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Earthworks Oil & Gas Accountability Project  
1612 K ST., NW, Suite 904  
Washington, D.C., 20006

April 29, 2020

Tyler Bintrim  
US Army Corps of Engineers, Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, PA 15222-4186

**RE: Request for Extension and Public Hearing; CELRP-RG-2020-78**

Dear Mr. Bintrim:

**We are requesting you hold a public hearing regarding** 4K Industrial Park LLC's application 2020-78 submitted under Section 10 of the Rivers and Harbors Act of 1899 to construct a waterfront barge loading and offloading facility to receive "fluids from the Gas and Oil markets for processing, to reuse the fluids for drilling operations or to be spent to a disposal facility."

**We also ask you to hold this public hearing after the COVID-19 pandemic is over and all isolation recommendations are lifted, and that you offer both in-person and virtual attendance options.** Without both options, some vulnerable and disadvantaged community members will not be able to participate.

The surrounding community includes a large number of individuals without reliable access to the internet (such as the elderly and people in rural areas with limited bandwidth) or who lack the ability to effectively participate in telephonic hearings due to auditory impairment. Access to reliable internet and assistance in telephonic participation has been further curtailed due to COVID-19 precautions.

The Corps' public interest review must provide meaningful consultation with the public. A public hearing is among the better ways to solicit input directly from impacted communities. A robust, transparent, and accessible public process will improve the Corps' public interest reviews and instill public confidence. The global pandemic has reshuffled priorities for everyone, including the Corps. Maintaining public confidence during these challenging times compels the Corps to uphold our democratic values. This means listening to the voices of those impacted by this application.

The Public Notice provides minimal information and is not sufficient to answer the complex, serious questions nearby community members, the general public, and government agencies may have regarding the application. A public hearing is necessary for community members to ask and receive meaningful responses to their questions and for the Corps to receive information that is essential to its public interest review. Written comments alone will not suffice.

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**This company's dock has no benefit to the public, yet creates significant public health and environmental endangerment.**

The proposed barge dock would be a conduit for large amounts of potentially radioactive oil and gas wastewater traveling on the Ohio River to a site already riddled with environmental problems. As a result, the Corps should demand from the applicant more information regarding the direct, indirect, and cumulative impacts this project poses for the Ohio River and its communities. In particular, the Corps should require the applicant provide information regarding spill prevention, emergency response, radiation protection, quantities of waste, origins of waste, types of waste, ultimate disposal sites, economic impacts, aesthetic impacts, and impacts to public health and drinking water. These all present significant, important issues warranting a public hearing.

For the above reasons, we respectfully ask the Corps to extend their public review of application 2020-78 and hold a public hearing after COVID-19 restrictions are lifted.

Sincerely,

Melissa A. Troutman  
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