

PDR

40-8745

OGLE PETROLEUM INC.

TELEPHONE (805) 969-5941
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TELEX No. 553-430

December 3, 1979

P.O. Box 5549
559 SAN YSIDRO ROAD
SANTA BARBARA, CALIFORNIA 93108

PLEASE DIRECT REPLY TO:

150 North Nichols Avenue
Casper, Wyoming 82601
(307) 266-6456



Mr. Ronald Kaufmann
Nuclear Regulatory Commission
Mail Stop 905-SS
Washington, D.C. 20555

RE: Docket No. 40-8745

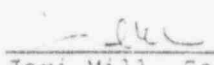
Dear Mr. Kaufmann:

Enclosed please find a copy of a letter addressed to Glenn J. Catchpole from the Corps of Engineers, Department of the Army, in connection with the referenced docket number. Mr. Catchpole asked that I forward a copy of this letter to you for your records.

If you have any questions about this matter, please contact Mr. Catchpole at your convenience.

Sincerely,

OGLE PETROLEUM INC.



Jeri Mill, Secretary

jm

Enclosure

CC: Dr. Minton Kelly, OPNL, w/enclosure

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DEPARTMENT OF THE ARMY
OMAHA DISTRICT CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102

OFFICIAL USE ONLY

MROPD-A

21 November 1979

Mr. Glenn J. Catchpole, Project Manager
Ogle Petroleum Inc.
Post Office Box 5549
559 San Ysidro Road
Santa Barbara, California 93108

Dear Mr. Catchpole:

We refer to your letter dated 18 October 1979 requesting a review of the Environmental Report for the U.S. Nuclear Regulatory Commission for Ogle Petroleum Inc. Based on the information submitted, the proposed activity is located at a point on West Alkali Creek which has an average annual flow of less than (5) five cubic feet per second. Accordingly, for the purpose of Section 404 of the Clean Water Act, the proposed activity is authorized under the Nationwide permit without further processing provided the following conditions are adhered to:

- a. That the fill will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species;
- b. That the fill will consist of suitable material free from toxic pollutants in other than trace quantities;
- c. That the fill created by the discharge will be properly maintained to prevent erosion and other non-point sources of pollution; and
- d. That the fill will not occur in a component of the National Wild and Scenic River System or in a component of a State Wild and Scenic River System.

In addition to the conditions specified above, the following management practices should be followed to the maximum extent practicable in the performance of the work.

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MROPD-A
Mr. Glenn J. Catchpole

21 November 1979

- a. Fills in spawning areas during spawning seasons should be avoided.
- b. If the fill creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow should be minimized.
- c. Fills in wetlands areas should be avoided.
- d. Heavy equipment working in wetlands should be placed on mats.
- e. Fills into breeding and nesting areas for migratory waterfowl should be avoided.
- f. All temporary fills should be removed in their entirety.
- g. Discharges of dredged or fill material into waters of the United States should be avoided or minimized through the use of other practical alternatives.

We would emphasize that the above determination does not obviate the requirement to obtain State or local assent as required by law.

If you have any questions, please contact the Corps of Engineers, Omaha District, address as noted on letterhead.

Sincerely,

[Signature]
JOHN E. VELEHRADSKY
Chief, Planning Division

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