

Joint Public Hearing
Proposed Air Permit and
Proposed National Pollutant Discharge Elimination System (NPDES) Permit
CreekWood Resources LLC

May 20, 2021

6:00 p.m.

Opelika Municipal Court
300 Martin Luther King Boulevard
Opelika, AL 36801

1 **[Christy Monk, Hearing Officer:]**

2 Good evening and welcome to the public hearing on behalf of the Alabama
3 Department of Environmental Management.

4 My name is Christy Monk. I am the designated Hearing Officer for these
5 proceedings. The role of the Hearing Officer is limited to ensuring an orderly
6 hearing so that an accurate record of this hearing may be developed for the
7 Department's evaluation. I do not make any decisions regarding these proposed
8 permit actions.

9 On behalf of the Department, we appreciate your participation in tonight's
10 joint hearing for the proposed issuance of Air Permit Number 206-0051-X001 and
11 National Pollutant Discharge Elimination System, or NPDES, Permit Number
12 AL0084191 for CreekWood Resources' proposed granite quarry to be located on
13 West Point Parkway (aka US Hwy 29) approximately 0.6 miles east of Lee County
14 Road 177, Opelika, AL 36804.

15 The purpose of this hearing is to provide the public with an opportunity to
16 present oral testimony on the draft permit actions.

17 In addition to oral testimony, the Department also will consider all written
18 comments submitted before the close of the public comment period. The
19 Department has requested your comments, and we appreciate you taking the time
20 to make them known to us.

21 On April 16, 2021, notice of the date, time, place, and purpose of this
22 hearing was posted on the Department’s website. In addition, the Department sent
23 notice of this hearing by email to individuals and organizations who had previously
24 requested advance notice of permit proceedings. A copy of the notice and the
25 email distribution list will be entered into the record of these proceedings.

26 Copies of the public notice, permit applications, preliminary determinations,
27 and draft permits have been made available for inspection by the public at the
28 offices of the Department at 1400 Coliseum Boulevard in Montgomery, as well as
29 on the Department’s website.

30 This hearing is open to the public and anyone wishing to present oral
31 testimony or submit a written statement may do so. Lengthy statements or those
32 containing considerable technical or other complex data should be submitted in
33 writing. Summaries of such statements may be presented orally.

34 All testimony and written comments should be as factual as possible and
35 should address the subject of this hearing.

36 This hearing is an opportunity for members of the public to offer comments
37 to help ensure that all relevant factors are considered before a final permit decision
38 is made.

39 Please be advised that the Department is limited in the factors it can consider
40 when making permit decisions and must base the determinations only on whether

41 the permit applicant has satisfied those requirements of applicable environmental
42 statutes and regulations granted to ADEM by the Legislature.

43 Persons giving testimony may be questioned by the Hearing Officer or other
44 Department staff to clarify points and to develop a better understanding of what is
45 being presented.

46 This proceeding tonight is not an open forum as in a question-and-answer
47 session. This hearing is an opportunity for you to submit comments that you wish
48 the Department to consider in the final review of the permit application. However,
49 you may pose a comment in the form of a question which will be compiled and
50 addressed by the Department in its complete response to comments.

51 In addition to oral testimony, written comments may be submitted on the
52 proposed permit actions. You do not have to make an oral statement tonight in
53 order to have your written comments considered by the Department.

54 Written statements may be submitted to the Hearing Officer tonight or
55 delivered to the Department in Montgomery, as directed in the public notice for
56 this hearing. All written statements previously submitted and those received by the
57 Department before the end of the public comment period will be included in the
58 hearing record.

59 It is important to note that written comments submitted through postal or
60 electronic mail are given the same consideration as those that are presented in

61 person at this hearing. All oral and written testimony will be included in the
62 hearing record.

63 After giving full consideration to the hearing record, the Department will
64 make its final decision on the proposed permit actions and develop responses to
65 comments for the draft permits. The hearing record, final permit determinations,
66 and responses to comments will be posted to the Department's eFile System.

67 This hearing is being captured by a court reporter to develop a transcript of
68 this hearing for review by the Department. In addition, the entire proceeding is
69 being recorded on video to be posted on the Department's YouTube channel to
70 make it accessible to the public.

71 Now let us move on to the purpose of this hearing, the receipt of public
72 comments. The order of appearance of persons giving testimony will be as
73 follows: first, a representative of the Department's Air Division, then, a
74 representative of the Department's Water Division; then, a representative of
75 CreekWood Resources; then, any elected officials or their representatives who
76 have registered to speak prior to the start of the hearing this evening. All
77 remaining members of the public will be heard in the order in which they
78 registered during the preregistration offered online or by phone and then those that
79 registered on-site at this hearing.

80 I now recognize Ms. Pam Hunt to present a statement on behalf of the
81 Department's Air Division.

82 **[After Ms. Hunt speaks:]**

83 I now recognize Ms. Ange Boatwright to present a statement on behalf of
84 the Department's Water Division.

85 **[After Ms. Boatwright speaks:]**

86 I now recognize Mr. Major to present a statement on behalf of CreekWood
87 Resources.

88 **[If NO elected officials have preregistered to speak]**

89 I have not been informed that we have any elected officials registered to
90 speak at this time.

91 **[If elected officials have preregistered to speak]**

92 We will now proceed to the receipt of public comments from elected
93 officials. First, I recognize [Title and Full Name of Official].

94 **[After elected official enters]**

95 Please step up to the microphone and clearly restate your name and the
96 office that you hold.

97 **[After all elected officials have spoken:]**

98 We will now proceed to the receipt of comments from members of the
99 public. As indicated in the public notice for this hearing, oral testimony for each

100 registered speaker is limited to seven minutes. If anyone has prepared a statement
101 that cannot be presented in a 7-minute time frame, please use your time for oral
102 testimony to summarize your comments and submit your full statement to the
103 Department in writing for placement in the record.

104 **[After speaker enters]** Please step up to the microphone and clearly state
105 your name and the name of any interest or organization that you represent.

106 **[After all registered speakers have spoken:]**

107 Since there are no other registered speakers, please be advised that unless
108 otherwise notified, the public comment period will end at 5:00 p.m. on Thursday,
109 May 27, 2021. All comments must be received at the offices of the Department in
110 Montgomery by that time.

111 After consideration of all oral and written comments, the Department will
112 make its determinations regarding the proposed permit actions and prepare
113 responses to all relevant comments received.

114 Thank you for your participation this evening. This hearing is adjourned.