. The applicant is undertaking this study as a precursor to a future full-scale remedy. The extent of the full-scale dredging and capping project would be approximately 15 acres; including 1.5 acres of dredging, 5.3 acres of capping, and 8.2 acres of natural recovery. The issues identified in this pilot project will be used to determine the viability of full-scale implementation. In addition to comments on the current plan, the applicant wishes to solicit comments to identify issues that could preclude full-scale implementation. CCC Project No.: 03-0319-F1; Type of Application: U.S.A.C.E. permit application #22893(01) is being evaluated under §10 of the Rivers and

Harbors Act of 1899 (33 U.S.C.A. §403) and §404 of the Clean Water Act (33 U.S.C.A §125-1387). NOTE: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

Applicant: Davis Petroleum Corporation; Location: The project is located in State Tract 284 within Corpus Christi Bayou in Corpus Christi Bay in Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: Estes, Texas. Approximate UTM Coordinates: Zone 14; Easting: 686800; Northing: 3086900. Project Description: The applicant proposes to drill a well in State Tract 284, utilizing a 240-foot-long by 100-foot-wide drilling pad of shell, gravel or crushed rock. The project would include the installation of a typical marine barge and keyway, a production platform with attendant facilities, and flowlines between the well and the production platform. In addition, the applicant proposes to install an 8-inch diameter pipeline, approximately 100 feet long, from the proposed well to tie into a Davis Petroleum pipeline, to be constructed under Department of the Army Permit 22863. The pipeline would be jetted, disked, or plowed a minimum depth of 3 feet below the bay bottom. The applicant would use turbidity curtains to control silt/solids resuspended during the drilling of the well and the installation of the pipeline. Public boat traffic would be routed along the northern edge of the bayou. Barges and other work vessels associated with the proposed work would be confined to a designated work area and would not utilize the area designated for public boat traffic. CCC Project No.: 03-0321-F1; Type of Application: U.S.A.C.E. permit application #23152 is being evaluated under §10 of the Rivers and Harbors Act of 1899 (33 U.S.C.A. §403) and §404 of the Clean Water Act (33 U.S.C.A §125-1387). NOTE: The consistency review for this project may be conducted by the Texas Railroad Commission as part of its certification under §401 of the Clean Water Act.

Applicant: Laguna Resources LTD; Location: The project is located along the Gulf Intracoastal Waterway (GIWW), on a 69-acre tract, northwest of Nelson Street and southeast of 23rd Street, Port Bolivar, Galveston County, Texas. The Project Site can be located on the U.S.G.S. quadrangle map entitled: Port Bolivar, Texas. Approximate UTM Coordinates: Zone 15; Easting: 329005; Northing: 3251997. The Wastewater Treatment Plant Site can be located on the U.S.G.S. quadrangle map entitled: Flake, Texas. Approximate UTM Coordinates: Zone 15; Easting: 330443; Northing: 3252794. The Mitigation Site - Bolivar Side can be located on the U.S.G.S. quadrangle map entitled: High Island, Texas. Approximate UTM Coordinates: Zone 15; Easting 356518; Northing: 3266745. The Mitigation Site Goat Island Side can be located on the U.S.G.S. quadrangle map entitled: High Island, Texas. Approximate UTM Coordinates: Zone 15; Easting: 15356046; Northing: 3267964. Project Description: The applicant proposes to directly impact 28.02 acres of 38.5 jurisdictional acres by fill and/or excavation. The applicant's stated purpose for the project is to capitalize on the growing demand for ocean, waterfront primary and secondary housing and vacation home sites with pier and wharf facilities for large-scale watercraft with access to the Gulf Intracoastal Waterway. The proposed impact areas are composed of adjacent wetlands, waters of the U.S. and beach. The affected jurisdictional area on the applicant's property includes 26.44 acres of wetlands, 0.27 acre of open water ponds, 1.11 acre of beach and 0.20 acre of open water within the GIWW. Additionally, a 2.55-acre jurisdictional wetland located off-site directly adjacent to the southwest property line will be indirectly impacted by the proposed project; 0.32 acre for road construction and 2.23 acres of indirect impacts associated with the placement of fill for the road and from placement of fill into the proposed project site. The applicant proposes to preserve 6.60 acres of wetlands and 3.88 acres of beach located adjacent to the GIWW. The applicant proposes to construct 8,200 linear feet of bulkhead, place 2,000 feet of riprap from the