

Dominion Energy Southeast Services, Inc.  
400 Otarre Parkway  
Cayce, SC 29033



September 28, 2020

Ms. Amy Cappellino  
Project Manager, Northwest Branch  
Charleston District Regulatory Division  
U.S. Army Corps of Engineers  
Strom Thurmond Federal Building  
1835 Assembly Street, Room 865 B-1  
Columbia, South Carolina 29201

**RE: Joint Federal and State Application  
Stakeholder-Developed Modified Removal Action (MRA)  
DESC Congaree River Project  
Columbia, South Carolina**

Dear Ms. Cappellino:

In support of the Dominion Energy South Carolina (DESC) Congaree River Project, enclosed are two copies of the Joint Federal and State Application associated with implementation of the Stakeholder-Developed Modified Removal Action (MRA).

As you are aware, the Congaree River Project is intended to address the presence of a tar-like material (TLM) that is comingled with sediment in an area downstream of the Gervais Street Bridge, adjacent to the eastern shoreline, in Columbia, South Carolina.

We appreciate your assistance during the preparation of this application. If you have any questions during your review, please contact Paul Biery of DESC at 803-217-5016.

Sincerely,

A handwritten signature in blue ink that reads "T. N. Effinger".

Thomas N. Effinger, P.E.  
Director, Environmental Services

Enclosures

cc: L. Berresford – SCDHEC w/enclosure  
G. Cassidy – SCDHEC w/enclosure  
P. Biery – DESC  
R. Contrael – ACE  
W. Zeli – Apex



**JOINT FEDERAL AND STATE APPLICATION  
DOMINION ENERGY SOUTH CAROLINA, INC.  
CONGAREE RIVER SITE  
COLUMBIA, SOUTH CAROLINA**

September 2020

*Prepared for:*

**Dominion Energy South Carolina, Inc.**  
400 Otarre Parkway  
Cayce, South Carolina 29033

*Prepared by:*

**Apex Companies, LLC**  
1600 Commerce Circle  
Trafford, Pennsylvania 15085

<b>Joint Federal and State Application Form For Activities Affecting Waters of the United States Or Critical Areas of the State of South Carolina</b>		<b>This Space for Official Use Only</b>	
<i>Authorities:</i> 33 USC 401, 33 USC 403, 33 USC 407, 33 USC 408, 33 USC 1341, 33 USC 1344, 33 USC 1413 and Section 48-39-10 et. Seq of the South Carolina Code of Laws. These laws require permits for activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. The Corps of Engineers and the State of South Carolina have established a joint application process for activities requiring both Federal and State review or approval. Under this joint process, you may use this form, together with the required drawings and supporting information, to apply for both the Federal and/or State permit(s).		Application No. _____ Date Received _____ Project Manager _____ Watershed # _____	
<i>Drawings and Supplemental Information Requirements:</i> In addition to the information on this form, you must submit a set of drawings and, in some cases, additional information. A completed application form together with all required drawings and supplemental information is required before an application can be considered complete. See the attached instruction sheets for details regarding these requirements. You may attach additional sheets if necessary to provide complete information.			
1. Applicant Last Name: Harris		11. Agent Last Name (agent is not required): Contrael	
2. Applicant First Name: Donald (Rusty)		12. Agent First Name: Andrew (Rusty)	
3. Applicant Company Name: Dominion Energy South Carolina, Inc.		13. Agent Company Name: ACE, Inc.	
4. Applicant Mailing Address: 400 Otarre Parkway		14. Agent Mailing Address: 132 South Grant Avenue	
5. Applicant City: Cayce		15. Agent City: Kittanning	
6. Applicant State: South Carolina	7. Applicant Zip: 29033	16. Agent State: PA	17. Agent Zip: 16201
8. Applicant Area Code and Phone No.: 803-217-7055		18. Agent Area Code and Phone No.: 412-721-6494	
9. Applicant Fax No.:		19. Agent Fax No.: 724-543-1531	
10. Applicant E-mail: rusty.harris@dominionenergy.com		20. Agent E-mail: rcontrael21@outlook.com	
21. Project Name: Congaree River Stakeholder-Developed Modified Removal Action (MRA)		22. Project Street Address: NA - Congaree River downstream of the Gervais Street Bridge.	
23. Project City: Columbia	24. Project County: Richland	25. Project Zip Code: 29201	26. Nearest Waterbody: Congaree River
27. Tax Parcel ID: Portions of 08911-01-017 and 08911-01-014 (landside operations)		28. Property Size (acres): Approximately 13 acres for landside operations and 5.8 acres within river.	
29. Latitude: 33 59 40.59 N (alluvial fan)		30. Longitude: 81 02 56.80 W (alluvial fan)	
31. Directions to Project Site (Include Street Numbers, Street Names, and Landmarks and attach additional sheet if necessary): Travel east on the Gervais Street Bridge, turn right on to Gist Street and turn right on to Senate Street Extension. Project site located at the terminus of Senate St. Ext. and within the Congaree River directly downstream of the Gervais Street Bridge.			
32. Description of the Overall Project and of Each Activity in or Affecting U.S. Waters or State Critical Areas (attach additional sheets if needed) The Stakeholder-Developed Modified Removal Action (MRA) involves construction of reinforced rock-filled berm cofferdams around two areas (to be completed separately) within the Congaree River to isolate and dewater these areas. After dewatering, sediment impacted by a tar-like material (TLM) will be removed from within the cofferdams and transported off-site for proper disposal. Following removal of the sediment, the cofferdam material will be removed from the river and the area restored to pre-removal action conditions. Post-remediation monitoring will ensure the reconstruction efforts remain intact. Additional information is provided in Attachment C.			
33. Overall Project Purpose and the Basic Purpose of Each Activity In or Affecting U.S. Waters (attach additional sheets if needed): Removal of the TLM-impacted sediment from the project area will eliminate its potential for human contact. The removal will also eliminate or reduce the potential for resuspension and downstream movement of impacted sediments. Additional information is provided in Attachment C.			
34. Type and quantity of Materials to Be Discharged		35. Type and Quantity of Impacts to U.S. Waters (including wetlands).	
Dirt or Topsoil: _____ <input type="checkbox"/> cubic yards	Clean Sand: _____ <input type="checkbox"/> cubic yards	Filling: ~119,300 _____ <input type="checkbox"/> acres <input checked="" type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards	Backfill & Bedding: _____ <input type="checkbox"/> acres <input type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards
Mud: _____ <input type="checkbox"/> cubic yards	Clay: _____ <input type="checkbox"/> cubic yards	Landclearing: _____ <input type="checkbox"/> acres <input type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards	Dredging: _____ <input type="checkbox"/> acres <input type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards
Gravel, Rock, or Stone: ~26,400 (dams) <input checked="" type="checkbox"/> cubic yards	Concrete: _____ <input type="checkbox"/> cubic yards	Flooding: _____ <input type="checkbox"/> acres <input type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards	Draining/Excavation: ~134,200 _____ <input type="checkbox"/> acres <input checked="" type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards
Other (describe): _____ <input type="checkbox"/> cubic yards		Shading: _____ <input type="checkbox"/> acres <input type="checkbox"/> sq.ft. _____ <input type="checkbox"/> cubic yards	
TOTAL: approx. 26,400 cubic yards		TOTALS: approx. 5.8 acres approx. 253,500 sq.ft. _____ cubic yards	

36. Individually list wetland impacts including mechanized clearing, fill, excavation, flooding, draining, shading, etc. and attach a site map with location of each impact (attach additional sheets if needed).

Impact No.	Wetland Type	Distance to Receiving Water body (LF)	Purpose of Impact (road crossing, impoundment, flooding, etc)	Impact Size (acres)
River Removal Areas 1 and 2 (includes cofferdams)	Riverine	0	Impacted Sediment Removal	approx. 5.8
see Attachment C for locations				<b>Approx. 5.8</b>

37. Individually list all seasonal and perennial stream impacts and attach a site map with location of each impact (attach additional sheets )

Impact No.	Seasonal or Perennial Flow	Average Stream Width (LF)	Impact Type (road crossing, impoundment, flooding, etc)	Impact Length (LF)
River Area	Perennial	650	Dam Construction, Dewatering, Excavation	approx. 1,300
see Attachment C for locations				<b>Approx. 1,300</b>

38. Have you commenced work on the project site?  YES  NO If yes, describe all work that has occurred and provide dates.

Completed sediment investigation from June 2010 thru February 2011 and completed the Field Demonstration Project (FDP) from September thru November 2015. On-going periodic surface water sampling has been conducted since September 2017.

39. Describe measures taken to avoid and minimize impacts to Waters of the United States:

Prior to commencing work, measures will be taken to relocate freshwater mussels to outside of the project area. Erosion and sedimentation control BMPs will be installed landside, as needed, and total suspended solids monitoring within the river will be conducted during active construction activities. Shoreline impacts will be minimized to the extent practical and disturbed portions of the shoreline will be reconstructed, as necessary.

40. Provide a brief description of the proposed mitigation plan to compensate for impacts to aquatic resources or provide justification as to why mitigation should not be required (Attach a copy of the proposed mitigation plan for review).

No mitigation plan is required for the river based portion of the project since the proposed removal action is the mitigation. Removal of the impacted sediment will provide benefit in the form of reduced potential for contact with the TLM by humans and other organisms. Removal of the TLM also reduces the potential for resuspension and downstream movement and reduction in the potential for flux of dissolved phase constituents with the water column.

41. See the attached sheet to list the names and addresses of adjacent property owners.  
See Attachment E.

42. List all Corps Permit Authorizations and other Federal , State, or Local Certifications, Approvals, Denials received for work described in this application.

See Attachment F.

43. Authorization of Agent. I hereby authorize the agent whose name is given on page one of this application to act in my behalf in the processing of this application and to furnish supplemental information in support of this application. <sup>1</sup>

*Ronald Harris*

Sep 25, 2020

Applicant's Signature

Date

44. Certification. Application is hereby made for a permit or permits to authorize the work and uses of the work as described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent for the applicant. <sup>1</sup>

*Ronald Harris*

Sep 25, 2020

*Andrew B. Cantel*

September 25, 2020

Applicant's Signature

Date

Agent's Signature

Date

<sup>1</sup>The application must be signed by the person who desires to undertake the proposed activity or it may be signed by a duly authorized agent if the authorization statement in blocks 11 and 43 have been completed and signed. 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises 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 statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**#41- Adjacent Property Owner Mailing List**

NOTE: A depiction of the adjacent properties with identifying corresponding property owner names must accompany this mailing list.

(Attach additional sheets if necessary)

Applicant Name: Dominion Energy South Carolina, Inc.

Project Name: Congaree River Stakeholder-Developed Modified Removal Action (MRA)

**Property Owner Name**

**Mailing Address**

<b>Property Owner Name</b>	<b>Mailing Address</b>
	See Attachment E for complete list and properties map.

**JOINT APPLICATION FORM SUPPLEMENTAL INFORMATION  
DOMINION ENERGY SOUTH CAROLINA, INC.  
CONGAREE RIVER SITE  
COLUMBIA, SOUTH CAROLINA**

**LIST OF ATTACHMENTS**

- A Nationwide Permit 38 Checklist
- B Design Drawings
- C Project Description  
(Supplement to Items 32, 33, 39 and 40)  
(also addresses NWP Requirements – GCs 2, 3, 13, 18, 23 and 30, and RGC 47a/b)
- D Wetland and Stream Delineation Report  
(Supplement to Item 36)
- E Names and Addresses of Adjacent Property Owners  
(Supplement to Item 41)
- F Other Permits and Approvals or Denials  
(Supplement to Item 42)
- G Draft Navigation Plan with USCG Application  
(Based on NWP Requirements – GC 1)
- H Mussel Relocation Plan  
(Based on NWP Requirements – GCs 2 and 5)
- I Congaree River Backwater Analysis and No Rise Certifications with Floodplain  
Coordinator Approvals  
(Based on NWP Requirements – GCs 9 and 10, and RGCs 13, 14 and 15)
- J Lower Flow Sensitivity Study  
(Based on NWP Requirements – GCs 9 and 10, and RGCs 13, 14 and 15)
- K Draft Stormwater Management and Sediment Control Plan  
(Based on NWP Requirements – GCs 11 and 12, and RGCs 1, 2, 3, 4 and 5)
- L Historic and Archaeological Properties Identification  
(Based on NWP Requirements – GC 20)
- M Cultural Resource Identification Survey, Archaeological Data Recovery Plan, Draft  
Memorandum of Agreement and Current Recovery License  
(Based on NWP Requirements – GC 21 and RGC 7)
- N UXO Management Plans  
(Based on NWP Requirements – GC 21)
- O Engineering Evaluations: Reinforced Rockfill Cofferdam Conceptual Design, Stability  
Analysis, West Bank Erosion Potential Evaluation and River Bottom Erosion Potential  
Evaluation  
(Based on NWP Requirements – GC 24)
- P Restoration Operation, Maintenance and Monitoring Plan  
(Based on NWP Requirements – RGC 47c)